



Case No. SCSL-2004-16-T  
THE PROSECUTOR OF  
THE SPECIAL COURT  
V.  
ALEX TAMBA BRIMA  
BRIMA BAZZY KAMARA  
SANTIGIE BORBOR KANU

TUESDAY, 13 JUNE 2006  
9.16 A.M.  
TRIAL

TRIAL CHAMBER II

Before the Judges:

Richard Lussick, Presiding  
Julia Sebutinde  
Teresa Doherty

For Chambers:

Ms Carolyn Buff  
Ms Evelyn Campos Sanchez

For the Registry:

Mr Geoff Walker

For the Prosecution:

Mr Karim Agha  
Mr Charles Hardaway  
Ms Martine Durocher

For the Principal Defender:

Ms Prudence Acirokop (intern)

For the accused Alex Tamba  
Brima:

Mr Kojo Graham  
Ms Glenna Thompson  
Mr Ibrahim Foday Mansaray (legal assistant)  
Ms Rebecca Cohen (intern)

For the accused Brima Bazzy  
Kamara:

Mr Andrew William Kodwo Daniels  
Ms Louisa Songwe (legal assistant)

For the accused Santigie Borbor  
Kanu:

Mr Ajibola E Manly-Spain  
Ms Anne-Marie Verwiel (legal assistant)

1 [AFRC13JUN06A - CR]  
2 Tuesday, 13 June 2006  
3 [The accused present]  
4 [Open session]  
09:22:03 5 [Upon commencing at 9.16 a.m.]  
6 WITNESS: ACCUSED ALEX TAMBA BRI MA [Continued]  
7 [The witness answered through interpreter]  
8 PRESIDING JUDGE: Mr Brima, I will remind you once more  
9 that you are still on your former oath to tell the truth. Go  
09:22:17 10 ahead, Mr Graham.  
11 MR GRAHAM: Good morning, Your Honours.  
12 EXAMINED BY MR GRAHAM: [Continued]  
13 Q. Good morning, Mr Brima.  
14 A. Good morning, sir.  
09:22:36 15 Q. Mr Brima, I asked you a number of questions after reading  
16 various portions of the testimony of Prosecution witness TF1-334.  
17 MR GRAHAM: Your Honours, I'm going to continue this  
18 morning, with your permission, to make a reference from the  
19 transcript of the proceedings of May 23, 2005, specifically page  
09:23:05 20 16.  
21 PRESIDING JUDGE: Go ahead, Mr Graham.  
22 MR GRAHAM: Your Honours with your permission, I'm going to  
23 read from line 14.  
24 Q. "Q. Just pause a moment and allow their Honours time to  
09:24:30 25 write this down. Go on, what was the next point that you  
26 were making?  
27 "A. He said, as the troops were leaving to go further, if  
28 any village in which they attack the troops, the troops  
29 should repel the attack and that village should be burned.

1 And he warned, in his own words, he said, 'Minus you, plus  
2 you.' That is --

3 "Q. Pause, please. Explain what you mean by 'minus you,  
4 plus you'?

09:25:28 5 "A. That is as he had ordered. If somebody failed to go  
6 by those orders, without you the operation could continue.  
7 With you also the operation could continue. That was what  
8 he referred to as minus you, plus you."

9 That ends my reference. Mr Brima, I'm going to ask of you:

09:26:01 10 Did you give any such orders like I've just read to you?

11 A. No.

12 Q. Mr Brima, please tell this Court, are you familiar with the  
13 term "minus you, plus you"?

14 A. No.

09:26:35 15 Q. Mr Brima, yesterday you gave evidence before this Court in  
16 respect of a number of things that happened at Colonel Eddie  
17 Town. You told this Court about being detained, together with  
18 some honourables, and you also told this Court about some  
19 conversations that took place between yourself and the  
09:27:05 20 honourables. Mr Brima, I want you to tell this Court what  
21 happened, if anything, after you had had those conversations with  
22 the honourables in Colonel Eddie Town.

23 A. Well, when we had had these discussions, amongst us, the  
24 detained people, Junior Lion came and told us that they were  
09:27:44 25 going to execute us by firing squad. Later at the end, he came  
26 back and told us that we are lucky that SAJ Musa has given orders  
27 that [inaudible] --

28 Q. So what happened after that?

29 JUDGE SEBUTINDE: Sorry, I didn't hear the interpretation

1 of the tail end of what he said.

2 MR GRAHAM: Your Honours, I think my learned friends  
3 confirm that there was no interpretation in respect of that.

4 JUDGE SEBUTINDE: Mr Interpreter, what happened?

09:28:37 5 THE INTERPRETER: Probably the system. The system probably  
6 was the problem.

7 PRESIDING JUDGE: Yes, Mr Agha.

8 MR AGHA: I believe, Your Honours, that we've covered this  
9 ground already yesterday. So it's repetition.

09:28:57 10 PRESIDING JUDGE: Well, I would like to hear the end of  
11 that reply, whatever it was. The last I heard was SAJ Musa --  
12 the witness said SAJ Musa told them something. I didn't hear  
13 anything after that.

14 MR GRAHAM:

09:29:12 15 Q. Mr Brima, in your response you had told this Court about  
16 what Junior Lion told you, together with the honourables, as to  
17 why you didn't have to be executed. Please go over that part of  
18 your evidence one more time.

19 A. George Johnson, who was Junior Lion, told us, the detained  
09:29:40 20 people, myself and the other former honourables, that SAJ Musa  
21 had sent message that they should not execute us, that they  
22 should wait until he comes.

23 Q. Mr Brima, do you know whether SAJ Musa came to  
24 Colonel Eddie Town?

09:30:09 25 A. Yes, he came to Colonel Eddie Town.

26 Q. How do you know that SAJ Musa came to Colonel Eddie Town?

27 A. I knew that through Junior Lion, who was in care of us, the  
28 detained people.

29 Q. How did you know that through Junior Lion?

1 A. Junior Lion came and told us that they had gone and  
2 received SAJ Musa and SAJ Musa had arrived at Eddie Town.

3 Q. Do you recall when SAJ Musa arrived in Colonel Eddie Town?

4 A. SAJ Musa came to Eddie Town on 21st November 1998.

09:31:27 5 Q. Mr Brima, how come you're so sure about this date?

6 A. I became very sure about this date because our lives were  
7 under threat and since the day they told us that SAJ Musa was  
8 coming, we had started counting. I had started checking the  
9 dates. When SAJ Musa came, I was able to confirm the dates

09:32:12 10 through when I asked some of the securities who were guarding us.

11 Q. Mr Brima, did SAJ Musa come alone to Colonel Eddie Town?

12 A. Repeat the question, please.

13 Q. Did SAJ Musa come to Colonel Eddie Town alone, to the best  
14 of your knowledge?

09:32:45 15 A. No.

16 Q. How do you know?

17 A. It was when SAJ Musa came and addressed us, the detained  
18 people, was when I saw some of my platoon mates that I trained  
19 together with in the army and some of my squad mates who were  
09:33:08 20 together with SAJ Musa, and some of such squad mates and platoon  
21 mates who were with Brigadier Mani, but SAJ Musa came with them  
22 all.

23 Q. Mr Brima, how did SAJ Musa address you?

24 A. Please repeat that question again.

09:33:44 25 Q. How did SAJ Musa address you and the others?

26 A. SAJ Musa addressed us, the detained people, with the troops  
27 during a general muster parade.

28 Q. Mr Brima, can you please tell this Court, what did SAJ Musa  
29 say during this address?

1 A. Well, during the general muster parade when he addressed,  
2 what I can recall that he said, SAJ Musa told the troops that we,  
3 the detained people that have been arrested, he supports the  
4 troops for arresting us. And he had told the troops before that  
09:34:48 5 this is not a political movement. His own movement, together  
6 with the soldiers, is to reinstate the national army. And we,  
7 the detained people, we are the trouble causers who have caused  
8 the soldiers and their families to suffer. And he advised the  
9 soldiers that they should not kill us since he has reached the  
09:35:28 10 ground, but we were still under arrest and he will prosecute us  
11 in the future. So he had to ask the soldiers that if the  
12 soldiers supported what he said. The soldiers said yes. Then he  
13 said his mission, which was to go to Freetown to reinstate the  
14 national army, should be done very fast.

09:36:06 15 Q. Mr Brima, did anyone else address the muster parade apart  
16 from SAJ Musa?

17 A. Yes.

18 Q. Please tell this Court.

19 A. Major FAT Sesay addressed the muster parade before he  
09:36:40 20 handed over the parade to SAJ Musa.

21 Q. Please, what did he say when he addressed the muster  
22 parade?

23 A. Well, he addressed this muster parade that since SAJ Musa  
24 had arrived, who had given him the mission, he was acting as an  
09:37:08 25 acting commanding officer. So now that SAJ has come, all  
26 decisions that he had been taking and others that he had been  
27 taking, and instructions that he had been taking were from  
28 SAJ Musa. He was getting them from SAJ Musa. So since SAJ is  
29 now come he had hand over the muster parade and took the troops

1 to him. We were seated on the ground, we, the detained people.  
2 He called the parade to attention and turn, about-turn, and paid  
3 compliment to SAJ and handed over the parade to SAJ Musa.

4 Q. What do you mean by he paid compliment to SAJ Musa?

09:38:15 5 A. I mean in the military way, when you pay compliment you  
6 salute. You will have to be with headdress. You put your hand  
7 this way, and then you hand over the parade.

8 Q. Mr Brima, are you aware of the command structure at Eddie  
9 Town before SAJ Musa's arrival?

09:38:51 10 A. Yes.

11 Q. Mr Brima, please tell this Court, how do you know that  
12 there was a command structure in Colonel Eddie Town before  
13 SAJ Musa's arrival?

14 A. How I managed to know that command structure was existing  
09:39:22 15 at Eddie Town before the arrival of SAJ Musa, it was when  
16 SAJ Musa came, the whole troop was called for a general muster  
17 parade. That was when I knew that there was a command structure  
18 in place.

19 Q. How did you know through this muster parade that there was  
09:39:52 20 a command structure in place prior to SAJ Musa's arrival in  
21 Colonel Eddie Town?

22 A. Well, Major FAT, who was the acting commanding officer for  
23 the SLA troops who were there before the arrival of SAJ --

24 Q. How do you know that?

09:40:21 25 A. He handed over the parade to SAJ Musa and introduced the  
26 various commanders who were junior commanders to SAJ Musa. And  
27 that was always the normal military deal.

28 Q. Mr Brima, please tell us, then, the command structure that  
29 you knew prior --

1 MR AGHA: I would object to that question, Your Honour, on  
2 the basis that the witness is not a military expert and he is not  
3 qualified to speak about matters such as command structure.

4 PRESIDING JUDGE: I think he would be able to say who was  
09:41:06 5 in charge as far as his knowledge goes. He was living in the  
6 camp. What do you say to that objection, Mr Graham?

7 MR GRAHAM: Your Honour, the allegations against the  
8 accused, of course, is also premised on the fact that he also had  
9 command responsibility. Your Honour, command responsibility  
09:41:27 10 presupposes the existence of some form of structure through which  
11 orders and commands can be given. Your Honour, that is exactly  
12 the information I'm trying to elicit from Mr Brima at this point  
13 in time. The indictment is replete with allegations of command  
14 responsibility. The only way we can establish whether the  
09:41:52 15 accused is guilty of the allegations --

16 Your Honours, of course, the Prosecution has also given  
17 abundant evidence of Mr Brima setting up command structures at  
18 different places, appointing people to positions of command and  
19 authority. So in every sense of the word, I think Mr Brima is in  
09:42:20 20 a very good position at least to tell us about the command  
21 structure that existed at Colonel Eddie Town to the best of his  
22 knowledge.

23 Your Honour, these are my submissions in respect of this  
24 objection by my learned friend.

09:42:32 25 PRESIDING JUDGE: I will overrule the objection. You can  
26 ask that question. You better repeat the question, Mr Graham.

27 MR GRAHAM: I'm grateful, Your Honour.

28 Q. Mr Brima, please tell this Court what you know about the  
29 command structure in Colonel Eddie Town prior to SAJ Musa's



1 arrival .

2 A. Well, just as I had said before this Court, that when  
3 SAJ Musa came, Major FAT handed over the parade and introduced  
4 all the other junior commanders to SAJ Musa. The first person  
09:43:24 5 who was acting, who was Major FAT Sesay, he was the acting  
6 commanding officer. His 2IC in the army --

7 Q. Please explain what you mean by 2IC.

8 A. In the army, it is a short way to call second in command.  
9 It is just like when they say deputy. But that is the military  
09:44:03 10 language that is normally used, 2IC. So it means second in  
11 command. His second in command to Major FAT Sesay was  
12 Captain Eddie. The adjutant, who was taking care of the camp,  
13 was Captain King.

14 MR AGHA: Can we have some foundation for this, please,  
09:44:41 15 Your Honour.

16 PRESIDING JUDGE: Look, if you're not happy with the  
17 foundation he's laid, Mr Agha, you can cross-examine on it. I  
18 think the foundation he has laid was stated very plainly. He was  
19 there when the parade was handed over to SAJ Musa and he heard  
09:44:57 20 all of the junior officers under the rank of FAT Sesay introduce  
21 to SAJ Musa. If you're not happy that that's enough foundation  
22 for him to be able to give this evidence, then you can  
23 cross-examine him on it. I will overrule your objection. You  
24 were up to the adjutant, Captain King.

09:45:28 25 MR GRAHAM:

26 Q. Mr Brima, please continue from where you left off. You had  
27 just mentioned Captain King.

28 A. Captain King, then Captain O-Five. I said Captain O-Five.  
29 My Lord, I'm not getting the translator.

1           PRESIDING JUDGE: Mr Translator, what exactly is he not  
2 getting? What are you not getting, Mr Brima?

3           THE WITNESS: The answer that I gave, I'm not getting the  
4 reply from the translation what he is saying to you.

09:46:22 5           PRESIDING JUDGE: I'm afraid I don't understand the  
6 problem. Mr Interpreter, do you understand what's being said?

7           THE INTERPRETER: Yes, I do understand, but he is not  
8 supposed to be getting us.

9           PRESIDING JUDGE: I don't think there was another question  
09:46:46 10 asked, Mr Brima. Repeat your last question, Mr Graham.

11           MR GRAHAM:

12 Q. Mr Brima, you were giving us an account of the command  
13 structure. You mentioned King. Please proceed.

14           PRESIDING JUDGE: He has mentioned Captain O-Five.

09:47:02 15           MR GRAHAM:

16 Q. Captain O-Five as well.

17 A. Captain O-Five was the officer who was the operations  
18 commander. George Johnson, who was the Junior Lion, was the  
19 second operations commander. Captain Tito was the A Company  
09:47:38 20 commander. Captain Foday Bah Marah was the B Company commander.  
21 Captain Junior Sheriff was the C Company commander. Captain  
22 Keh/For/Keh was the D Company commander.

23 Q. Can you please spell "Keh/For/Keh"?

24 A. K-E-H/F-O-R/K-E-H. Keh/For/Keh. So these were the people  
09:48:42 25 who were Major FAT Sesay had introduced to Commander SAJ Musa at  
26 Eddie Town.

27 Q. Thank you, Mr Brima. After, did SAJ Musa make any changes  
28 to this command structure you've just given for this Court?

29 A. SAJ Musa made changes.

1 Q. Mr Brima, please briefly tell this Court how do you know  
2 that SAJ Musa made changes to the command structure?

3 A. How I knew that SAJ Musa made changes on the command  
4 structure, SAJ Musa himself became the commanding officer, while  
09:49:58 5 Major FAT Sesay became the second in command, who was the 2IC.  
6 And Captain Eddie, he became the adjutant, whilst Captain King,  
7 who was a trained military police officer, he became the OC  
8 military police.

9 Q. How do you know about these changes you just mentioned,  
09:50:41 10 Mr Brima?

11 A. It was during the muster parade when SAJ Musa addressed  
12 was -- that was the time he gave all this what I'm telling the  
13 Court now. And George Johnson, he made him the task force  
14 commander. Commander O-Five, he still remained the operations  
09:51:16 15 commander. Commander Tito, he was still A company commander.  
16 Commander Foday Bah Marah, he was still B Company commander.  
17 Commander Junior Sheriff, he was still C Company commander. And  
18 commander Keh/For/Keh, he was still D Company commander. So SAJ  
19 Musa, he was the commanding officer that you call the battalion  
09:52:00 20 commander.

21 Q. Mr Brima, before I go on, I need to ask of you: Do you  
22 approximately know how many people were present at the muster  
23 parade?

24 A. Well, I cannot tell the number because all the companies  
09:52:35 25 were not at Colonel Eddie Town.

26 Some of the company commanders that came, who attended the  
27 muster parade, they came from their own different deployment  
28 areas and came and attended the muster parade.

29 Q. How do you know that, Mr Brima?

1 A. I know this, I knew this through -- whilst they were being  
2 introduced. When Major FAT was introducing them that this  
3 A Company commander, he is deployed around so-so area. This  
4 B Company commander, or C Company commander, or D Company  
09:53:27 5 commander, he is deployed around so-so area.

6 Q. I will take you back a few steps to when SAJ Musa arrived  
7 in Colonel Eddie Town. Do you, to the best of your knowledge,  
8 know how many men SAJ Musa came with to Colonel Eddie Town?

9 A. I cannot be able to tell the exact number.

09:54:10 10 Q. But do you know any of the men that SAJ Musa came with to  
11 Colonel Eddie Town?

12 A. Yes.

13 Q. Can you give this Court the names, if you know of the name  
14 that you know who came along with SAJ Musa to Colonel Eddie Town?

09:54:37 15 A. SAJ Musa came with Alabama.

16 Q. Do you know Alabama by any other name, Mr Brima?

17 A. Yes.

18 Q. You don't need to mention that before this Court now.  
19 Mr Brima, can you please spell Alabama for this Court, please?

09:55:14 20 A. A-L-A-B-A-M-A. He came with Mohamed Tarawallie.

21 Q. Can you spell Tarawallie for the Court, please?

22 A. T-A-R-A-W-A-L-L-I-E, Tarawallie. This Tarawallie that SAJ  
23 Musa brought with him, he was an imam.

24 Q. How do you know he was an imam?

09:56:16 25 A. He was bring with us, the detained people. And, at the  
26 muster parade, before the muster parade got started, he offered  
27 us prayers and they called the imam.

28 Q. Mr Brima, you mentioned the name Alabama to this Court.  
29 You've also mentioned the name Mohamed Tarawallie. Do you know

1 the names of any other persons who came along with SAJ Musa to  
2 Colonel Eddie Town?

3 A. Mohamed Zedem Sidi kie.

4 Q. Would you please spell that name for the court, please?

09:57:11 5 A. Z-E-D-E-M, Zedem. S-I-D-I-K-I-E, Sidi kie.

6 Q. Do you know him by any other name?

7 A. Yes.

8 Q. Please tell this Court.

9 A. He was called Terminator.

09:57:50 10 Q. Can you spell that name for this Court?

11 A. T-E-R-M-I-N-A-T-O-R, Terminator.

12 Q. Who was he, the person you just referred to us, Terminator;  
13 who was he?

14 A. He was SAJ Musa's, one of his close men whom he came with.

09:58:25 15 Q. How do know he was one of SAJ Musa's close men that he came  
16 with?

17 A. He was not falling within the rank of the parade. He was  
18 at the rear of SAJ Musa, the back of SAJ Musa. So I know that he  
19 was somebody who was, or he was a personnel that was close  
09:58:55 20 somebody to the commanding officer, who was SAJ Musa.

21 Q. Thank you. Who else came along with SAJ Musa to  
22 Colonel Eddie Town, that you know, apart from the names you've  
23 mentioned to this Court?

24 A. Raymond Konjoh.

09:59:18 25 Q. Would you please spell Konjoh for the convenience of the  
26 Court, Mr Bri ma.

27 A. K-O-N-J-O-H, Konjoh.

28 Q. Do you know who he was?

29 A. He was also a close man to SAJ Musa.

1 Q. How do you know he was also close to SAJ Musa?

2 A. He did not fall in within the rank. He was at the rear of  
3 SAJ Musa.

4 Q. Mr Brima, who else do you know who came along with SAJ Musa  
10:00:14 5 to Colonel Eddie Town?

6 A. For now, these are the ones I can remember.

7 Q. Mr Brima, I'm going to ask of you, in your earlier  
8 testimony before this Court, you outlined the command structure  
9 that SAJ Musa put into place when he came into Colonel Eddie

10:00:58 10 Town, and you mentioned that the task force commander appointed  
11 by SAJ Musa was Junior Lion. Mr Brima, do you know what the task  
12 force commander does?

13 MR AGHA: I would object to that question. That does  
14 require some element of military expertise.

10:01:24 15 PRESIDING JUDGE: Yes, Mr Graham.

16 MR GRAHAM: Your Honours, I believe the term "task force  
17 commander," by definition, is not necessarily a military term.

18 It is not restricted to military use alone. And, Your Honours,  
19 of course, you have expert evidence before this Court as to

10:01:51 20 whether the AFRC as it was alleged to have operated, would  
21 qualify as a military organisation. So, Your Honours, these are  
22 issues which need to be clarified before this Court. And I  
23 believe the accused is in a position to deal with this situation,  
24 more so, Your Honours, if we go back to the evidence of

10:02:15 25 Prosecution witness TF1-334. And I stand to be corrected.

26 Mr Brima was alleged to have made some appointments in  
27 Colonel Eddie Town which included appointment of a task force  
28 commander, so, clearly, he should be in the position to answer to  
29 that allegation, and that is exactly what I'm trying to do,

1 Your Honour, in the circumstances.

2 PRESIDING JUDGE: Is it the Prosecution's position,  
3 Mr Agha, that this witness would not know what a task force  
4 commander was?

10:02:54 5 MR AGHA: The Prosecution's objection is in essence that,  
6 as to the role of a task force commander in this particular  
7 question, used in its military sense. Now, the witness alleges  
8 that he holds a very junior rank, so the Prosecution submission  
9 is that he would not be in a position to know what the role and  
10:03:09 10 duties of a task force commander are, and that is a military  
11 question which is properly left to a military expert to define.

12 PRESIDING JUDGE: Well, I don't quite understand what  
13 position you're taking here, Mr Agha. But, in any event, there  
14 is nothing to prevent this witness from saying whether or not he  
10:03:33 15 knows what a task force commander does, so you can ask that  
16 question, Mr Graham.

17 MR GRAHAM:

18 Q. Mr Brima, please tell this Court, what does, to the best of  
19 your knowledge, what does a task force --

10:03:52 20 PRESIDING JUDGE: No, no, that was objected to.

21 MR GRAHAM: Okay. Sorry, Your Honours.

22 Q. Mr Brima, can you tell this Court what you know --

23 PRESIDING JUDGE: Well, that's objected to as well.

24 MR GRAHAM: Okay. Sorry, Your Honour. Just one second.

10:04:20 25 Q. Mr Brima, I'm going to ask you specifically in relation to  
26 George Johnson, Junior Lion, do you know the role that he played  
27 as task force commander?

28 A. Well, at the muster parade, the task that was given to him  
29 by SAJ when he was addressing the troops, after he had told the

1 troops that they should reinstate the national army, the task  
2 force commander was to lead all operations, and for any area that  
3 should be captured, the task force commander must capture that  
4 area, and the most paramount area that should be captured by the  
10:05:10 5 task force commander was Freetown.

6 Q. Mr Brima, can you tell this Court what happened after the  
7 muster parade and the address by SAJ Musa?

8 A. Well, before I proceed after the muster parade, I had not  
9 spoken about all that happened at the muster parade.

10:05:53 10 MR AGHA: I object to that, Your Honour. The witness is  
11 supposed to answer the questions put to him.

12 PRESIDING JUDGE: That's correct, Mr Agha. He's your  
13 witness, Mr Graham, and you should hold him to the questions you  
14 ask.

10:06:06 15 MR GRAHAM: Very well.

16 Q. Mr Brima, could you tell this Court whether anything else  
17 happened at the muster parade after the address by SAJ Musa?

18 A. When SAJ Musa had addressed the troops, he said we, the  
19 detained people, we have no hands in any operation and we should  
10:06:44 20 be in custody from one point to the other while the troop is  
21 moving to Freetown. And SAJ Musa ordered the troop to depart

22 Eddie Town as to how he has prepared his command structure, and  
23 the troop left Eddie Town on 27th November, which was the --

24 Q. Mr Brima, before you proceed, please tell this Court how  
10:07:33 25 come you know when the troops left Colonel Eddie Town?

26 A. Well, how I came to know this was when SAJ Musa was  
27 addressing the troops. He said the RUF wants to come to Freetown  
28 and the SLA should not allow the RUF to come to Freetown before  
29 the SLA does. After he had given out these appointments, he said



1 the task force team, which was the advance team, which was the  
2 fighting team also, should leave Eddie Town on 27th November  
3 1998. And the back-up team, which was the reinforcement team,  
4 which was controlled by Commander O-Five, should leave --

10:08:56 5 Q. Before you proceed, please explain to this Court what you  
6 mean by reinforcement unit. You just mentioned back-up  
7 reinforcement. Would you please explain to this Court?

8 A. The reinforcement team was a team that was to support the  
9 fighting team on the front in case the fighting team needed more  
10 manpower. Where they were to be overcome by the enemies, they  
11 should immediately call for the reinforcement team, which was in  
12 the care of Commander O-Five.

13 Q. Mr Brima, how do you know --

14 MR AGHA: Your Honours, we would object to going to the  
10:09:57 15 lack of foundation as to how he has this knowledge of what a  
16 reinforcement team is meant to do.

17 MR GRAHAM: I was just about to ask him that question, but  
18 time and time again, I have said that some of the responses that  
19 come out of the questions are difficult to control, and we  
10:10:14 20 adopted an approach immediately to follow up with questions that  
21 would lay the foundation. I am just about to do that.

22 PRESIDING JUDGE: Lay some foundation, Mr Graham.

23 MR GRAHAM:

24 Q. Mr Brima, how do you know what the reinforcement unit does?  
10:10:32 25 How do you know?

26 A. It was through the instruction or order of  
27 Commander SAJ Musa, the way he had programmed the team. And I  
28 had told this Court that it's very difficult for a soldier to  
29 take a team of soldiers on the front without briefing them. If a

1 soldier was going to the front without being briefed, that would  
2 definitely cause some problems, because sometimes the troops  
3 would advance, or the battalion would advance in bits.

4 Q. [Microphone not activated]

10:11:23 5 THE INTERPRETER: Microphone is not on.

6 MR GRAHAM: Your Honours, the second accused wants to use  
7 the restroom, with your permission, please.

8 PRESIDING JUDGE: Yes, he can leave.

9 MR GRAHAM:

10:11:39 10 Q. Mr Brima, you were telling us about the need for  
11 reinforcement. How do you know about what you just told this  
12 Court? How do you know?

13 A. I came to know this through the commanding officer's  
14 address, that is Commander SAJ Musa. And he said after the

10:12:14 15 reinforcement team had left on 28th November 1998, the  
16 headquarters team should leave with the company which was at the  
17 rear.

18 Q. Mr Brima, do you know what headquarter team stands for?

19 A. Well, the headquarters team was where all the family  
10:12:53 20 members of the soldiers were. He didn't allow women to go to the  
21 front. It was where the medical team was, or the medical  
22 orderly. It was where the headquarters for the signallers were.  
23 It was where we have the quartermaster, and it was where we, the  
24 detained people, and there was one company at the rear which  
10:13:38 25 secured the headquarters.

26 Q. Mr Brima, did SAJ Musa say anything else?

27 MR AGHA: I would object at this point, Your Honour,  
28 because, again, Mr Graham is probably going to come to clear up  
29 the foundation, but there doesn't seem to be any foundation as to

1 how he knew which groups were in the rear, which companies were  
2 in the rear. This has just come out.

3 PRESIDING JUDGE: You're quite correct, Mr Agha. There  
4 wasn't any foundation there.

10:14:14 5 MR GRAHAM: Your Honours, I believe, and I stand to be  
6 corrected, that he said consistently that he got to know these  
7 things as a result of the address that SAJ Musa made at the  
8 muster parade as to the way the troops were going to move. I  
9 asked him about the reinforcement unit, how did he know, and he  
10:14:33 10 said he got to know that from SAJ Musa's address. In any case,  
11 Your Honours, we'll move on.

12 PRESIDING JUDGE: The objection is that the witness has  
13 just given evidence without foundation. If you are saying that  
14 he has laid a foundation of the nature of having been told all of  
10:15:03 15 that in an address at a muster parade, I think you better make  
16 that fairly clear from the witness.

17 MR GRAHAM: Very well, Your Honours.

18 Q. Mr Brima, you have told this Court about the reinforcement  
19 unit; you have also told this Court about the headquarters, and  
10:15:20 20 you have also given this Court information as to the composition  
21 of the headquarter team. Mr Brima, can you tell this Court how  
22 come you know all this? Please tell this Court.

23 A. I knew this during the muster parade at which SAJ Musa  
24 addressed the troops, and I confirmed it on 27th November 1998.  
10:15:58 25 Before the advance team left Eddie Town, all the other companies  
26 which were deployed at different areas had all assembled at the  
27 headquarters, and all the family members had come at the  
28 headquarters.

29 Q. Mr Brima, did you see all these groups assembling at the

1 muster parade?

2 A. Yes.

3 Q. Please go on.

4 A. When all the troops that had deployed -- had been deployed  
10:16:50 5 at different deployment areas had assembled at headquarters, then  
6 the commander officer instructed the task force commander to  
7 advance with the advance team on 27th November 1998. And he  
8 advanced with two companies.

9 Q. How do you know that, Mr Brima?

10:17:25 10 A. The companies called the A and B Companies combined,  
11 together with their commanding officer --

12 Q. How do you know that, Mr Brima?

13 A. I knew this when the companies had all come together at  
14 Eddie Town.

10:17:52 15 Q. Do you know who the commanders of these two companies that  
16 assembled were?

17 MR AGHA: I would like to object, Your Honour, as to how he  
18 had knowledge they're all assembling at Eddie Town and how he had  
19 knowledge of they came from various deployments all assembling.

10:18:12 20 This, in my view, has not been adequately laid in foundation.

21 PRESIDING JUDGE: My understanding is he simply saw them  
22 assembled.

23 MR AGHA: But how did he know where they came from? He  
24 said he saw troops assemble.

10:18:25 25 PRESIDING JUDGE: Yes, what do you say to that, Mr Graham?

26 MR GRAHAM: Your Honours, I will proceed to lay some  
27 foundation in that regard.

28 Q. Mr Brima, how do you know that the troops that were  
29 assembling -- how do you know where they came from? How do you

1 know.

2 A. I knew this because of the muster parade that we attended,  
3 which was the general muster parade. Representatives had come  
4 from the various companies. But on that day that the troop was  
10:19:07 5 to leave Eddie Town, each company commander had to fall in with  
6 his company. That is how I knew Commander Tito had to fall in  
7 with A Company, Commander Foday Bah with B Company,  
8 Commander Junior Sheriff with the C Company and Commander  
9 Keh/For/Keh with the D Company.

10:19:44 10 Q. Mr Brima, what do you mean when you say falling in?

11 A. To fall in in the army, we call it parade. Like we say in  
12 school, assembly. I'll be falling in as a commanding officer,  
13 for example, with my troops, the company personnel behind me. So  
14 that's how they fell in.

10:20:22 15 Q. Mr Brima, how do you know that -- you've used the words the  
16 representatives of the companies came forward. How do you know  
17 that certain individuals who came forward during the muster  
18 parade were representatives of companies that were present? How  
19 do you know?

10:20:37 20 A. I have told this Court before now that I knew this through  
21 the introduction that was made by Major FAT Sesay to Commander  
22 SAJ Musa. For any officer whom he called, he would introduce him  
23 to SAJ Musa that this was the A Company commander, this was the  
24 B Company commander, this was the C Company commander, this was  
10:21:08 25 the D Company commander.

26 Q. Thank you, Mr Brima.

27 A. And this was a normal military drill, which is always done  
28 in the army.

29 Q. Thank you, Mr Brima. Mr Brima, did the troops under

1 SAJ Musa's command leave Colonel Eddie Town?

2 A. Yes.

3 Q. Mr Brima, did you yourself leave Colonel Eddie Town?

4 A. Yes, sir.

10:21:52 5 Q. How did you leave Colonel Eddie Town?

6 A. I left under the command of SAJ Musa at the headquarters  
7 company.

8 Q. Mr Brima, were you accompanied by any persons that you know  
9 during the time that you left Colonel Eddie Town?

10:22:21 10 [AFRC13JUN06B - SV]

11 A. We, the detained people, Sergeant Kamara, W02 Franklyn  
12 Conteh, Corporal Santigie Kanu. And the family members of the  
13 soldiers, we all left.

14 Q. Do you know who was in charge of the headquarters?

10:23:05 15 A. The headquarters, it was SAJ Musa who was in charge of the  
16 headquarters because he was the commanding officer and the  
17 headquarters was directly under him.

18 Q. So, Mr Brima, do you know where the troops headed for when  
19 they left Colonel Eddie Town?

10:23:39 20 A. I can't tell the name of the town because I didn't know the  
21 town, but the troops crossed the Little Scarcies River.

22 Q. Mr Brima, how did you cross the Little Scarcies River  
23 together with the troops, if you know?

24 A. We used a canoe to cross it.

10:24:30 25 Q. Do you recall anything significant happening during the  
26 crossing of the Little Scarcies River, Mr Brima?

27 A. Well, the only thing that I can remember is the families of  
28 the soldiers were in very safe hands and SAJ Musa allowed the  
29 families to go across before he himself could cross. And A

1 Company had crossed ahead which was with Commander O-Five which  
2 had provided security across the river.

3 Q. Mr Brima, how do you know this?

4 A. I met the company there and I met the personnel deployed  
10:25:38 5 across the river. And I knew this again because SAJ Musa would  
6 never move from one point to the other with the headquarters  
7 until the advance team commander, who was the task force  
8 commander, George Johnson, or Junior Lion, calls SAJ Musa, or  
9 Commander O-Five who had stayed with the reinforcement team,  
10:26:19 10 would call Commander SAJ Musa and tell him that the ground was  
11 safe.

12 Q. Mr Brima, how do you know what you have just told this  
13 Court?

14 A. I knew this when I was at the headquarters when we were  
10:26:46 15 under arrest. Most times when SAJ Musa receives the message,  
16 SAJ Musa's CSO, who was Elba [phon], would inform the family and  
17 us, the detained people, that we should move. He would say that  
18 the order was given to him by Commander SAJ Musa.

19 Q. Mr Brima, do you recall stopping anywhere when you left  
10:27:40 20 Colonel Eddie Town?

21 A. We stopped at a town whose name I cannot remember. But the  
22 only thing I could remember about that town was that SAJ Musa  
23 slapped his quartermaster who was taking care of his rations.

24 Q. Mr Brima, please can you tell this Court who the  
10:28:17 25 quartermaster is?

26 A. The quartermaster was Alabama. He slapped him because the  
27 food which they had cooked for SAJ Musa, he ate all of that food.  
28 And when SAJ Musa arrived there, he asked for his food and they  
29 explained to him that the ration officer had eaten the food then

1 he slapped him in our presence.

2 Q. Mr Brima, how do you know the account you just gave to this  
3 Court?

4 A. When SAJ Musa slapped the ration officer from a close  
10:29:33 5 distance where I was sitting and the chief security officer to  
6 SAJ Musa said it to us, the detained people, that SAJ Musa has  
7 some problem with his ration officer, who was Alabama.

8 Q. Mr Brima, before you go on, I need to ask of you, the name  
9 you just mentioned, do you know whether that person has testified  
10:30:18 10 in this Court?

11 A. Yes.

12 MR GRAHAM: I'm going to move on, Your Honours, to make  
13 some references, with your permission, from the transcript of the  
14 proceedings of May 24th, 2005. Specifically pages 73, 74 and  
10:30:45 15 then 75. Whilst that is being done, Your Honours, I will ask  
16 Mr Brima a few questions whilst we get the transcripts ready.

17 Your Honours, Mr Kanu wants to use the restroom, with your  
18 permission.

19 PRESIDING JUDGE: Yes, he can be excused.

10:31:05 20 MR GRAHAM:

21 Q. Did anything else happen after this incident which you just  
22 told this Court?

23 A. Repeat that question, sir.

24 Q. You told this Court about SAJ Musa, if I'm right, slapping  
10:31:53 25 the quartermaster and I'm asking did anything happen after that?

26 A. Well, after that the troop advanced.

27 Q. Do you know in which direction the troops advanced,  
28 Mr Brima?

29 A. Well, I can't know all the towns or the villages but I know



1 that the troops went to Mange Bridge.

2 Q. Could you spell that for the Court, please?

3 A. M-A-N-G-E, Mange.

4 MR AGHA: Your Honours, is he talking about the  
10:32:54 5 headquarters or for all of the troops?

6 PRESIDING JUDGE: Yes, you should make that clear,  
7 Mr Graham.

8 MR GRAHAM: Yes.

9 Q. Mr Brima, did you arrive at Mange Bridge with the  
10:33:13 10 headquarters team?

11 A. Yes.

12 Q. At this point in time did you know the whereabouts of the  
13 other troops?

14 A. No. All I know is that the advance team was at the  
10:33:37 15 forefront, because they were the fighting team.

16 Q. How do you know that, Mr Brima?

17 A. I knew this through the instruction given by SAJ and  
18 through the order -- in the drill order when the troops were  
19 leaving Eddie Town.

10:34:04 20 Q. Mr Brima, can you explain briefly what you mean by the  
21 "drill order"?

22 A. I did not say defence order.

23 Q. Drill order, drill.

24 A. Drill order is a normal military order. If a battalion is  
10:34:36 25 leaving here to go to the front line, the first company that goes  
26 ahead, be it A Company -- sometimes they will join the  
27 A Company -- the A Company that is going ahead they will call the  
28 advance party. They would go and do the job if we were going to  
29 a bush camp. If it was to go and fight, they would go and fight

1 to capture the ground. Then they would call for the B Company,  
2 that if they did not combine with the B Company. But if they  
3 combined with the B Company, they will call the C Company and the  
4 company commander would advance with his team to the ground where  
10:35:27 5 the advance party already is and provide security there before  
6 the headquarter proceeds.

7 Q. Mr Brima, how are you able to know the information that you  
8 just gave to this Court?

9 A. As a soldier, during my training we used do platoon or  
10:36:00 10 section battle drill which was in our tactics which was a topic  
11 in the military lesson or the military training. I was, for  
12 example, in the Cameroon platoon during my training.

13 Q. Can you spell Cameroon platoon, please?

14 A. C-O-M-E-R-O-O-N [sic]. But the company where I was was the  
10:36:53 15 B Company. My squad mates were at the Burma platoon, B-U-R-M-A,  
16 Burma. My other squad mates were in the Bai Bureh platoon, B-A-I  
17 B-U-R-E-H. When we were during the platoon battle drill, the  
18 platoon in which I fell was platoon two. Bai Bureh platoon was  
19 platoon one. It was the Bai Bureh platoon which would first  
10:37:51 20 advance, followed by the Cameroon platoon and the Burma platoon  
21 was the one that was at the rear that protected the rear just in  
22 case there was any eventuality attack at the rear. So that is  
23 how I knew about this. In most times when I went to fight as a  
24 soldier, more especially when I was with chairman

10:38:25 25 Captain Valentine Strasser, when he was moving to Pendembu in the  
26 Kailahun District, it was in Daru that we first based until the  
27 resident minister east and the defence minister then called him  
28 before he left for Pendembu.

29 MR AGHA: Your Honours, if I may, going back to the

1 original question, he was asked what a drill order was. He then  
2 went into huge detail about what apparently the formations then  
3 did and the question was to lay some foundation as to how he knew  
4 about that. Then it seems he's gone into his training and what  
10:39:13 5 he did on other exercises. I still don't see where the  
6 foundation has come from as to how he knew what the formation was  
7 allegedly doing.

8 PRESIDING JUDGE: Well, I think that's now become a matter  
9 for cross-examination, Mr Agha. He has laid some foundation but  
10:39:31 10 you are certainly entitled to challenge it in cross-examination.

11 MR GRAHAM: I'm grateful, Your Honours.

12 Q. Mr Brima, I'm going to come back to Colonel Eddie Town and  
13 the movement and transition from Colonel Eddie Town. But before  
14 that I'm going to put to you a number of allegations that has  
10:40:01 15 been made against you by Prosecution witnesses before this Court.

16 MR GRAHAM: Your Honours, I'm going to be reading from page  
17 73 of the transcript of the proceedings of May 24th, 2005. I  
18 will be reading from line 21 of page 73. With Your Honour's  
19 permission I will read.

10:40:25 20 Q. Mr Brima, I read to your hearing, reading from line 21:

21 "Q. Did you then move to this location?

22 "A. Later colonel -- Major Eddie sent some security to  
23 remind Operation Commander A that he had discovered a  
24 suitable place and that he was waiting for the arrival of  
10:40:59 25 the brigade. After which Operation Commander A moved to  
26 Gullit and informed him. After Operation Commander A had  
27 informed Gullit, Gullit gave the go ahead so that the  
28 brigade could move from Rosos."

29 MR GRAHAM: Your Honour, I continue with my reference to

1 page 74 of the transcript of the proceedings of May 24th, 2005,  
2 and I will be continuing my reference from line 1 of page 74.

3 With Your Honour's permission, I read.

4 Q. "Q. Did you then move from Rosos?

10:41:52 5 "A. The troops left, I, Operation Commander A and the D  
6 Company Commander and the same company commander left Rosos  
7 to ensure that all the troops moved towards the location  
8 that was founded by Major Eddie.

9 "Q. Did the whole troop subsequently move to this  
10:42:29 10 location?

11 "A. Yes."

12 MR GRAHAM: Your Honours, I will move on to my last  
13 reference on page 75. I will be reading from line 22, Your  
14 Honours.

10:42:49 15 Q. "Q. Thank you. Witness, you have described a location as  
16 Major Eddie Town, is that the location - you have given  
17 evidence about this before - is that the location that  
18 Major Eddie found?

19 "A. Yes, this was the name that was given to the place.  
10:43:22 20 Since he discovered the area, so we -- the name -- the  
21 village was named after him as Major Eddie Town."

22 That ends my reference. Mr Brima, I'm going to ask of you:  
23 Were you in any way involved in the location of the place  
24 discovered by Major Eddie and referred to as Colonel Eddie Town?

10:44:00 25 A. No.

26 Q. Mr Brima, do you recall, as per the reference I just read  
27 to you, whether Operation Commander A ever informed you that a  
28 suitable place has been discovered for the troops at Rosos?

29 A. No.

1 Q. Mr Brima, can you tell this Court, as alleged, that after  
2 you were given that information by the Operation Commander A, did  
3 you ever give any go ahead so that the brigade could move from  
4 Rosos?

10:45:05 5 A. No.

6 Q. Thank you, Mr Brima.

7 MR GRAHAM: Your Honours, I'm going to make another  
8 reference from the transcript of the proceedings of May 24th,  
9 2005, specifically page 88. If time permits, I will make another  
10 reference from pages 92, 98 of the transcript of the proceedings  
11 of May 25th. Pages 88, 92, 98, and I think later on page 50 as  
12 well. So if Court Management can get those pages printed out.  
13 Pages 88, 92, 98 and 50 of May 24th, 2005.

14 PRESIDING JUDGE: Thank you, Mr Graham. We'll see if we  
10:46:00 15 can organise those pages during the Court break. We'll have a  
16 break now until 11.00 a.m.

17 [Break taken at 10.44 a.m.]

18 [Upon resuming at 11.05 a.m.]

19 PRESIDING JUDGE: Yes, carry on, Mr Graham.

11:08:24 20 MR GRAHAM: I'm grateful, Your Honour. I will be making a  
21 reference from the transcript of the proceedings of May 24th,  
22 2005. Specifically page 88. I will read starting from line 4.

23 Q. "Q. Pause while I just spell that. Your Honours have  
24 heard Sanda Magbol ontor, but Sanda Magbol ontor. How do you  
11:09:13 25 know that D Company was assigned to that location?

26 "A. Like I said, in my presence, when Gullit called the  
27 operation commander to assign the various companies to the  
28 various villages, D Company was assigned to the road  
29 leading towards Sanda Magbol ontor. This order that was

1 given by Gullit to the operation commander, when they order  
2 the company commander to report to that village, to  
3 Sanda Magbolontor, it happened in my presence."

4 Mr Brima, I will ask of you a question. Mr Brima, have you  
11:10:30 5 heard the name Sanda Magbolontor before?

6 A. Yes, I have heard it before.

7 Q. How did you hear about Sanda Magbolontor, Mr Brima?

8 A. It was in this Court that I heard that name  
9 Sanda Magbolontor.

11:11:04 10 Q. Do you know what it stands for?

11 A. No.

12 Q. Have you been to Sanda Magbolontor before, Mr Brima?

13 A. No.

14 Q. Do you know where it is located, Mr Brima?

11:11:39 15 A. No.

16 Q. Mr Brima, do you recall assigning the commander of the  
17 D Company the road leading towards Sanda Magbolontor?

18 A. No.

19 Q. And did you ever call any operation commanders to assign  
11:12:07 20 various -- sorry, Your Honours. Did you, Mr Gullit, ever --  
21 sorry, Mr Brima. Did you ever, as alleged in the paragraph I  
22 just read to you, which reads, "When Gullit called the operation  
23 commander to assign the various companies to the various  
24 villages," do you, Mr Brima, recall assigning any operation  
11:12:38 25 commanders and their companies to any villages?

26 A. No.

27 MR GRAHAM: Your Honours, I'm going to make further  
28 references to the transcript of the proceedings of May 24th,  
29 2005. Specifically page 92 of the transcript. I will be reading

1 from line 1, with Your Honour's permission.

2 Q. "Q. Now, after these -- how do you know this?

3 "A. This, as Gullit had summoned the military supervisors,  
4 he also called on the company commanders, the

11:13:39 5 aide-de-camps, and let me say the brigade administration,  
6 he summoned all the other immediate commanders who were at  
7 the brigade and made this disclosure that promotions --

8 "Q. How do you know this disclosure was made to these  
9 individuals?

11:14:02 10 "A. I, myself, moved together with Operation Commander A  
11 and we were together. Just as he had received the  
12 information that the commander who was leading the troops  
13 to come to Colonel Eddie Town was a major, so Gullit said  
14 he saw it necessary to promote the other commanders in  
11:14:34 15 their various companies. And as Gullit was giving his  
16 address he said now he was changing these companies to  
17 battalions as reinforcement was about to arrive."

18 That ends my reference from page 92. Mr Brima, I'm going  
19 to ask of you a few questions.

11:15:08 20 A. Yes.

21 Q. Did you ever summon any military supervisors as alleged in  
22 the statement I just read to you, Mr Brima?

23 A. No.

24 Q. Did you, Mr Brima, also call on any company commanders as  
11:15:31 25 alleged in the statement I just read to you?

26 A. No.

27 Q. Did you ever, Mr Brima, summon any aide-de-camps as alleged  
28 in the statement that I just read to you, Mr Brima?

29 A. No.

1 Q. Do you recall ever calling in a brigade administration as  
2 alleged in the statement that I just read to you, Mr Brima?

3 A. No.

4 Q. And do you ever recall, Mr Brima, summoning all the other  
11:16:20 5 immediate commanders who were at the brigade as alleged in the  
6 statement that I just read to you?

7 A. No.

8 Q. And, Mr Brima, do you recall ever saying that it was  
9 necessary to promote the other commanders in their various  
11:16:48 10 companies as alleged in the statement that I just read to you?

11 A. No.

12 Q. Mr Brima, do you recall ever making any form of address to  
13 the groups I've just mentioned as alleged in the statement that I  
14 just read to you, Mr Brima?

11:17:14 15 A. No. I never addressed troops or addressed according to  
16 what the statement says.

17 Q. Mr Brima, if I may ask of you: Do you recall ever changing  
18 companies to battalions as alleged in the statement that I just  
19 read to you?

11:17:41 20 A. It's a lie. That one is a lie.

21 Q. Do you, Mr Brima, recall making any promotions during an  
22 address as alleged in the statement that I just read to you?

23 A. No.

24 Q. Do you recall, Mr Brima, making any promotions at all?

11:18:18 25 A. That one is a lie.

26 Q. Mr Brima, why are you saying it's a lie, please tell this  
27 Court?

28 A. Because all what you've read there, I didn't do any of  
29 those and I am not in any place to have done something like that.



1 I don't have the command to do things like that. If I want to  
2 promote, if I had that kind of order, I would have promoted  
3 myself. That is why I'm saying all what you have read are lies.

11:19:04 4 MR GRAHAM: Your Honours, I'm going to move on to make  
5 another reference from the transcript of the proceedings of May  
6 24th, 2005. Specifically page 98 of the transcript.  
7 Your Honours, I'm going to be reading from line 2 of the  
8 transcript. With Your Honour's permission, I will read from line  
9 2.

11:19:25 10 Q. "Q. Go on, what happened?

11 "A. As I and Operation Commander A reported to Gullit,  
12 Gullit told Operation Commander A that he should choose men  
13 who would go ahead of O-Five as they had left Koinadugu to  
14 come to our location."

11:19:53 15 Mr Brima, I'm going to ask of you: Did you give any such  
16 order as alleged in the statement that I just read to you?

17 A. No, I never gave that kind of order.

18 Q. And, Mr Brima, the statement that I just read to you are  
19 excerpts from the testimony of Prosecution witness TF1-334. Do  
11:20:25 20 you recall Prosecution witness TF1-334 and Operation Commander A  
21 ever reporting to you as alleged in the statement that I just  
22 read to you, Mr Brima?

23 A. No.

24 MR GRAHAM: Your Honours, I'm going to move further to make  
11:20:54 25 additional references from the transcript of the proceedings of  
26 May 25th, 2005. Specifically page 50.

27 PRESIDING JUDGE: It's May 24th.

28 MR GRAHAM: May 25th, sorry, Your Honours, this time. I  
29 think I said May 24th prior to the break. I'm sorry. I think

1 it's May 25th.

2 PRESIDING JUDGE: All right. We've been provided with the  
3 transcript for May 24th. So if we could have that other  
4 transcript, please.

11:21:19 5 MR GRAHAM: Your Honour, I will hold my horses whilst Court  
6 Management gets you your copies. I'm grateful.

7 PRESIDING JUDGE: Yes, go ahead, Mr Graham.

8 MR GRAHAM: I'm grateful, Your Honours. Your Honours, I  
9 will be reading from line 14 of page 50.

11:22:40 10 Q. "Q. And before the interpreter stopped interpreting you  
11 also said that Gullit had called on Operation Commander A  
12 while you escorted him; is that correct?

13 "A. Yes, it was I and Operation Commander A that moved to  
14 Gullit.

11:23:07 15 "Q. What happened?

16 "A. In this gathering Gullit said there should be a test  
17 for the second lieutenants to go and prove themselves. He  
18 said now he had ordered so that Madina could be attacked,  
19 but, he said, the troops should not attack Madina again."

11:23:30 20 That ends my reference. Mr Brima, I'm going to ask of you:  
21 Did you give any such order as alleged in the statement I just  
22 read to you?

23 A. No.

24 Q. And do you remember ever making a statement that there  
11:24:05 25 should be a test for the second lieutenants to go and prove  
26 themselves as alleged in the statement I just read to you,  
27 Mr Brima?

28 A. I never said such words that you have made from that  
29 statement. So they are lies.

1 Q. Mr Brima, do you remember ever ordering an attack on  
2 Madina?

3 A. No.

4 Q. Thank you. Did you ever, Mr Brima, order an attack on any  
11:24:42 5 other place?

6 A. No.

7 MR GRAHAM: Your Honours, I am going to be making a  
8 reference at this point from the transcript of the proceedings  
9 from September 15th, 2005. Specifically page 69. Page 69 of  
11:25:09 10 September 15th, 2005. Grateful, Your Honours. I'll be reading  
11 my reference from line 17 of page 69 and, with Your Honour's  
12 permission, I will read starting from line 17.

13 Q. And, Mr Brima, lend me your ears:

14 "Q. Mr Witness, I'm going to ask you about Major Eddie  
11:26:26 15 Town. Who was based there?

16 "A. Major Eddie Town was the headquarter and you have the  
17 most senior commander, Alex Tamba Brima. Next to him was  
18 Ibrahim Bazzy Kamara. Then you have the G5 commander,  
19 Santigie Kanu. Then you have the G1 in charge of  
11:26:59 20 administration, FAT Sesay. Then you have and Bio."

21 Mr Brima, have you ever been the most senior commander at  
22 Major Eddie Town as alleged in the statement I just read to you.

23 A. No.

24 Q. Mr Brima, was there ever any point in time when Ibrahim  
11:28:02 25 Bazzy Kamara was next in command to you at Colonel Eddie Town as  
26 alleged in the statement?

27 A. No.

28 Q. And at Major Eddie Town again, Mr Brima, was there ever a  
29 time at Colonel Eddie Town when Santigie Kanu was the G5

1 commander?

2 A. No.

3 Q. Mr Brima, I ask of you: Do you know whether at any point  
4 in time at Major Eddie Town, whether FAT Sesay, as G1, was in  
11:28:56 5 charge of administration?

6 A. No.

7 Q. Mr Brima, did you know FAT Sesay's designation at  
8 Colonel Eddie Town during the time that you were there?

9 A. I never knew where he was living at Colonel Eddie Town.

11:29:30 10 But when SAJ Musa came and addressed us, that was when I knew  
11 that FAT Sesay was the acting commanding officer before SAJ  
12 arrived at Eddie Town.

13 Q. Mr Brima, what then, if anything, do you have to say to  
14 this Court in response to this statement that I just read to you?

11:29:56 15 A. This statement that you have just read to me are lies. The  
16 witness was saying lies. I have never been in command or  
17 Sergeant Kamara came and stayed with me as second or  
18 Corporal Kanu became the third one day at Eddie Town. At  
19 Eddie Town we are only under arrest.

11:30:30 20 Q. Thank you, Mr Brima.

21 MR GRAHAM: Your Honours, I'm going to move on to the  
22 transcript of the proceedings of June 13th, 2005. And I will be  
23 making my reference from page 70 of the transcript.

24 PRESIDING JUDGE: Yes, just bear with us for one moment,  
11:32:22 25 Mr Graham.

26 MR GRAHAM: Your Honours, back to the transcript of the  
27 proceedings of June 13th 2005. The reference is from page 70,  
28 Your Honours. I will be reading from line 9, with your  
29 permission.

1 Q. "Q. Did Gullit say anything about who these battalion  
2 commanders were subordinate or superior to in the  
3 organisation of men at this meeting that you are talking  
4 about?

11:33:27 5 "A. Before he said that he made another appointment, which  
6 was a task force commander, who was Colonel Junior Lion,  
7 George Johnson.

8 "Q. Pause a moment. Did Junior Lion keep the same rank  
9 that he had had previously?

11:34:01 10 "A. Yes, he was promoted to colonel.

11 "Q. What were the words used in relation to  
12 George Johnson, also known as Junior Lion, by Gullit at  
13 this meeting?

14 "A. Gullit said, 'I, Gullit, have appointed Junior Lion to  
11:34:36 15 the position of commander of task force'."

16 That ends my reference. Mr Brima, did you ever appoint  
17 anyone -- sorry, Your Honours. Did you ever appoint  
18 George Johnson, also known as Junior Lion, by use of the words  
19 "I, Gullit."

11:35:30 20 MR GRAHAM: Your Honours, sorry, I think I will break down  
21 this question in two parts.

22 Q. Mr Brima, do you recall ever appointing George Johnson,  
23 also known as Junior Lion?

24 A. No.

11:35:43 25 Q. Do you ever recall appointing him to the position of  
26 commander of task force?

27 A. No.

28 Q. Do you ever recall appointing him with words like "I,  
29 Gullit" preceding the appointment? Do you recall?

1 A. That is a lie. I cannot recall that. And I cannot recall  
2 ever promoting him.

3 Q. Mr Brima, I ask of you: Do you recall ever using the word,  
4 "I, Gullit" as a preface for the appointment of anyone to any  
11:36:44 5 position of command?

6 A. No.

7 Q. Thank you, Mr Brima.

8 MR GRAHAM: Your Honours, I'm going to move on to make  
9 further references from the transcript of the proceedings of this  
11:37:09 10 Court on September 15th, 2005. Page 67 of the transcripts of  
11 September 15th, 2005. Your Honours, I will be reading, with your  
12 permission, from line 2 of page 67.

13 Q. "A. My own battalion had 150 armed men.

14 "Q. Let us deal with your own battalion. You have told us  
11:38:47 15 earlier that when you were in Mansofinia you were appointed  
16 to the position of provost-marshal by Alex Tamba Brima.  
17 When did that change?

18 "A. It changed soon we reached Camp Rosos.

19 "Q. What happened?

11:39:21 20 "A. I was given a battalion to command.

21 "Q. Which battalion number?

22 "A. The 4th Battalion.

23 "Q. Who gave you the battalion to command?

24 "A. Alex Tamba Brima."

11:39:46 25 MR GRAHAM: Your Honours, the reference I just made relates  
26 to the testimony of Prosecution witness TF1-167, George Johnson,  
27 also known as Junior Lion.

28 Q. Mr Brima, I'm going to ask of you: Did you ever make any  
29 appointments to positions of command at a place called

1 Mansofi ni a?

2 A. No.

3 Q. Have you ever been to Mansofi ni a?

4 A. No.

11:40:41 5 Q. Do you, Mr Brima, recall having promoted Junior Li on to a  
6 position of command in Mansofi ni a?

7 A. No.

8 Q. Do you remember ever appointing Junior Li on to the position  
9 of provost-marshal at Mansofi ni a?

11:41:22 10 A. No.

11 [AFRC13JUN06C - RK]

12 Q. Mr Brima, what then do you have to say in respect of the  
13 statement of the allegations made by Junior Li on which I just  
14 read to you?

11:41:47 15 A. That statement that Junior Li on said about me, all what he  
16 said in that statement are lies.

17 MR GRAHAM: Your Honours, back to making another reference  
18 to the transcript of the proceedings of September 22nd, 2005,  
19 specifically page 81. Your Honours, I will be reading from  
11:43:19 20 line 2. With Your Honours permission I will read.

21 Q. "Q. Tell me what else happened, if anything, with regards  
22 to the people in the prison cell?

23 "A. Well, as I have been saying, when I went and met them  
24 there, I returned and met Alex Tamba Brima and asked him.

11:43:57 25 I said, 'The pa said I should investigate about this issue,  
26 about these people who are in prison.' Gullit said,  
27 'Forget about those people. Ask about Junior Li on, he had  
28 just killed his companion. But the other ones, they are  
29 witches and wizards. They are disturbing the movement in

1 the town.' If I didn't believe, he said there was a witch  
2 doctor who would come and prove that they are witches and  
3 wizards. So we waited. In evening they summoned us to the  
4 field. When they summoned us to the field, the witch  
11:45:02 5 doctor came. He performed his ceremonies, but at the end  
6 he was not able to do anything. So when I left the field,  
7 I returned. I explained to him SAJ Musa gave direct order  
8 for the prisoners to be freed. So I think that was all."

9 MR GRAHAM: Your Honour, this reference to the testimony of

11:45:41 10 Prosecution witness TF1-153.

11 Q. Mr Brima, I ask of you, did you ever arrest George Johnson,  
12 also known as Junior Lion?

13 A. No.

14 Q. Did you, yourself, detain anyone at Eddie Town?

11:46:24 15 A. No.

16 Q. Did you, yourself, cause anyone to detain any individual or  
17 individuals at Colonel Eddie Town?

18 A. No.

19 Q. Did you, Mr Brima, at any time kill anyone in Colonel Eddie  
11:46:50 20 Town?

21 A. No.

22 Q. Do you know, Mr Brima, whether at any point in time at  
23 Colonel Eddie Town whether George Johnson, also known as  
24 Junior Lion, whether he killed anyone during the period you were  
11:47:18 25 in Colonel Eddie Town?

26 A. Well, that was before I reached Colonel Eddie Town.

27 Q. How do you know what had happened before you got to  
28 Colonel Eddie Town, Mr Brima?

29 A. Yes, I knew that through some of my comrade SLAs.



1 Q. Who were these comrade SLAs?

2 A. Those who were taking care of us, like one of them was  
3 Abbas.

4 Q. Can you spell the name Abbas for the convenience of the  
11:48:05 5 Court?

6 A. A-B-A-S-S [sic], Abbas.

7 Q. What did they tell you?

8 A. When I was in detention at Eddie Town, the way Junior Lion  
9 was treating us, not all of the soldiers liked it that way. That  
11:48:41 10 particular soldier at a particular time we were sitting down, he  
11 had to say these words that even this Junior Lion had killed one  
12 soldier who was called Kordaleh.

13 Q. Could you spell that, if you know, to the Court, Mr Brima?

14 A. K-O-R-D-A-L-E-H.

11:49:20 15 Q. Please continue with your account of what they told you.

16 A. What they told me is what I have explained. And Abbas, who  
17 was my own squad mate, when we were arrested, they were those who  
18 were taking care of us, he explained those words to me. And it  
19 was not to me alone; to we, the detained people.

11:49:58 20 Q. Did he tell you the name of the individual allegedly killed  
21 by Junior Lion?

22 A. Repeat that question, please, again.

23 Q. I asked you earlier on how you came to know prior to your  
24 coming to Colonel Eddie Town that Junior Lion had killed in  
11:50:36 25 Colonel Eddie Town, and you told this Court you got that  
26 information through your SLA comrades. And I'm asking did they  
27 tell you the name of this individual allegedly killed by  
28 Junior Lion prior to your coming to Colonel Eddie Town?

29 A. Yes, that is the soldier's name I have called.

1 Q. Mr Brima, I am going to ask a few questions in relation to  
2 the reference that I've -- the paragraph I read from the  
3 transcript in relation to the testimony of Prosecution witness  
4 TF1-153. Do you ever recall a conversation taking place between  
11:51:30 5 yourself and Prosecution witness TF1-153, Colonel Eddie Town?

6 A. No.

7 Q. Did you, Mr Brima, at any point in time in Colonel Eddie  
8 Town have any detainees under your control?

9 A. No.

11:52:04 10 Q. Do you, Mr Brima, recall Prosecution witness TF1-153 ever  
11 coming to you to tell you that the Pa said he should investigate  
12 about the issue of those people who were in prison?

13 A. No.

14 Q. Do you recall, Mr Brima, ever responding to that enquiry by  
11:52:35 15 saying that he should forget about those people in prison?

16 A. No.

17 Q. Do you ever recall telling him to ask about Junior Lion,  
18 because he had just killed his companion?

19 A. I cannot recall that ever. When at Eddie Town I was under  
11:53:10 20 arrest.

21 Q. Do you ever recall or did you ever tell Prosecution witness  
22 TF1-153 that the other ones, that is, the prisoners, are witches  
23 and wizards who are disturbing the movement in the town? Did you  
24 ever make that statement?

11:53:41 25 A. I never made that kind of statement, never.

26 Q. Do you recall ever saying that you were going to bring in a  
27 witch doctor who would come and prove that they were witches and  
28 wizards?

29 A. No.

1 Q. Mr Brima, do you ever recall any meeting at the field at  
2 which a witch doctor was present?

3 A. No.

4 Q. Did you ever see the witch doctor performing any ceremonies  
11:54:35 5 on the field?

6 A. No.

7 Q. Mr Brima, what then do you have to say to this Court in  
8 response to the allegations I have just read to you, as made by  
9 Prosecution witness TF1-153?

11:54:52 10 A. This statement that this witness made are all lies, because  
11 I was under arrest at Eddie Town.

12 Q. Thank you, Mr Brima.

13 MR GRAHAM: Your Honours, I'm going to move on to make  
14 further reference from the transcript of the proceedings

11:55:19 15 September 15, 2005. Specifically page 73 of the transcripts  
16 through to page 74. The references will be from pages 73 and 74  
17 of the transcripts of September 15, 2005.

18 PRESIDING JUDGE: Go ahead, Mr Graham.

19 MR GRAHAM: Grateful, Your Honour. I will be reading from  
11:56:42 20 page 73, starting from line 2. With Your Honours' permission, I  
21 will read.

22 Q. Mr Brima, I lend me your ears:

23 "Q. Who accused them of being witches?

24 "A. Well, one morning we were all called upon from all the  
11:57:14 25 battalions and when we came to the headquarter and we met,  
26 these seven ladies have been arrested, accusing them of  
27 being a witch at the headquarter.

28 "Q. Did anything happen to them after they were accused of  
29 being witches?

1 "A. Yes.

2 "Q. What happened?

3 "A. They were displayed and they were impaled.

4 "Q. Do you recall whereabouts this happened?

11:58:02 5 "A. It happened at Major Eddie Town.

6 "Q. After they were impaled, did anything happen?

7 "A. After they were impaled some of them were killed, not  
8 all of them.

9 "Q. And what happened? Did anything happen to the bodies  
11:58:34 10 of those who were killed?

11 "A. Yes, they were thrown into the river.

12 "Q. Do you recall who carried out the impaling?

13 "A. The impaling was carried out by some fighters like  
14 Cyborg, Kabila, Mad Crazy, SBU Killer, those I could  
11:59:12 15 remember.

16 "Q. I will just ask you to repeat and spell some of those.  
17 You said Cyborg, which you've dealt with already. Kabila,  
18 would you spell that, please, for the Chamber?

19 "A. K-A-B-I-L-A, Kabila.

11:59:41 20 "Q. And the next one you said was Mad Crazy?

21 "A. Mad Crazy, M-A-D C-R-A-Z-Y.

22 "Q. And the last one was SBU Killer?

23 "A. S-B-U K-I-L-L-E-R.

24 "Q. Who was Kabila?

12:00:03 25 "A. Kabila was an SLA soldier.

26 "Q. And Mad Crazy?

27 "A. Was also an SLA soldier.

28 "Q. And SBU Killer?

29 "A. SBU was one of those small boys that was trained.

1 "Q. Do you know if anyone gave any orders for these women  
2 to be impaled?

3 "A. Yes, the orders were given from Alex Tamba Brima."

4 That ends my reference. Mr Brima, I'm going to ask of you  
12:00:54 5 a few questions. Did you, Mr Brima, ever order the impaling of  
6 anyone on the pretext of them being witches at Colonel Eddie  
7 Town?

8 A. No.

9 Q. Have you ever heard the word "impaling"?

12:01:31 10 A. I only heard that in the Court.

11 Q. Do you know what it means?

12 A. I don't know the meaning.

13 Q. Mr Brima, do you know Cyborg?

14 A. Yes.

12:01:55 15 Q. Please tell this Court how do you know Cyborg?

16 A. Cyborg was a soldier.

17 Q. He was a soldier?

18 A. He is still in the army, the one that I know.

19 Q. Which army are you referring to, Mr Brima?

12:02:27 20 A. He is still in the Sierra Leone military force.

21 Q. How do you know that he remains a soldier in the  
22 Sierra Leone Armed Forces?

23 A. I know that through a visit.

24 Q. Mr Brima, do you know anyone by the name Kabila, spelt  
12:03:04 25 K-A-B-I-L-A?

26 A. That name is a common name.

27 Q. I asked whether you knew anyone at Colonel Eddie Town by  
28 the name Kabila?

29 A. No.

1 Q. Did you know anyone by the name Mad Crazy at Colonel Eddie  
2 Town?

3 A. No.

4 Q. Did you know anyone by the name SBU Killer at Colonel Eddie  
12:03:53 5 Town?

6 A. No.

7 Q. Did you ever order Cyborg to impale anyone at Colonel Eddie  
8 Town?

9 A. No.

12:04:16 10 Q. Did you ever, Mr Brima, order Kabila to impale anyone at  
11 Colonel Eddie Town?

12 A. No.

13 Q. Did you ever order anyone by the name SBU Killer to impale  
14 anyone at Colonel Eddie Town?

12:04:56 15 A. No.

16 Q. Do you know whether Cyborg was at Colonel Eddie Town?

17 A. Yes.

18 Q. How do you know whether he was at Colonel Eddie Town?

19 A. He was one of the personnel who was securing us when we  
12:05:22 20 were under arrest.

21 Q. What do you mean by securing you when you were under  
22 arrest?

23 A. When I was at Eddie Town I was under arrest together with  
24 the other former honourables. Cyborg was one of the guards who  
12:05:57 25 were keeping guard over us.

26 Q. Thank you, Mr Brima. Do you know whether Kabila was at  
27 Colonel Eddie Town?

28 A. No, I can't remember that.

29 Q. Do you know whether a Mad Crazy was at Colonel Eddie Town?

1 A. No, no.

2 Q. Do you know, Mr Brima, whether there was anyone at  
3 Colonel Eddie Town by the name SBU Killer?

4 A. No.

12:06:55 5 Q. Mr Brima, do you recall training any child soldiers at  
6 Colonel Eddie Town?

7 A. No.

8 Q. Did you ever order or command that training be given to  
9 children -- did you ever order that training be given to children  
10 for them to become soldiers?

12:07:23

11 A. No.

12 Q. Mr Brima, what then do you have to say in response to the  
13 statement that I have just read to you about you giving orders  
14 for the impaling at Colonel Eddie Town?

12:07:51 15 A. All that part of the statement that you just read out to me  
16 is a lie.

17 Q. Thank you, Mr Brima.

18 MR GRAHAM: Your Honours, I'm going to be making a

19 reference from the transcript of the proceedings of September

12:08:13 20 27th, 2005. I will be making my reference specifically from page

21 28 and, Your Honours, I will also have additional references also

22 from page 31 of the same date, page 32, as well, the same date

23 and page 33 as well of the same date. I will confirm, pages 28,

24 31, 32 and 33. Your Honours, I am going to be reading from page

12:10:44 25 28 of the transcript of September 27, 2005, and, Your Honours, I

26 will be reading from line 21. With your permission, I read --

27 I'm going to be reading these portions of the transcript to

28 establish that I am referring to evidence that has been led in

29 relation to Colonel Eddie Town, and this is what witness 183

1 said. 184. TF1-184. With your permission, Your Honours, I will  
2 read, starting from line 21.

3 "Q. When you say 'that was' are you talking about Camp  
4 Rosos, Colonel Eddie Town, or some other --

12:12:07 5 "A. You will pass where we met Colonel Tito before you  
6 reach Camp Rosos. It was this same Camp Rosos that was the  
7 place they were referring to as Colonel Eddie Town, saying  
8 it was his own town or -- what was the reason for that  
9 name? It was because he discovered this place or he showed  
12:12:37 10 him the place that led to the name Colonel Eddie Town."

11 Now, Mr Brima, I am going to ask of you: Are you aware, or  
12 do you know whether Camp Rosos and Colonel Eddie Town are one and  
13 the same place?

14 A. No.

12:13:18 15 Q. Mr Brima, is it no, is it that you don't know that  
16 Colonel Eddie Town and Camp Rosos are the same place? Or is it  
17 that they are not the same place?

18 A. They are not the same places.

19 Q. How do you know that Camp Rosos and Colonel Eddie Town are  
12:13:48 20 not one and the same place?

21 A. I know this when I was under arrest at Colonel Eddie Town.  
22 Some of the guards who were keeping guard over us did say, they  
23 used to say it that it was at Rosos where they were and it was  
24 where they came from and based at Colonel Eddie Town, so that is  
12:14:21 25 how I knew that Rosos was different from Eddie Town.

26 Q. How did they say this? Was this said to you?

27 A. Well, they did not say it to me. They were saying it to  
28 the other soldiers who had also arrested us and brought us to  
29 Eddie Town and, when they were discussing, we used to sit very



1 close by and I used to listen to their discussions. That's how I  
2 knew that Eddie Town was different from Rosos.

3 Q. Was there any significant thing that they said that made  
4 you know that Camp Rosos and Colonel Eddie Town were not one and  
12:15:21 5 the same place?

6 A. Well, the soldiers who went to receive us when we were  
7 coming, when we came to Eddie Town, when they were talking to the  
8 soldiers who had come with me, that's when I knew. They told  
9 them that when they were at Eddie Town, sorry, Rosos, at that  
12:15:52 10 time they used to go on patrols and when they were discussing  
11 among themselves, and I was sitting close by, I heard that.

12 Q. Thank you, Mr Brima.

13 MR GRAHAM: Your Honours, I'm going to move on to make  
14 further references to the transcript of the proceedings of  
12:16:17 15 September 27th, 2005, specifically pages 31, 32 and 33. Your  
16 Honours, with your permission, I will read from line  
17 20 of page 31.

18 Q. Mr Brima, I lend me your ears. I will read.

19 "MR HODES: Again I would ask that that be struck. There  
12:17:13 20 was another reference.

21 "PRESIDING JUDGE: Continue, Mr Witness.

22 "THE WITNESS: Commander C left and we went to where Gullit  
23 was. When we reached, we met a problem there. The problem  
24 we met there, they said Colonel Bomb Blast, Colonel Bio,  
12:17:53 25 they were witches. They were trying to bewitch that the  
26 movement should not advance. Gullit said it before us. He  
27 said they should have killed them. But he said when he  
28 heard the information that Commander C was coming, so that  
29 was why he waited for Commander C. After we've got this

1 report from Commander C, he sent us to go and investigate  
2 whether this thing was true. I went to Bio. That is the  
3 situation. They said, 'You are all witches. You did not  
4 want this movement to advance.' And he said to say the  
12:19:06 5 truth. He said Gullit said before Commander C come,  
6 Commander C should take command under him. He said because  
7 he refused, they would deny that that man was a senior man,  
8 so that was why he told them to target that. They were not  
9 with him. They were trying to bewitch the movement, that  
12:19:40 10 is why he claimed --"

11 MR GRAHAM: Thank you, Your Honour, that ends my reference.

12 Q. Mr Brima, Your Honour, and this relates to the testimony of  
13 Prosecution witness TF1-184. Mr Brima, have you ever accused  
14 anyone of being a witch?

12:20:22 15 A. No.

16 Q. Mr Brima, have you ever accused anyone of being a wizard?

17 A. No.

18 Q. Have you -- did you ever accuse anyone of being a witch  
19 during the period that you were at Colonel Eddie Town?

12:20:47 20 A. No.

21 Q. Did you ever accuse anyone of being a wizard during the  
22 time that you were at Colonel Eddie Town?

23 A. No.

24 Q. Mr Brima, did you cause or order anyone to accuse any  
12:21:09 25 individual of being a witch during the period that you were at  
26 Colonel Eddie Town?

27 A. I did not give anybody such an order from what you have  
28 read and, when I was at Eddie Town, I was under arrest.

29 Q. Mr Brima, I need to ask you: Did you ever cause or order

1 anyone to accuse any individual of being a wizard during the time  
2 that you were at Colonel Eddie Town?

3 A. No.

4 Q. Did you ever accuse any individual of trying to bewitch the  
12:21:59 5 movement?

6 A. No.

7 Q. Did you ever recall saying that others should take command  
8 from you during the period that you were at Colonel Eddie Town?

9 A. No.

12:22:23 10 Q. Thank you, Mr Brima.

11 MR GRAHAM: Your Honours, I will make further references.

12 Thank you. Your Honours, I will be making further references  
13 from the transcript of the proceedings of September 15th, 2005,  
14 specifically page 76. September 15, 2005, page 76, page 77 and  
12:22:59 15 then page 76 and 77, Your Honours: It would be probably better  
16 if Court Management could also print the transcript September  
17 15th, 2005, page 80.

18 In the meantime, I will continue with my reference to page  
19 32 of the transcripts of September 27, 2005 and that is from the  
12:24:39 20 very same page which I just referred to in respect of the --

21 Your Honours, I apologise for the confusion. I will continue my  
22 references from where I left off, and that will be from page 32  
23 of the transcript of the proceedings of September 27, 2005.

24 After that I will go on to the pages I believe Court Management  
12:25:24 25 has just printed out for Your Honours. Your Honours, I will be  
26 reading, with your permission, from line 27 of page 32 of the  
27 transcript of September 27, 2005. I will be reading page 32  
28 through to page 33. I read, starting from line 20 of page 32:

29 Q. "Q. Mr Witness, you said you were speaking with Colonel

1 or Commander Bio and he was telling you that Gullit had  
2 accused him of being a witch because they were slowing down  
3 or not part of the advance or movement of troops, and that  
4 you then said a lot of 'he said this' and 'they said that'.

12:26:17 5 If you would clarify what it was that Colonel or  
6 Commander Bio told you about what Gullit said about being  
7 in control or command of the troops.

8 "A. Thank you. Bio, he told me that Gullit said when  
9 Commander C is coming, he should take command under him.

12:26:50 10 "Q. When he say 'him', he should take command under  
11 'him', who is 'he' and who is 'him'?

12 "A. Bio told us that Gullit --

13 "PRESIDING JUDGE: Mr Witness, remember --

14 "THE WITNESS: Bio told us that Gullit said, 'When

12:27:21 15 Commander C comes, Commander C should take command under  
16 Gullit,' that Gullit should give command to Commander C and  
17 not Commander C to command him. So this argument --"

18 Mr Brima, I ask of you, do you recall the events that I  
19 just read to you? Do you recall it ever happening when you were  
12:28:02 20 at Colonel Eddie Town?

21 A. That never happened.

22 Q. Did you ever say that when Commander C comes, Commander C  
23 should take command from you?

24 A. No, I never said so.

12:28:28 25 Q. What then do you have to say in response to the statement  
26 that I just read to you, Mr Brima?

27 A. That statement that you read out to me, as alleged by the  
28 witness, are all lies. I can tell this Court that Commander C  
29 and I, our fathers are family friends. I have known him for long

1 and he too has known me for long.

2 MR AGHA: Your Honour, can we restrict the witness to  
3 answer the questions actually put to him, rather than coming out  
4 with the answers he would like to give.

12:29:26 5 PRESIDING JUDGE: Yes, you are asking specific questions,  
6 Mr Graham. I think you should take control.

7 MR GRAHAM:

8 Q. Yes, Mr Brima, try as much as you can. You have heard the  
9 submissions of my learned friend. Try to focus and answer the  
10 questions I have asked of you. We will deal with all these  
11 relationships in due course. Certainly we will do that.

12 MR GRAHAM: Your Honours, I continue with my references to  
13 the transcript. This time I will be making my reference from the  
14 transcript of September 15, 2006 [sic] specifically page 76. I  
12:30:28 15 will be reading through to page 77. With Your Honour's,  
16 permission I will read starting from line 27.

17 JUDGE SEBUTINDE: Mr Graham, I think it is 2005.

18 MR GRAHAM: Sorry, Your Honours, 2005. I'm grateful for  
19 that reminder and assistance. Starting from line 27, I read:

12:30:57 20 Q. "A. There were laws that were made by Alex Tamba Brima  
21 that stealing government properties, execution. And there  
22 was an operation run. The fighters came to rest at my own  
23 battalion and overnight my 2IC went around and stole some  
24 arms and ammunition from the fighters. So on my arrival at  
12:31:41 25 my battalion from the headquarter I ordered for his arrest  
26 and he cocked his weapon against me. So there was a  
27 confrontation between us. He sustained a gunshot from me  
28 and he died, and I was arrested to be taken for jungle  
29 justice at the headquarter."

1 That ends my reference and this is in relation to the  
2 testimony of Prosecution witness TF1-167, George Johnson, also  
3 known as Junior Lion.

4 Mr Brima, my focus here is on the allegations in respect of  
12:32:50 5 the fact that you made laws. Mr Brima, have you ever passed or  
6 made any laws anywhere in the territory of the Republic of  
7 Sierra Leone?

8 A. No.

9 Q. Have you ever made -- did you ever pass any laws when you  
12:33:23 10 were at Colonel Eddie Town?

11 A. No.

12 Q. Were you in a position to pass laws during the time that  
13 you were at Colonel Eddie Town?

14 A. No.

12:33:41 15 Q. Did you, Mr Brima, cause or order anyone to pass any laws  
16 anywhere in the territory of the Republic of Sierra Leone?

17 A. No.

18 Q. Did you cause or order anyone to pass any laws during the  
19 period that you were at Colonel Eddie Town, Mr Brima?

12:34:07 20 A. No.

21 MR GRAHAM: Your Honours, I'm going to be reading -- making  
22 further references from the transcripts of the proceedings of  
23 September 15, 2005, specifically page 80. With Your Honour's  
24 permission, I will be reading from line 16 of page 80. Reading  
12:34:56 25 from line 16:

26 Q. "Q. You've said that O-Five was operation commander at  
27 this time. When was he made operation commander?

28 "A. Since he came from Krubola, when he joined us at  
29 Major Eddie Town.

1 "Q. Who made him operation commander?

2 "A. Alex Tamba Brima."

3 MR GRAHAM: Your Honours, that ends my reference.

4 Q. Mr Brima, I will ask of you: Did you ever promote O-Five?

12:35:59 5 A. No.

6 Q. Did you ever promote him as operation commander?

7 A. No.

8 Q. Were you ever in a position to make any promotions anywhere  
9 in the Republic of Sierra Leone?

12:36:19 10 A. No.

11 Q. Were you in the position to make any promotions to  
12 positions of command during the period that you were at  
13 Colonel Eddie Town?

14 A. No.

12:36:34 15 Q. Were you in a position to cause or order anyone to make any  
16 promotions to positions of command during the period that you  
17 were at Colonel Eddie Town?

18 A. No.

19 Q. Thank you, Mr Brima.

12:36:56 20 MR GRAHAM: Your Honours, I'm going to make further  
21 references, this time from the transcript of the proceedings of  
22 September 27, 2005, page 36. September 27, 2005, page 36.  
23 Reading from line 3 of page 36:

24 Q. "Q. Mr Witness, I am going to stop you for one second.

12:38:25 25 The way the testimony has come out, it says that President  
26 Kabbah had given seven cows that were black and seven cows  
27 that were white. What do you mean by President Kabbah gave  
28 or was given - had given seven cows that were black and  
29 seven cows that were white. What does that mean?

1 "A. I am coming. President Kabbah had offered seven  
2 black cows and seven white cows. This he did, because he  
3 wants to go back, he wants to resume power. When Gullit  
4 had this information, according to those who told us,  
12:39:32 5 because we are not there, he gave two children, because he  
6 was not able to get the white cow and the black, so he  
7 removed two children who were buried alive."

8 Your Honour, that ends my reference. Mr Brima, I'm going  
9 to ask of you a few questions in relation to the portions of the  
12:40:05 10 transcript that I have just referred to.

11 Mr Brima, have you ever offered any human sacrifice in any  
12 form anywhere in the territory of the Republic of Sierra Leone?

13 A. No.

14 Q. Mr Brima, have you caused or commanded any individual or  
12:40:38 15 individuals anywhere to offer any human sacrifice anywhere in the  
16 territory of the Republic of Sierra Leone?

17 A. No.

18 Q. Have you ever offered two children to be buried alive as  
19 human sacrifice?

12:41:10 20 A. No.

21 Q. Do you offer any sacrifices at all, Mr Brima?

22 A. No.

23 Q. Did you ever at Colonel Eddie Town make any human  
24 sacrifices, Mr Brima?

12:41:29 25 A. No.

26 Q. Do you, Mr Brima, know anything at all about  
27 President Kabbah having given seven black cows and seven white  
28 cows in order for him to be restored into power?

29 A. I don't have any such idea and I have never said so.



1 Q. Has anyone ever told you about the seven black cows and the  
2 seven white cows I just referred to?

3 A. No.

4 Q. What then, Mr Brima, do you have to say to this Court in  
12:42:26 5 response to the allegations contained in the statements that I  
6 just read to you?

7 A. All those allegation are lies.

8 Q. Mr Brima, I am going to --

9 MR GRAHAM: Your Honours, I'm going to make further  
12:43:06 10 reference from the transcript of the proceedings of September  
11 22nd, 2005, specifically page 82 and, Your Honours, for  
12 courtesy's sake, could I also get Court Management to print ahead  
13 for you page 42, September 27th. Then again if you note  
14 additional June 13th 2005, page 26.

12:44:44 15 Your Honours, if you have your page 82.

16 PRESIDING JUDGE: Yes, we will commence with page 82, shall  
17 we, Mr Graham.

18 MR GRAHAM: I'm grateful. Your Honours, I willing be  
19 reading from line 11 of page 82.

12:45:28 20 Q. Mr Brima, I want you to listen.

21 "Q. So, if you would, please tell the Court what, if  
22 anything, SAJ Musa did once he had this information from  
23 Colonel Tito and Coach Gibono?

24 "A. Well, after he had heard this information he ordered  
12:45:54 25 that Gullit hand over the camp to him. So Gullit  
26 ceremoniously handed over power back to SAJ Musa. Then  
27 SAJ Musa became the ground commander of the whole troops,  
28 of the entire troops. Then he decided and said well, he  
29 would assemble the whole troop and talk to them. When he

1 assembled the troops the other day to talk to them, he  
2 warned them. He said well, now he had understood all the  
3 problem that had taken place in and around the camp. He  
4 said but --"

12:46:57 5 That ends my reference, Your Honours.

6 Q. Mr Brima, did you anyone ever order you during the period  
7 that you were at Colonel Eddie Town to hand over the camp to  
8 SAJ Musa?

9 A. No.

12:47:34 10 Q. Did SAJ Musa ever order you to hand over the camp to him  
11 during the period that you were at Colonel Eddie Town?

12 A. No.

13 Q. Did you, Mr Brima, ever ceremoniously hand over power to  
14 anyone during the period that you were at Colonel Eddie Town?

12:47:57 15 A. No.

16 Q. Did you ever, Mr Brima, ceremoniously hand over power back  
17 to SAJ Musa during the period that you were at Colonel Eddie  
18 Town?

19 A. No.

12:48:16 20 Q. What then, do you have to say in response to the statement  
21 that I just read to you, Mr Brima?

22 A. At Colonel Eddie Town I was under arrest so from the  
23 statement that you have read it is all lies.

24 MR GRAHAM: Your Honour, I'm going to make --

12:48:49 25 PRESIDING JUDGE: If you are going to move on to a new  
26 topic, Mr Graham, I think we will take the lunch break.

27 Mr Brima, I again warn you not to discuss the evidence with any  
28 other person. We will adjourn now for lunch and we will resume  
29 at 2.15 p.m. Thank you.

1 [Luncheon recess taken at 12.46 p.m.]

2 [AFRC13JUN06D - EKD]

3 [Upon resuming at 2.20 p.m.]

14:23:25 4 PRESIDING JUDGE: Yes, Mr Graham. I think we have got the  
5 other printouts that you noted as well, so you carry on.

6 MR GRAHAM: Very well, Your Honours. Good afternoon. Your  
7 Honours, I will be reading from the transcript of the proceedings  
8 of September 27th, 2005 and I will be reading specifically from  
9 page 42 of the transcript. With Your Honour's permission, I will  
14:23:54 10 start reading from line 12.

11 Q. "Q. Do you know what Commander C's rank was?

12 "A. At that time he was brigadier.

13 "Q. You indicated that Mr Brima --

14 "A. Alex Brima was a colonel. Bazzy was a colonel.

14:24:39 15 Five-Five was a lieutenant colonel."

16 Mr Brima, did you ever hold -- excuse me. Have you ever  
17 held the rank of a colonel?

18 A. No.

19 Q. Did you ever hold the rank of a colonel during the period  
14:25:22 20 that you were at Colonel Eddie Town?

21 A. No.

22 Q. Do you know whether Bazzy was ever a colonel?

23 A. No, he had never been a colonel.

24 Q. Do you know whether Five-Five ever was a  
14:26:00 25 lieutenant-colonel?

26 A. No.

27 JUDGE SEBUTINDE: Mr Graham, is that "No, I don't know"?

28 MR GRAHAM:

29 Q. Mr Brima, is it "no" -- could you please clarify your

1 response; is it no because --

2 A. It is no, we, I, Sergeant Kamara, Corporal Santigie Kanu  
3 had never held such ranks.

4 Q. How do you know that?

14:26:53 5 A. I am a soldier and I know their ranks and, the ranks with  
6 which I called them, they had never gone above those ranks.

7 Q. How can you know their ranks, Mr Brima?

8 A. Sergeant Kamara, he was my platoon mate, and Corporal Kanu,  
9 he was my work mate, and I know their ranks. They also know my  
14:27:46 10 rank.

11 Q. Thank you, Mr Brima. What then do you have to say in  
12 response to the statement I just read to you to the effect that  
13 you were a colonel at some point in time?

14 A. That statement is lies.

14:28:15 15 MR GRAHAM: Your Honours, I'm going to be referring, with  
16 your permission, to the transcript of the proceedings of  
17 June 13th, 2005, specifically page 26. It will be in relation to  
18 the testimony of Prosecution witness TF1-334. Your Honours, I  
19 will be reading, with your permission, from line 26 of page 26.  
14:28:58 20 With Your Honour's permission, I will read.

21 Q. "A. SAJ Musa, as he was reading the administration, said,  
22 'Now, the deputy chief in command is Tamba Alex Brima,  
23 alias Gullit.' And he said he was to report directly to  
24 him."

14:29:41 25 Now, Mr Brima, I am going to ask of you a few questions in  
26 relation to what I just read out. Mr Brima, when SAJ Musa  
27 arrived in Colonel Eddie Town, did he appoint you to any  
28 position?

29 A. No, but I want to bring something to the knowledge of this

1 Court. Just now you asked me a question and I told you that  
2 Sergeant Kamara was my squad mate, but from the interpreter what  
3 I heard was that he was my platoon mate. He wasn't my platoon  
4 mate. We did not train in the same platoon. He was my squad  
14:30:40 5 mate. I did not say that he was my platoon mate. I said that he  
6 was my squad mate. From the interpretation of the interpreter  
7 after I'd spoken, I heard him say that he was my platoon mate.

8 PRESIDING JUDGE: Yes, the interpreter did say "platoon  
9 mate." But you are saying that was a mistake, Mr Brima, and the  
14:31:00 10 translation should have been "squad mate"?

11 THE WITNESS: Thank you, My Lord.

12 PRESIDING JUDGE: Yes, carry on, Mr Graham.

13 MR GRAHAM: Thank you, Your Honours.

14 Q. Mr Brima, did SAJ Musa appoint you to any position of  
14:31:29 15 command during the period that you were at Colonel Eddie Town?

16 A. No, he never appointed me to command.

17 Q. Did SAJ Musa, in reading this administration at  
18 Colonel Eddie Town, appoint you as the deputy chief in command?

19 A. No, he never appointed me to that rank and never gave me  
14:32:14 20 those responsibilities.

21 Q. Mr Brima, during the period that you were in  
22 Colonel Eddie Town, did SAJ Musa ask that you report directly to  
23 him?

24 A. No.

14:32:40 25 Q. Mr Brima, did SAJ Musa ever appoint you to any position of  
26 command anywhere else outside the period that you were at  
27 Colonel Eddie Town?

28 A. No, he never appointed me at any time as a commander. He  
29 had never given me that appointment.

1 MR GRAHAM: Your Honours, with your permission, I'm going  
2 to make further reference to the transcript of the proceedings of  
3 September 15, 2005. I will be reading specifically from page 72  
4 of the transcript. This, Your Honours, relates to the testimony  
14:34:03 5 before this Court by Prosecution witness TF1-167, George Johnson,  
6 also known as Junior Lion. Your Honours, with your permission, I  
7 will read from line 3.

8 PRESIDING JUDGE: Perhaps just pause and we'll get hold of  
9 that transcript.

14:34:26 10 MR GRAHAM: Thank you, Your Honours.

11 PRESIDING JUDGE: We have that now, Mr Graham.

12 MR GRAHAM: Thank you, Your Honour. I will be reading,  
13 with your permission, from line 3.

14 Q. "Q. In your position as battalion commander who did you  
14:35:05 15 report to?

16 "A. I report to Alex Tamba Brima.

17 "Q. Who did you receive your instructions from?

18 "A. I get it from Alex Tamba Brima."

19 Mr Brima, I ask of you: During the period that you were at  
14:35:59 20 Colonel Eddie Town were you ever in a position to receive reports  
21 from any battalion commander?

22 A. No.

23 Q. Mr Brima, during the period that you were in  
24 Colonel Eddie Town did you give any instructions to any battalion  
14:36:45 25 commanders?

26 A. No.

27 Q. Have you, outside the period that you were at  
28 Colonel Eddie Town, been in a position to receive any reports  
29 from any battalion commanders?

1 A. No.

2 Q. Mr Brima, I'm going to ask you: During the period that you  
3 were outside Colonel Eddie Town were you in a position --

4 MR AGHA: Your Honours, I'd object.

14:37:39 5 PRESIDING JUDGE: What's the objection?

6 MR AGHA: The basis of the objection is that I learned  
7 counsel for the Defence has read certain pieces of transcript put  
8 against the witness and he's asking questions in relation to  
9 those particular portions of transcript. My objection is that  
10 some of these questions are going outside the scope of the actual  
11 portion he's reading. For example, if it relates to Colonel  
12 Eddie Town, then the question ought to be restricted to his  
13 command position within Colonel Eddie Town. Otherwise if it is  
14 outside of that realm it would be a leading question.

14:38:18 15 PRESIDING JUDGE: What do you say to that, Mr Graham?

16 MR GRAHAM: Very well, Your Honours. I have taken note of  
17 my learned friend's submissions and I will oblige him  
18 accordingly.

19 Q. Mr Brima, what do you have to say to the statement that I  
14:38:38 20 just read to you that was made by Prosecution witness TF1-167,  
21 Junior Lion?

22 A. That statement that Junior Lion made, it's a lie.

23 Q. Mr Brima, can you tell this Court whether during the period  
24 that you were in Colonel Eddie Town -- whether you knew whom  
14:39:22 25 Junior Lion was taking instructions from?

26 A. When I was at Colonel Eddie Town, all I knew was that there  
27 was a commanding officer, who was Major FAT Sesay. And  
28 Junior Lion, who was taking care of us, the detainees, used to  
29 receive orders. But the orders that he used to receive, based

1 upon the instructions that he had been giving to us, I did not  
2 know whether it was the commanding officer or the 2IC that was  
3 giving him those orders.

14:40:28 4 Q. Mr Brima, how do you know that Junior Lion was receiving  
5 instructions from the commanding officer?

6 PRESIDING JUDGE: I don't think he said that, did he?

7 MR GRAHAM:

8 Q. Mr Brima, I'm going to ask of you: During the time that  
9 you were in Colonel Eddie Town did you ever witness Junior Lion  
14:40:58 10 receiving any instructions?

11 MR AGHA: Objection to a leading question, Your Honour.

12 PRESIDING JUDGE: That goes directly to the quote. You  
13 hadn't finished your question; is that right, Mr Graham?

14 MR GRAHAM: Yes, I was almost done with the question,  
14:41:17 15 Your Honour.

16 PRESIDING JUDGE: I think when the question is finished you  
17 may not object, Mr Agha.

18 MR GRAHAM:

19 Q. Mr Brima, do you know whether during the time that you were  
14:41:38 20 at Colonel Eddie Town from whom -- do you know whether  
21 Junior Lion was receiving any instructions from any commanding  
22 officer?

23 MR AGHA: I'd renew the objection, Your Honour.

24 PRESIDING JUDGE: I will uphold the objection. That is not  
14:41:58 25 the question he commenced to ask. You've changed the question,  
26 Mr Graham, and I won't allow it in that form.

27 MR GRAHAM:

28 Q. Mr Brima, I'm going to ask you: During the period that you  
29 were in Colonel Eddie Town do you know whether Junior Lion was



1 receiving instructions from anyone?

2 A. Yes.

3 Q. Who, if you know, was Junior Lion receiving instructions  
4 from?

14:43:00 5 A. From what I knew, Junior Lion, all the messages that he had  
6 given to us, he said he received them from Commander SAJ Musa  
7 through the commanding officer at Eddie Town who was  
8 Major FAT Sesay, because he, the Junior Lion, he was the one that  
9 was the head of the team that was taking care of us.

14:43:33 10 Q. Mr Brima, how do you know that Junior Lion was receiving  
11 instructions from SAJ Musa through Major FAT Sesay?

12 A. Because he, the Junior Lion, came and told us that we were  
13 to be executed according to what he had told us before. He said  
14 but SAJ Musa had sent orders or instructions saying that we were  
14:44:07 15 not to be executed.

16 Q. Thank you, Mr Brima. Mr Brima, I need to ask you a  
17 question. When you arrived at Colonel Eddie Town -- did you know  
18 who was in charge when you arrived at Colonel Eddie Town?

19 A. At the time that I arrived at Colonel Eddie Town, I went  
14:44:57 20 with a commander who was in charge of me. It was when SAJ Musa  
21 came that I came to know that Major FAT was the one that was in  
22 command of Colonel Eddie Town. But when I went there, the  
23 commander who took me, O-Five, who was the commander that was in  
24 care of me when I reached Eddie Town.

14:45:25 25 Q. Thank you, Mr Brima. We shall be leaving the Bombali  
26 District in respect of the scope of questions that I have been  
27 asking. Before we take up where we left off I want to put  
28 certain portions of the indictment to you for your response.

29 MR GRAHAM: Your Honours, I will be referring to the

1 indictment. I will be referring specifically to paragraph 48 of  
2 the indictment which is on Registry page 6249.

3 Q. "Between about 1 May 1998 and 30 November 1998, in  
4 Several locations in Bombali District, including Bonyoyo,  
14:47:14 5 Karina, Mafabu, Mateboi and Pendembu members of the  
6 AFRC/RUF unlawfully killed an unknown number of civilians."

7 Mr Brima, please tell us, were you part of the members of  
8 the AFRC/RUF who unlawfully killed an unknown number of civilians  
9 in the areas I've just mentioned to you in the Bombali District?

14:48:19 10 I will start off for Bornoya?

11 A. No.

12 Q. What about Karina?

13 A. No.

14 Q. What about Mafabu?

14:48:45 15 A. No.

16 Q. What about Mateboi?

17 A. No.

18 Q. What about Pendembu?

19 A. No.

14:49:09 20 Q. Mr Brima, did you cause any individual or individuals to  
21 unlawfully kill an unknown number of civilians in Bornoya?

22 A. No.

23 Q. Mr Brima, did you cause or order any individual or  
24 individuals to unlawfully kill an unknown number of civilians in  
14:49:43 25 Karina?

26 A. No.

27 Q. Mr Brima, did you cause or order any individual or  
28 individuals to unlawfully kill an unknown number of civilians in  
29 any of these areas that I mentioned?

1 A. Repeat that question.

2 Q. I said did you cause or order any individual or individuals  
3 to unlawfully kill an unknown number of civilians in Mateboi?

4 A. No.

14:50:31 5 Q. In Pendembu?

6 A. No.

7 Q. Thank you, Mr Brima.

8 A. Thank you, sir.

9 Q. For that matter, did you, yourself, unlawfully kill any  
14:50:50 10 civilians anywhere in the Bombali District?

11 A. No.

12 Q. Did you cause or order any individual or individuals to  
13 unlawfully kill any civilians anywhere in the Bombali District?

14 A. No.

14:51:19 15 MR GRAHAM: Your Honours, I'm going to move on to paragraph  
16 54 of the indictment, which is on page 13 -- Registry page 6251.  
17 Sorry, Your Honours. With your permission, I will read paragraph  
18 54 of the indictment under the heading Bombali District.

19 "Between May 1st, 1998 and November 31st, 1998 [sic]  
14:52:08 20 members of the AFRC/RUF raped an unknown number of women  
21 and girls in locations in Bombali District, including  
22 Mandaha, Rosos. In addition, an unknown number of abducted  
23 women and girls were used as sex slaves and/or forced into  
24 'marriages' or subjected to other forms of sexual violence.

14:52:50 25 The 'wives' were forced to perform a number of conjugal  
26 duties under coercion by their 'husbands'."

27 Q. Mr Brima, were you anywhere in the Bombali District between  
28 the period of May 1st, 1998 to November 31st, 1998?

29 A. Repeat that question.

1 Q. Were you anywhere in the Bombali District between the  
2 period May 1998 and November 31st, 1998?

3 A. No.

14:54:06 4 Q. Mr Brima, during this period I just referred to, did you  
5 yourself engage in the rape of women and girls in any location in  
6 the Bombali District?

7 A. No.

8 Q. Did you cause or order anyone to rape women and girls in  
9 any locations in Bombali District?

14:54:29 10 A. No.

11 Q. Mr Brima, did you yourself abduct women and girls who were  
12 you used as sex slaves or forced into marriages and subjected to  
13 other forms of sexual violence?

14 A. No.

14:55:02 15 Q. Mr Brima, did you order or cause any individual or  
16 individuals to abduct women and girls who were used as sex slaves  
17 or forced into marriages and subjected to other forms of sexual  
18 violence?

19 A. No.

14:55:31 20 Q. Did you ever, anywhere in the Bombali District, Mr Brima,  
21 force wives to perform a number of conjugal duties under coercion  
22 by their husbands?

23 A. No.

24 MR GRAHAM: Your Honours, I'm going to move on to paragraph  
14:55:59 25 62 of the indictment, specifically Registry -- Your Honours, with  
26 your permission I will read from paragraph 62 of the indictment.  
27 I will read.

28 Q. Mr Brima, I lend me your ears.

29 "Between about May 1st, 1998 and November 31st, 1998 [sic]

1 members of the AFRC/RUF mutilated an unknown number of  
2 civilians in various locations in the Bombali District,  
3 including Lohondi, Malama, Mamaka, Rosos. The mutilations  
4 included cutting of limbs."

14:57:49 5 Mr Brima, I want to ask you, between the period February  
6 1998 and September 30th, 1998 did you, yourself, mutilate an  
7 unknown number of civilians in various locations in the district?

8 JUDGE SEBUTINDE: Mr Graham, I'm sorry to interrupt, but I  
9 would advise that you look at your paragraph 62 again. Those are  
14:58:30 10 not the dates charged in the indictment. 62, isn't that what  
11 you're reading?

12 MR GRAHAM: Yes, Your Honour. Thank you for that  
13 assistance, Your Honour. I think I confused it with the dates in  
14 paragraph 61. Thank you for the assistance.

14:58:54 15 Q. I am reading from paragraph 62.

16 "Between about May 1st, 1998 and November 31st, 1998,  
17 members of the AFRC/RUF mutilated an unknown number of  
18 civilians in various locations in Bombali District,  
19 including Lohondi, Malama, Mamaka, Rosos. The mutilations  
14:59:27 20 included cutting of limbs."

21 Mr Brima, I'm asking you, during the period under  
22 reference, did you, Mr Brima, mutilate anyone at all anywhere in  
23 the Bombali District?

24 A. No.

14:59:58 25 Q. Mr Brima, did you ever, during the period under reference,  
26 engage in mutilations which involved the cutting of limbs of  
27 civilians?

28 A. No.

29 Q. Mr Brima, did you order or command any individual or

1 individuals to mutilate anyone at all anywhere in the  
2 Bombali District?

3 A. No.

4 Q. Mr Brima, did you cause or order any individual or

15:00:55 5 individuals to engage in mutilations of civilians which involved  
6 cutting off of their limbs?

7 A. No.

8 MR GRAHAM: Your Honours, I'm going to be making a further  
9 reference to paragraph 70 of the indictment, which is on Registry

15:01:23 10 page 6256. With Your Honours' permission I'll read from  
11 paragraph 70 of the indictment.

12 Q. "Between about May 1st, 1998 and November 31st, 1998, in

13 Bombali District, members of the AFRC/RUF abducted an

14 unknown number of civilians and used them as forced

15:02:36 15 labour?"

16 Mr Brima, I'm going to ask of you during the period that I

17 referred to, that is from May 1998 to November 1998, did you

18 yourself abduct anyone at all anywhere in the Bombali District

19 and used abductees as forced labour?

15:03:06 20 A. No.

21 Q. Mr Brima, did you ever order or command anyone to cause the  
22 abduction of anyone at all for them to be used as forced labour?

23 A. No.

24 MR GRAHAM: I'm going to move on to paragraph 78 of the

15:03:39 25 indictment. With Your Honours' permission I will read from  
26 paragraph 78 of the indictment.

27 Q. "Between about March 1st of 1998 and November 31st of 1998

28 AFRC/RUF forces burned an unknown number of civilians

29 buildings in locations in Bombali District, such as Karina

1 and Mateboi . "

2 Mr Brima, were you ever part of any AFRC/RUF forces  
3 operating in the Bombali District during the period under  
4 reference?

15:04:52 5 A. No.

6 Q. Did you, yourself, engage in the burning of any civilian's  
7 buildings anywhere in the Bombali District?

8 A. No.

9 Q. Mr Brima, did you order or command anyone to burn civilian  
15:05:24 10 buildings anywhere in locations in the Bombali District?

11 A. No.

12 MR AGHA: Your Honours, I notice that the accused is busy  
13 writing something down. He has not been spelling names this  
14 morning so I am just wondering what he is actually writing.

15:05:50 15 PRESIDING JUDGE: Yes, Mr Brima, what have you been writing  
16 there?

17 THE WITNESS: I am writing the date and the time frame  
18 about which the lawyer is asking me. I have told this Court that  
19 I am a stress patient and the doctor who see me these days  
15:06:24 20 reminded me that since I am a stress patient anything that I  
21 should do, I should do it to my own satisfaction in order for me  
22 to be able to remember. But I have nothing that I am writing  
23 that is not concerned about what I am asked here for. If the  
24 lawyer does not want me to write I will drop the paper.

15:06:53 25 PRESIDING JUDGE: Just a moment. Mr Agha, the witness is  
26 simply writing down time frames so that he can remember them. Do  
27 you have any objection to that?

28 MR AGHA: Well, it depends if he is writing them after he  
29 has answered the question or before. It is the submission of the

1 Prosecution it is a very small period of time to remember a time  
2 date. He shouldn't need to write that down. It also lays in  
3 front of him for the next time period which may cover the other  
4 crimes in Bombali, so it is there as a memory aid.

15:07:29 5 PRESIDING JUDGE: I understand.

6 [Trial Chamber conferred]

7 PRESIDING JUDGE: We don't see any harm in what the witness  
8 is doing. He is merely making notes of the dates. The dates are  
9 in the indictments. Each particular count or allegation in the  
10 indictment may be read to the accused so that he can specifically  
11 deny it. He is not expected to remember all those dates off by  
12 heart and we don't see any problem with him writing them down.

13 MR AGHA: May the Prosecution have access to those notes?

14 PRESIDING JUDGE: Yes, by all means. You're entitled to  
15:09:01 15 examine them. Do you want to see them now, Mr Agha?

16 MR AGHA: Yes, please, Your Honour.

17 PRESIDING JUDGE: If the Court Attendant would please show  
18 the Prosecution those notes.

19 MR AGHA: Without crossing out, please.

15:09:28 20 JUDGE SEBUTINDE: Mr Brima, what are you cancelling?  
21 Mr Brima, what did you just cancel?

22 THE WITNESS: I did not --

23 JUDGE SEBUTINDE: I saw you cancel with a pen like this.  
24 What were you cancelling?

15:09:47 25 THE WITNESS: The thing that I cancelled, they are personal  
26 things that I wrote that I cancelled that does not have anything  
27 to do with this Court.

28 MR GRAHAM: Your Honours, with great respect the Defence  
29 would also want to see.



1 JUDGE DOHERTY: Mr Graham, I didn't have my earphones on,  
2 I'm sorry.

3 MR GRAHAM: After my learned friend on the other side have  
4 examined the documents, I think the Defence would also want to  
15:10:49 5 see that as well before any submissions are made in respect of  
6 that.

7 PRESIDING JUDGE: Yes. Have you finished, Mr Agha?

8 MR AGHA: Yes, we've had a cursory look and the Defence of  
9 course can see the note and then we would indeed like to make  
15:11:03 10 submissions on the document after the Bench has seen it.

11 PRESIDING JUDGE: If you will hand those to the Defence.  
12 Yes, Mr Agha.

13 MR AGHA: Your Honours, before making any submissions on  
14 the notes, is it possible the Prosecution could be provided with  
15:12:16 15 a copy of them and perhaps the notes also that have been made  
16 throughout the days of his testimony?

17 PRESIDING JUDGE: Well, let's have a look at what they are  
18 first.

19 [AFRC13JUNE06E - MD]

15:17:08 20 PRESIDING JUDGE: Yes, Mr Agha, what do you say about these  
21 papers?

22 MR AGHA: Firstly, Your Honour, I don't have the copy in  
23 front of me, but I would just say off the cuff, first of all when  
24 he was asked --

15:17:21 25 PRESIDING JUDGE: Well, I will hand them back to you.

26 MR AGHA: If I may have that, that would be easier.  
27 Initially, Your Honour, I would say that when he was actually  
28 asked what he was writing he just said that he was writing dates  
29 so that he could remember the dates which were quoted to him in

1 the indictment. Now, when one actually looks at the notes,  
2 firstly, there is some kind of letter on the back. So it clearly  
3 shows he's writing more than dates.

4 Also, beyond that, it had been decided that he could use  
15:18:19 5 the pen and paper for spellings because, from time to time, he  
6 would need to spell names. Today the Prosecution would submit he  
7 has hardly spelt any names, but instead on this piece of paper we  
8 have - if I just may turn to the front sheet - a list of the  
9 officers who he has been giving in evidence, their rank which he  
15:18:44 10 has been mentioning, their command positions, the battalion  
11 commanders. Then further, if we go over the page, we have a note  
12 of battalion strength, how many men, who the provost-master is,  
13 in Rosos what is happening.

14 Now, in essence, these are notes that have been made  
15:19:07 15 throughout the testimony. As my learned friend Mr Graham has  
16 been, quite rightly, in his examination going from area to area,  
17 these have been available to the accused as an aide-mémoire as to  
18 who was holding which position at which time, in which role.

19 My submission, Your Honour, is these go far beyond what was  
15:19:32 20 initially agreed regarding spellings, and certainly are not just  
21 dates which the accused has mentioned. So that is my submission  
22 on what actually these notes amount to.

23 PRESIDING JUDGE: Yes, Mr Graham or Ms Thompson?

24 MS THOMPSON: Your Honour, my submission is that those  
15:20:03 25 notes do not appear to be notes which had come with the witness,  
26 which he brought into Court. They are notes which he made as we  
27 are going on. If you look at the notes -- first of all, before I  
28 go onto that, I will just mention the letter I think is something  
29 personal, it has nothing to do with us. I didn't recognise it

1 when I read it and I don't think my colleague here recognises it,  
2 so I don't think I will say anything about that.

3 The names and battalions and ranks and what have you,  
4 appear to be in direct answer, or certainly have a relationship  
15:20:38 5 to the questions he has been asked and he's been writing those as  
6 we go along.

7 Now, I have in front of me actually, from the book by  
8 Judge Richard May and Marieke Wierda, the use of aid to refresh  
9 memory. This was a decision in the Blaskic case of the ICTY. It  
15:21:05 10 is at page 169 of that book and it says in paragraph 614:

11 "The use of aides-mémoire such as contemporaneous notes or  
12 diaries is allowed before the modern tribunals. However if  
13 they are used not simply to refresh the memory, but as a  
14 crutch without which testimony of the witness would fall,  
15:21:29 15 the credibility of the witness may be considered  
16 undermined. Where the witness does rely on a personal  
17 document, such as a diary, the parties must be given access  
18 to it, although the witness may be given the" --

19 THE INTERPRETER: Your Honours, would the learned attorney  
15:21:44 20 go a little bit slower so as to give the interpreter an  
21 opportunity to interpret.

22 MS THOMPSON: I do beg your pardon. I will start again,  
23 paragraph 614.

24 "The use of aides-mémoire, such as contemporaneous notes or  
15:21:58 25 diaries, is allowed before the modern tribunals. However,  
26 if these are used not simply to refresh the memory, but as  
27 a crutch without which the testimony of the witness would  
28 fall, the credibility of the witness may be considered  
29 undermined. Where the witness does rely on a personal

1 document, such as a diary, the parties must be given access  
2 to it, although the witness may be given the chance to  
3 expunge any matters of a personal nature that do not go to  
4 the evidence."

15:22:59 5 Your Honour, my submission here is that these notes are not  
6 notes which were made beforehand. They appear to be notes which  
7 are made as the questions are being asked. For example - and I  
8 don't think this is the first time that we have had a witness  
9 make notes in Court - where the command structure of Eddie Town  
10 was being asked of him, it appears that he has written it down.

11 Your Honours, in my submission there is nothing wrong in him  
12 writing it down as he was being asked the question. It is not  
13 being used as any extra material. As the questions are being  
14 asked, they might as well have just come from his head to his  
15:23:40 15 mouth. They have gone from his head to a piece of paper and then  
16 to his mouth. Of course, the witness has said that part of it is  
17 to relieve stress and he is giving his evidence in the way that  
18 he feels comfortable.

19 Your Honour, also I remind the Court that he was granted  
15:23:57 20 permission by the Court earlier to have a piece of paper. When  
21 her Honour Justice Doherty mentioned about paper, he did say  
22 these were papers which he was writing and the Court did grant  
23 him permission for that and that has never been varied. Those  
24 are my points. I will sit down unless there is anything else you  
15:24:18 25 wish me to --

26 PRESIDING JUDGE: No, thank you, Ms Thompson. Did you have  
27 anything in reply, Mr Agha?

28 MR AGHA: Yes, just to clarify on that, I didn't suggest  
29 that the accused brought in written notes with him, although he

1 may well have done. What I was suggesting, as I learned Defence  
2 counsel has said, he took the note during the early part of his  
3 evidence and then he had it to rely upon when again he was  
4 questioned later about the command structures. So, for example,  
15:24:44 5 if at Colonel Eddie Town he said Mr X was my commander in the  
6 morning, and he then came back to Mr X again in the afternoon, he  
7 can just refer to the piece of paper. That cannot be right.

8 Especially in respect of refreshing memory -- and I haven't  
9 looked at the book which I learned counsel has referred to and seen  
15:25:10 10 it in context, but certainly one would suspect that refreshing  
11 memory documents would be through leave of the Court. For  
12 example, if there was a period of time, the witness would ask to  
13 be refreshed by a diary he made at that time, not by notes which  
14 he is making contemporaneously in the Court over the course of  
15:25:28 15 his evidence. So I think there is a clear distinction there  
16 between using notes as an aide-mémoire and actually writing down  
17 your evidence and then having the possibility to refer to them.  
18 That's my submission.

19 PRESIDING JUDGE: Well, because whatever we rule on this  
15:25:47 20 will apply to future witnesses as well as the accused, we are  
21 going to go off the Bench for a few moments and discuss the  
22 matter. Before we go, Mr Brima, we note that you've also got a  
23 yellow file there. We would like to have a look at that in  
24 considering the way we are going to treat the use of notes in the  
15:26:12 25 future. So, could you please hand that to the Court Attendant as  
26 well. If we think the parties should see it, we will give them  
27 access to it after we have had a look at it.

28 THE WITNESS: And over the file, My Lord, what I have a  
29 word to say: On Friday, last week, Sir, I was not able to come

1 to Court. They find me a psychiatric doctor, who came and  
2 checked me on Saturday in the morning. But I never knew that he  
3 was a psychiatric doctor that had treated me who was Dr Nahim.  
4 He was able to ask me about my problem, why my pressure used to  
15:27:09 5 come up and I explained to him. And he, too, reminded  
6 Dr Harding, who is the doctor that is taking care of us the  
7 detainees, is -- he said --

8 THE INTERPRETER: Your Honour, could the witness take this  
9 last part of his --

15:27:32 10 THE WITNESS: He said since he experienced that I'm  
11 stressful, during 1997 when admitted at 34 military hospital, he  
12 had advised me about how I will lessen my stress. And presently,  
13 as I'm talking here, I am undergoing treatment from him. This  
14 morning, I complained to the doctor, Dr Harding. I said, the  
15:28:11 15 tablet that Dr Nahim gave me, that I took at night, they made me  
16 to become weak. I said, the only thing that he will let me in  
17 Court, anything that they talk and I should respond, I have to  
18 write it down. I said, that was the advice that he gave me. And  
19 the medicine that he gave me to take last night, and one that I  
15:28:44 20 was given to take today, I took the one last night, but this one  
21 that they gave me today, I still have it here. I am afraid to  
22 take it because Dr Nahim has to come tomorrow, to report to him  
23 how I'm feeling. The medicine is here with me. These are the  
24 tablets that I will give with this document, and I have a paper  
15:29:20 25 here, where the lawyer wrote one Prosecutor's witness's name, and  
26 all the paper that I have here, I have concern about what I will  
27 say in Court. And when I go to the detention facility, or the  
28 detention centre, I am not able to rest because I also do  
29 computer classes. So, based on this fatigue I have, Sir, that's

1 why when I come to Court, what the doctor advised, I listen to  
2 him and do that. He said tomorrow, when he comes to see me, he  
3 will be able to give me the final answer, so this is my talk,  
4 My Lord.

15:30:26 5 JUDGE SEBUTINDE: Mr Brima, in the two sheets of paper that  
6 you first handed to the Prosecution, on one was a letter. Could  
7 you explain to the Bench what this letter, or how this letter  
8 came about.

9 THE WITNESS: Yes. I believe very much in Christianity.  
15:30:49 10 When Dr Nahim came and saw me on Saturday my wife came to see me.  
11 I explained to him my problem. And she -- he advised me to write  
12 to his bishop, or the man of God, who will offer prayers for me.  
13 But, I do not have enough sheets in the detention facility. That  
14 was just a draft note that I made, that I should pass through the  
15:31:23 15 detention staff, which is the normal procedure, to give my wife  
16 that she will take to the man of God, in order to pray for me.  
17 So, it was based on that that I wrote that note, and the man of  
18 God has filled in a form here, to see me. But from that time I  
19 have sent series of request for him to come he is not able to  
15:32:06 20 come. And when this thing happened with my pressure comes up I  
21 became more worried, so that was why I wrote that note.

22 JUDGE SEBUTINDE: Mr Brima, what we want to know, what I  
23 want to know is how did that letter come into your Court  
24 documents? What does that letter have to do with you seated  
15:32:31 25 there giving evidence? How did it come inside the Court?

26 THE WITNESS: It doesn't have anything to do with me in this  
27 Court. The letter came with -- last night, I wrote this rough  
28 copy or this draft, which I would be able to write tomorrow  
29 because I do forget and, this morning, when I was coming, I did

1 not know that this was in my file because all the papers that are  
2 in my file are clean papers besides those that I like completed,  
3 so, I came and saw it inside.

4 JUDGE SEBUTINDE: Are you saying that you carry your papers  
15:33:11 5 to Court every morning? This yellow file you carry it with you  
6 from the detention centre every morning to come to Court; is that  
7 what you are saying?

8 THE WITNESS: Yes, My Lord.

9 PRESIDING JUDGE: All right. Well, thank you, Mr Brima.  
15:33:49 10 If Madam Court Attendant will collect that file and also the  
11 notes that Mr Agha has. We are going to adjourn now simply to  
12 discuss the matter and come to some rules that will apply to  
13 note-taking, not only with Mr Brima, but with subsequent  
14 witnesses as well.

15:34:17 15 You can hold onto those tablets, Mr Brima. Now, in view of  
16 the time, we will adjourn until tomorrow morning. Mr Brima, I  
17 remind you again, please do not discuss the evidence with  
18 anybody, and I see you've got those tablets in your hand. Please  
19 hang onto those. You hold those. There is no need for us to  
15:34:41 20 have them.

21 THE WITNESS: Yes, Sir. Yes, My Lord. I have the medicine  
22 in my hands, the ones that I want to give to the Court, which  
23 will be confirmed by the doctor.

24 PRESIDING JUDGE: No, that's all right. We are not  
15:35:04 25 doubting that you've been given tablets by the doctor. You hold  
26 onto them, just in case you happen to need them.

27 Now, you wanted to say something else, Mr Agha?

28 MR AGHA: Yes, I was just wondering where the other notes  
29 which he has been making are; are they in the yellow file or can



1 the Prosecution also have access to those?

2 PRESIDING JUDGE: We don't know yet, Mr Agha, until we go  
3 through these papers. We will adjourn for now and we will  
4 reconvene tomorrow morning at 9.15.

15:35:33 5 [Whereupon the hearing adjourned at 3.35 p.m.,  
6 to be reconvened on Wednesday, the 14th day of  
7 June 2006, at 9.15 a.m.]

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WITNESSES FOR THE DEFENCE:

|                                   |   |
|-----------------------------------|---|
| WITNESS: ACCUSED ALEX TAMBA BRIMA | 2 |
| EXAMINED BY MR GRAHAM             | 2 |