

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

TUESDAY, 03 OCTOBER 2006  
9.18 A.M.  
TRIAL

TRIAL CHAMBER II

**Before the Judges:**

Richard Lussick, Presiding  
Teresa Doherty  
Julia Sebutinde

**For Chambers:**

Mr Simon Meisenberg

**For the Registry:**

Mr Thomas George

**For the Prosecution:**

Mr Karim Agha  
Mr Charles Hardaway  
Mr Michael Brazao (intern)

**For the accused Alex Tamba  
Brima:**

Ms Glenna Thompson

**For the accused Brima Bazy  
Kamara:**

Mr Andrew William Kodwo Daniels  
Mr Osho-Williams

**For the accused Santi gie Borbor  
Kanu:**

Mr Ajibola E Manly-Spain  
Mr Silas Cherkera

1 [AFRC03OCT06A - CR]

2 Tuesday, 3 October 2006

3 [The accused present]

4 [The witness entered Court]

5 [Open session]

6 [Upon commencing at 9.18 a.m.]

7 WITNESS: DAB-137 [continued]

8 [The witness answered through interpreter]

9 PRESIDING JUDGE: Mr Witness, you will recall yesterday  
10 that you took an oath to tell the truth.

11 THE WITNESS: Yes, sir.

12 PRESIDING JUDGE: I'm just reminding you now that you are  
13 still bound by that oath; do you understand that?

14 THE WITNESS: Yes, sir.

15 PRESIDING JUDGE: Mr Wagona.

16 MR WAGONA: Yes, thank you, Your Honours. Good morning,  
17 Your Honours.

18 PRESIDING JUDGE: Good morning.

19 CROSS-EXAMINED BY MR WAGONA:

20 Q. Good morning, Mr Witness.

21 A. Good morning.

22 Q. I have some few questions for you this morning. Please  
23 make your answers brief and respond directly to my questions.

24 MR DANIELS: Excuse me, Your Honours. I would be grateful  
25 if Court Management or WVS could verify the voice distortion this  
26 morning.

27 PRESIDING JUDGE: Yes, that's important. Thank you,  
28 Mr Daniels.

29 MR GEORGE: It is in place.

1 PRESIDING JUDGE: Yes, I'm told it's in place.

2 MR DANIELS: Yes. We are most grateful.

3 MR WAGONA: Thank you.

4 Q. Where you can answer "yes" or "no," or "I don't know,"  
5 please use those answers so that we can get along quickly; is  
6 that clear?

7 A. Yes, sir.

8 Q. Now, as an [i ndi scerni ble] person bei ng an i ndustri al  
9 engineer, how often do you read newspapers, l i sten to radi o and  
10 di scuss current events i n the country wi th other peopl e.

11 JUDGE DOHERTY: Mr Wagona, you have more than one questi on  
12 there.

13 MR WAGONA: I'll break it down. Thank you, Your Honours.

14 Q. How often do you read newspapers?

15 A. Every time a newspaper goes to my place of --

16 Q. [Mi crophone not acti vated]?

17 A. -- I always buy --

18 THE INTERPRETER: Your Honours, may counsel wait for the  
19 i nterpretati on.

20 THE WITNESS: -- every day.

21 MR WAGONA:

22 Q. And how often do you di scuss current events happeni ng i n  
23 the country wi th other peopl e?

24 A. Every time I hear something that is very important, I  
25 di scuss i t wi th peopl e.

26 Q. And for how long have you been doi ng thi s; readi ng  
27 newspapers, l i steni ng to radi o?

28 A. It's a long time now. But since I came from school, since  
29 I came to this country from where I was studyi ng, when I seen

1 newspapers, I read it. It's over ten years now.

2 Q. So when you heard that SLA soldiers had overthrown  
3 President Kabbah's SLPP government, did you get to hear names of  
4 some of those SLA soldiers who overthrew the government?

5 A. Yes, sir.

6 Q. Did you hear that Alex Tamba Brima, aka Gullit, was one of  
7 those involved in the overthrow of the government?

8 A. I did not hear that name, sir.

9 Q. Did you learn that there were people called honourables in  
10 the AFRC government?

11 A. I did not hear those who were called honourables. But they  
12 were soldiers. I didn't know or hear about anyone called  
13 honourable amongst them.

14 Q. Didn't you hear that people called honourables were  
15 responsible for carrying out the coup?

16 MR MANLY-SPAIN: May it please, Your Honour.

17 PRESIDING JUDGE: Yes.

18 MR MANLY-SPAIN: This question has been put a number of  
19 times. We're worried about it. There's no foundation in this  
20 Court for that question that people called honourables were those  
21 responsible for the coup. No evidence has been led that if you  
22 were called honourable you were responsible for the coup.

23 PRESIDING JUDGE: Yes, I agree with that, Mr Manly-Spain.  
24 There is also another objection to that question in that, in the  
25 previous question, he said he'd never heard of any honourables,  
26 so doesn't that pre-suppose an answer to your question,  
27 Mr Wagona?

28 MR WAGONA: Much obliged, Your Honours. I'll move to  
29 another question.

1 Q. Did you hear that Ibrahim Bazy Kamara was one of the  
2 soldiers involved in the overthrow of the government?

3 A. No, sir.

4 Q. Did you hear that Santigie Borbor Kanu, aka Five-Five, was  
5 one of the soldiers involved in the overthrow of the government?

6 A. No, sir.

7 Q. Mr Witness, I put it to you that the three persons, whose  
8 names I have mentioned to you, were involved in the overthrow of  
9 the SLPP government; what could you say to that?

10 A. Those that I know Gborie and Zagalo, they are dead now.

11 Q. Do you remember people from the Special Court obtaining a  
12 statement from you in connection with your evidence today?

13 A. Yes, sir. Very well, sir.

14 Q. Now, what I have here is a summary which was supposed to  
15 have been made from that statement, and I'm going to read to you  
16 the summary and ask you some questions. "Witness has never met  
17 the three AFRC indictees but heard about them through radio  
18 broadcasts and newspaper reports." Did you tell the person who  
19 recorded your statement that you had heard about the indictees  
20 through radio broadcasts and newspaper reports?

21 A. Yes, sir, that they have been arrested and they are before  
22 the Court.

23 Q. Now, I'll take you to your evidence concerning Bo. Now,  
24 the people you named who were commanders in the AFRC government  
25 in Bo, that is Colonel Boysie Palmer, the brigade commander;  
26 Captain AB Kamara, the officer in charge of the AFRC secretariat;  
27 and Major AF Kamara, the Secretary of State for the southern  
28 province. I put it to you --

29 MR MANLY-SPAIN: Sorry. Again, counsel is not putting the

1 question correctly. The evidence that came up was that Boysie  
2 Palmer was a Sierra Leone Army battalion commander, not a member  
3 of the AFRC government.

4 PRESIDING JUDGE: What do you say to that objection,  
5 Mr Wagona?

6 MR WAGONA: Your Honour, I say that the evidence was that  
7 he was the brigade commander. I can leave out mention of AFRC.  
8 But the evidence was that he was the brigade commander.

9 PRESIDING JUDGE: Well, that's not disputed.  
10 Mr Manly-Spain is not disputing that. He's disputing your  
11 reference to the AFRC.

12 MR WAGONA: I'll leave out that, Your Honours.

13 Q. So, Mr Witness, I'm going to ask you about Colonel Boysie  
14 Palmer, the brigade commander; Captain AB Kamara; and Major AFK  
15 Kamara. Do you know who their superiors were?

16 A. You mean those three people, sir?

17 Q. Yes, please.

18 A. Well, I am not -- I was not in the military. I think that  
19 Boysie was their superior. In the government, the Secretary Of  
20 State, I think was -- the rank okay, but for the work, he was the  
21 minister for the south. Everybody was there and everybody was  
22 answerable to him.

23 PRESIDING JUDGE: Mr Witness, when you say "I think," are  
24 you just guessing?

25 THE WITNESS: I'm not guessing. What I mean, the minister,  
26 the minister of state obviously was the administrative head.

27 MR WAGONA:

28 Q. But you don't know who their superiors were, do you?

29 A. For the rank, the one was major, the other one was captain

1 and the other one was a colonel, and I think a colonel was a  
2 higher rank, and I think he was the superior in the military  
3 side.

4 Q. Yes, but do you know who Colonel Boysie Palmer's superiors  
5 were?

6 A. I don't know who is called -- I don't know who is called  
7 Kanu. I know Boysie Palmer.

8 PRESIDING JUDGE: Colonel. I think the word is "colonel."

9 THE WITNESS: Oh, colonel. Oh, okay, I heard Kanu.

10 MR WAGONA:

11 Q. Do you know who his superiors were?

12 A. You know Kanu and captain -- oh, sorry, colonel and  
13 captain. Colonel is a higher rank.

14 Q. Yes, all of these commanders who were based there, the  
15 highest in rank was Boysie Palmer; is that correct?

16 A. Yes, sir. Yes, sir. Yes, sir.

17 Q. Now, what I'm asking you now is: Do you know who his  
18 superiors were?

19 A. In the region, you mean? He was the military commander.

20 Q. In the country. In the region and the country.

21 A. Well, in the country, you had chairman of defence staff,  
22 something like that. I don't know. Chief of defence staff. He  
23 was the overall boss.

24 Q. Now, I put it to you, Mr Witness, that Alex Tamba Brima,  
25 aka Gullit, Ibrahim Bazy Kamara and Santiage Borbor Kanu, aka  
26 Five-Five, were some of the superiors of Boysie Palmer; what do  
27 you say to that?

28 A. That is not my own area. I don't know anything about this  
29 [i ndi scernible] those people that you called.

1 MS THOMPSON: I'm not sure where that came from, because  
2 Boysie Palmer is supposed to be a military commander and there's  
3 never been any evidence he's a colonel, and there's never been  
4 any evidence in this Court that the three indictees had some sort  
5 of military commandership over Boysie Palmer, or any other  
6 colonel in the battalions. There's never been any evidence that  
7 they actually were superior to the battalion commanders. I mean,  
8 political, there has been evidence, but not as far as in 1997,  
9 the battalions that were stationed in the country. I don't know  
10 whether that is evidence and I don't know where that question is  
11 coming from.

12 PRESIDING JUDGE: What's your reply?

13 MR WAGONA: My reply is that that can be made as part of  
14 our submissions. That can be addressed during our submissions.

15 PRESIDING JUDGE: You're saying you've got evidence that  
16 will substantiate your last question?

17 MR WAGONA: Yes, Your Honour.

18 PRESIDING JUDGE: All right. Well, the witness is capable  
19 of answering it, in any event. Do you want that question  
20 repeated?

21 THE WITNESS: Yes, sir. Yes, sir.

22 MR WAGONA:

23 Q. I put it to you, witness, that Alex Tamba Brima, aka  
24 Gullit, Ibrahim Bazy Kamara and Santiage Borbor Kanu, aka  
25 Five-Five, were some of the superiors of Boysie Palmer; what is  
26 your response, Mr Witness?

27 A. As far as I am concerned, in the south, the brigade  
28 commander was the overall boss.

29 Q. I also put it to you that Boysie Palmer reported to the



1 AFRC government.

2 A. Well, I was not a member of the AFRC government, so I  
3 didn't know what was going on, but what I knew he was the brigade  
4 commander; he was the overall boss for the south.

5 Q. Okay.

6 MS THOMPSON: Your Honour, may I [i ndi scerni ble] my I learned  
7 friend said they had evidence which they were going to use to  
8 substantiate that question. Is that evidence going to come out  
9 in this -- through this witness? Is he going to put it through  
10 this witness? Because, as far as I am aware, the Prosecuti on has  
11 closed their case.

12 PRESIDING JUDGE: No, no. What I understood, Ms Thompson,  
13 but we'll hear from Mr Wagona on this, what I understood, in  
14 their submissi ons, they're going to point to evidence that is  
15 already on record to substantiate that question.

16 MR WAGONA: Yes.

17 PRESIDING JUDGE: Is that correct, Mr Wagona?

18 MR WAGONA: That's correct, Your Honour.

19 Q. Mr Witness, I'll now ask you concerning the meetings you  
20 testified about in Bo. Now, from what you testified, is it  
21 correct to say that a delegati on that went to Bo, the delegati on  
22 that went to Gerihun from Bo with a letter from Paramount Chief  
23 Boima, wanted to secure peace with the Kamajors through Paramount  
24 Chief Demby?

25 A. Yes, that was the letter that was sent. He wrote the  
26 letter, sent it to the paramount chief, in whose chiefdom the  
27 Kamajors were, so that he could help to bring peace there.

28 Q. Now, that attempt was not successful, because the Kamajors  
29 rejected the idea of talking peace; not so?

1 A. Well, I didn't go along with them, but I just heard that  
2 after two days they were killed. I heard that from civilians.

3 Q. Now, concerning the killing, did you hear that Paramount  
4 Chief Demby was killed on the very day the delegation from Bo  
5 went to Gerihun, or was it some other day later?

6 A. Some other day later.

7 Q. But this was in connection with that visit; is that right?

8 A. Well, yes, because it was because of the visit I'm sure  
9 they killed -- they killed him, according to what we heard from  
10 civilians running away from the end.

11 Q. And you had testified, regarding the first meeting, that  
12 the first meeting was held on the initiative of the AFRC; do you  
13 remember that?

14 A. Yes, at town hall, the first meeting, yes.

15 Q. Now, I put it to you that, like the first meeting, the  
16 second meeting was also held at the initiative of the AFRC; what  
17 do you have to say?

18 A. Well, the second meeting, people came from Freetown here,  
19 but I don't know who instructed them to hold the meeting, and I  
20 didn't know, I didn't hear that someone took them there. They  
21 said they had gone to make peace between the Kamajors and the  
22 AFRC soldiers.

23 Q. I put to you that those people who came from Freetown were  
24 working on behalf of the AFRC government; what do you have to  
25 say?

26 A. Well, anybody who tried to bring peace at that time was  
27 bringing peace on behalf of the country.

28 Q. Did you say that during the first meeting the AFRC was  
29 appealing to the Kamajors to join them so as to disarm the RUF?

1 A. They asked the civilians so that they could talk to their  
2 brothers who were Kamajors, who would all unite and disarm the  
3 RUF, so that we'll get everlasting peace.

4 Q. Now, during the AFRC government, the SLA were working  
5 together with RUF; isn't that correct?

6 A. Soldiers were working together with RUF who had come from  
7 the bush. We saw all of them come. They said they had come for  
8 peace.

9 Q. So the question of wanting to disarm the RUF at that time  
10 would not arise, would it?

11 A. Well, we didn't see them disarmed.

12 Q. Now, the Paramount Chief Demby, who was killed in Gerihun,  
13 whom you testified about, was that the father of Albert Joe  
14 Demby, the former Vice-President of Sierra Leone, in President  
15 Kabbah's government?

16 A. It was not -- he was not the father. His father had died.

17 Q. Now, you testified that you were told that Kamajors killed  
18 Paramount Chief Demby; do you remember that?

19 A. Yes.

20 Q. I put it to you, Mr Witness, that Paramount Chief Demby was  
21 killed by the soldiers; what do you have to say to that?

22 A. Well, I don't know anything about that. The information  
23 that I got was that -- that's what I told this Court.

24 Q. I put it to you that he was in fact killed on the orders,  
25 and in the presence, of Boysie Palmer and Major AF Kamara; what  
26 do you have to say about that?

27 A. I don't know anything about that.

28 Q. Now, I'll ask you concerning the attack in Tikonko; where  
29 were you when that attack took place?

1 A. I was in my village. I didn't know who attacked Tikonko.  
2 I told you that the people who attacked Tikonko, they resembled  
3 Guinean soldiers. Guinean soldiers went and attacked Tikonko  
4 Town, because they passed through my home.

5 Q. Now, during that attack, apart from the burnings you talked  
6 about, did you hear that the attackers engaged in looting and  
7 killing civilians?

8 A. From my home town to Tikonko Town is about -- almost about  
9 15 miles, more than about 11 miles. I don't know anything,  
10 because I was not in town when they attacked.

11 Q. So, did you later hear anything, or you did not?

12 A. Well, they said they attacked the town and they looted.

13 Q. And also killed?

14 A. I didn't hear about killing at that time, or any other  
15 time, from the attack.

16 Q. And I put it to you that that attack was carried out by  
17 soldiers who had come in search of Kamajors; what do you have to  
18 say to that?

19 A. Well, that was why I told you that it was the Guinean  
20 soldiers. Yes, Your Honour, because they were Guinean soldiers,  
21 and they are soldiers, too.

22 Q. It was, in fact, carried out by AFRC soldiers; what do you  
23 have to say to that?

24 A. Well, I don't know anything about that. And I don't  
25 believe that it was the AFRC.

26 Q. Although you say you don't know?

27 A. To say that it was the AFRC soldiers.

28 JUDGE SEBUTINDE: Mr Witness, could we request you, if you  
29 don't know the answer to a question, to say that you don't know,

1 rather than tell us what you believe.

2 THE WITNESS: Thank you, ma.

3 JUDGE SEBUTINDE: Because what you believe is not  
4 [microphone not activated].

5 THE WITNESS: Okay, ma.

6 JUDGE SEBUTINDE: It's not useful to the Court. It's what  
7 you know that is useful to us.

8 THE WITNESS: Thank you, ma.

9 MR WAGONA:

10 Q. Mr Witness, I put it to you that it was the AFRC soldiers,  
11 during that attack, who committed the acts of burning, looting  
12 and they also killed civilians; what do you have to say to that?

13 A. I don't know about that.

14 Q. And finally concerning the death of Paramount Chief Demby,  
15 I put it to you that the soldiers killed him because he refused  
16 to join the AFRC government; what do you have to say?

17 A. I don't know anything about that, sir.

18 MR WAGONA: Just a moment, Your Honours. Thank you,  
19 Your Honours. Mr Witness, that's the end of my questions. Thank  
20 you for coming to Court. Thank you, Your Honours.

21 THE WITNESS: Thank you, sir.

22 PRESIDING JUDGE: Is there any re-examination?

23 MR DANIELS: No re-examination, Your Honour.

24 PRESIDING JUDGE: Thank you. Mr Witness, we would like to  
25 thank you for coming to Court to give evidence. Your testimony  
26 is now finished and you will be able to leave in a few moments.  
27 Please just sit there and we will pull the curtains so you will  
28 be able to leave.

29 THE WITNESS: Okay. Thank you, sir.

1 [The witness withdrew]

2 PRESIDING JUDGE: Mr Manly-Spain, I understand the next  
3 witness is the last of the common witnesses, DAB-147; is that  
4 right?

5 MR MANLY-SPAIN: Yes, Your Honour.

6 PRESIDING JUDGE: You'll be leading this witness?

7 MR MANLY-SPAIN: Yes. He'll give evidence in Krio.

8 MS THOMPSON: Your Honour, whilst that witness is being  
9 brought in, I have a short application to make on behalf of the  
10 first accused, and that is, that he would like to be excused from  
11 this afternoon's session. He has some personal matters that he  
12 wants to attend to, which he can only do this afternoon. He has  
13 consented to me representing his interests in his absence,  
14 Your Honour.

15 PRESIDING JUDGE: I see. Just one moment, please. Yes,  
16 you will be here, Ms Thompson?

17 MS THOMPSON: I will be.

18 PRESIDING JUDGE: I know it will be Mr Kamara's witness  
19 giving evidence this afternoon, anyway, so that will be quite  
20 acceptable to the Court.

21 MS THOMPSON: I'm most grateful, Your Honour.

22 WITNESS: DAB-147 [Sworn]

23 [The witness answered through interpreter]

24 PRESIDING JUDGE: Just before you begin, Mr Manly-Spain, I  
25 think everything will be all right, but I will just make sure  
26 that voice distortion has been deactivated.

27 MR GEORGE: Yes, Your Honour.

28 PRESIDING JUDGE: I'm told it has been, so please go ahead,  
29 Mr Manly-Spain.

1 MR MANLY-SPAIN: Thank you, Your Honour.

2 EXAMINED BY MR MANLY-SPAIN:

3 Q. Mr Witness, good morning.

4 A. Yes, good morning, sir.

5 Q. I'm going to ask you some questions in evidence-in-chief.

6 After me, my colleagues on this side may ask you some further  
7 questions, and thereafter counsel on the other side will ask you  
8 in cross-examination. Mr Witness?

9 A. Yes, sir.

10 Q. You are from the Kenema District, Eastern Province of  
11 Sierra Leone?

12 A. Yes.

13 Q. Please wait for the interpretation, okay?

14 A. Okay.

15 Q. You are about [overlapping microphones] years old?

16 JUDGE SEBUTINDE: We didn't hear that, Mr Manly-Spain.

17 MR MANLY-SPAIN:

18 Q. You are about 32 years old, Mr Witness?

19 A. Yes.

20 Q. And you were born in Kenema Town?

21 A. Yes.

22 Q. You are educated and literate in English?

23 A. Yes.

24 THE INTERPRETER: Your Honours, may the witness speak up?

25 MR MANLY-SPAIN:

26 Q. Mr Witness, speak up for the interpreter to hear you.

27 A. Okay, sir.

28 Q. You can also speak Krio and Temne?

29 A. Yes, sir.

1 Q. You are a married man.

2 A. I'm married.

3 Q. Do you have any children?

4 A. Yes, sir.

5 Q. And are you presently engaged in agriculture, in Tongo  
6 Field?

7 A. Yes, sir.

8 Q. Mr Witness, do you know the distance between Kenema Town  
9 and Tongo Fields?

10 A. Yes, sir.

11 Q. How far is it?

12 A. 27 miles.

13 Q. And, Mr Witness, do you recall the year 1997?

14 A. Yes, sir.

15 Q. In that year, did anything happen, Mr Witness, in May?

16 A. Yes, sir.

17 Q. Can you --

18 PRESIDING JUDGE: Just a minute. You are not permitted to  
19 walk in front of a witness.

20 MR OSHO-WILLIAMS: I'm very sorry.

21 PRESIDING JUDGE: Go ahead, Mr Manly-Spain.

22 MR MANLY-SPAIN:

23 Q. Can you tell this Court what you remember happened that  
24 year?

25 A. It was the AFRC takeover.

26 Q. Where were you when that happened?

27 A. I was in Kenema Town.

28 Q. At that time, what work were you doing?

29 A. Well, I was a businessman at that time.



1 Q. Prior to that, did you do any other type of work?

2 A. Yes, sir.

3 Q. What work did you do?

4 A. I was an SLBG.

5 Q. Thank you. What do you mean by SLBG?

6 A. Sierra Leone Border Guards.

7 Q. Do you remember when you started doing that job?

8 A. Yes, sir.

9 Q. When was that?

10 A. It was in 1992.

11 Q. Thank you. Did you receive any training to be a Sierra  
12 Leone border guard?

13 A. It was within Kenema?

14 Q. When was that?

15 A. As I said, it was from 1992 to 1993.

16 Q. Thank you. Mr Witness, in 1997 --

17 JUDGE SEBUTINDE: Mr Manly-Spain, was that an answer to the  
18 training? His training was from 1992 to 1993.

19 MR MANLY-SPAIN: Yes.

20 JUDGE SEBUTINDE: Is that the answer?

21 MR MANLY-SPAIN: Yes. I'll put it to him again.

22 JUDGE SEBUTINDE: Or is that the duration of his  
23 deployment?

24 MR MANLY-SPAIN: I'll put it to him to make it clear.

25 Q. How long were you a border guard for?

26 A. It was from 1992 to 1994.

27 Q. Thank you. How long were you trained for?

28 A. Well, the training, during that time, you would be trained  
29 to go and fight. And, later, if you were lucky, you would be

1 promised for you to go and get number at BTC.

2 Q. What do you mean by BTC?

3 A. Benguema Training Centre.

4 Q. All right. Mr Witness, let me ask you again: How long did  
5 you train for? From what time to what time did you train for?

6 A. I just said from that 1992 to 1993 was those -- it was that  
7 three months, those three months that I trained for, to go and  
8 fight.

9 Q. Thank you, Mr Witness. Mr Witness --

10 A. Yes, sir.

11 Q. How did you hear about the coup of May 1997?

12 A. It was the Kenema -- we heard over radio that AFRC had  
13 taken over. So if you were an experienced man in arms, you  
14 should report at the nearest military barracks or military base.

15 Q. When you heard this announcement, did you respond to it?

16 A. Yes, sir, I responded to it.

17 Q. What did you do?

18 A. I reported there.

19 Q. Where did you report?

20 A. At the battalion headquarters.

21 Q. Mr Witness, were there soldiers at the battalion when you  
22 reported?

23 A. Soldiers were there.

24 Q. Were they Sierra Leone Army soldiers?

25 A. It was the Sierra Leone Army soldiers.

26 Q. Mr Witness, before May 1995 -- before May 1997, the coup of  
27 May 1997, do you know whether there were Sierra Leone Army  
28 soldiers in Kenema?

29 A. Yes, sir. I was there.

1 Q. Mr Witness, did you report to any particular person in the  
2 battalion at Kenema?

3 A. Yes, sir.

4 Q. Who was that person?

5 A. I can't name the person now, because we were many who  
6 reported there. So, as soon as we reported there, we didn't  
7 waste any time.

8 Q. What do you mean by that, by "we didn't waste any time"?

9 A. As soon as we reported there, tension had mounted. Because  
10 as they had taken over, there was tension within the township.

11 Q. So what did you do when you reported?

12 A. I went to the battalion, so, right there, we were assigned  
13 to the secretariat.

14 Q. Thank you. Mr Witness, do you know the name of the  
15 battalion that was in Kenema at that time?

16 A. It was the 18th Battalion.

17 Q. Was there a battalion commander, at that time?

18 A. Yes, sir. There was one battalion commander.

19 Q. Do you remember his name?

20 A. I can remember the name.

21 Q. What was the name?

22 A. It was Major Massaquoi.

23 Q. Thank you, Mr Witness. Mr Witness, apart from Major  
24 Massaquoi, were there any other army, Sierra Leone Army officers  
25 with the 18th Battalion at Kenema at that time?

26 A. Yes, sir. I can remember one of them.

27 Q. Who was it?

28 A. It was Captain Rogers.

29 Q. Thank you very much. Mr Witness, you said that you heard

1 an announcement which instructed people with army experience to  
2 go and report. Do you remember who made this announcement?

3 A. Yes, sir.

4 Q. Who was that person?

5 A. It was Johnny Paul Koroma.

6 Q. And do you know who Johnny Paul Koroma was at the time?

7 A. I knew that now through the radio. He, the Johnny Paul  
8 Koroma.

9 Q. Yes; do you know what position he held at that time?

10 A. Yes, sir.

11 Q. Please tell the Court.

12 A. He was the chairman for the AFRC government.

13 Q. Thank you, Mr Witness. Mr Witness, when you went back,  
14 when you went to the brigade headquarters, were you given any  
15 particular function?

16 MR AGHA: Objection, Your Honour, I believe that question's  
17 been asked and answered.

18 THE WITNESS: At the secretariat?

19 PRESIDING JUDGE: There was an objection. What's the  
20 objection?

21 MR AGHA: I think it's been asked and answered. I think he  
22 said that he was sent to the secretariat.

23 PRESIDING JUDGE: Yes, but that doesn't answer the  
24 question, does it? What duties was he doing there?

25 MR MANLY-SPAIN: That is all. That is what I'm asking.  
26 Yes, Mr Witness, please answer the question.

27 JUDGE SEBUTINDE: Perhaps you could repeat the question.

28 MR MANLY-SPAIN: Thank you, Your Honour.

29 Q. Yes, Mr Witness, when you went to report, were you given

- 1 any special function to perform?
- 2 A. Yes, sir.
- 3 Q. What was that?
- 4 A. An IO.
- 5 Q. What do you mean by an IO?
- 6 A. Intelligence Officer.
- 7 Q. And were you put under the command of any person?
- 8 A. Yes, sir.
- 9 Q. Who was that person?
- 10 A. It was Lieutenant Ben Kenneh.
- 11 Q. Can you please spell Kenneh?
- 12 A. Yes, sir.
- 13 Q. Please spell it for the Court.
- 14 A. K-E-N-N-E-H.
- 15 Q. Thank you. Mr Witness, after you had gone to work at the  
16 secretariat, do you know whether any appointments were made by  
17 the AFRC for Kenema?
- 18 A. Yes, sir.
- 19 Q. What was that?
- 20 A. Well, at the secretariat, the OC secretariat was there.
- 21 Q. Yes; who was that person?
- 22 A. It was Captain Demoh Musa.
- 23 Q. Demoh; can you spell Demoh?
- 24 A. Demoh, yes, sir.
- 25 Q. Please spell it for the Court.
- 26 A. D-E-M-O-H.
- 27 Q. Thank you, Mr Witness. Mr Witness, do you know whether  
28 anyone was in charge of the secretariat?
- 29 A. Officers were there.

1 JUDGE SEBUTINDE: Sorry, Mr Manly-Spain, does an OC mean an  
2 officer in charge? The OC -- when he says the OC was Captain  
3 Demoh Musa, is that what you mean? Does an OC mean that?

4 MR MANLY-SPAIN: Sometimes there are more than one.

5 Q. Do you know who the head of the secretariat was?

6 A. Yes, sir.

7 Q. Who was that?

8 A. He was the officer in charge, Captain Demoh Musa.

9 Q. Thank you. Thank you, Your Honour. Mr Witness.

10 A. Yes, sir.

11 Q. At the time, do you recall who the brigade commander was of  
12 the SLA in Kenema?

13 A. It was Colonel Fallah Sewa.

14 Q. Can you please spell that name for us?

15 A. F-A-L-A-H [sic], Fallah. S-E-W-A-H[sic].

16 Q. Mr Witness, when you went back and you were the  
17 secretariat, did you stay there to work?

18 A. I didn't stay there.

19 Q. How long did you work there, sorry?

20 A. Well, if I said I didn't stay there, I was moving from  
21 Tongo and back. That was where I was assigned.

22 Q. Thank you. How long did you stay in Tongo for?

23 A. I went there twice.

24 Q. And, on the first occasion, did you stay there for any  
25 period of time?

26 A. I can stay -- I could stay there for two days, three days,  
27 and come back to the secretariat.

28 Q. Thank you, Mr Witness. Mr Witness --

29 A. Yes, sir.

1 Q. -- did you go on these occasions to Tongo, did you go  
2 alone?

3 A. I wasn't the only one. At that time, one man wouldn't  
4 work.

5 Q. With whom did you go?

6 A. Armed men. I went with an escort, so I wouldn't name a  
7 person. It was an escort. We were many.

8 Q. Thank you. Did you belong to any force? The people you  
9 went with, and yourself?

10 A. Again.

11 Q. The people you went with and yourself, I'm asking if you  
12 belonged to any force?

13 A. Yes, sir.

14 Q. What force was that?

15 A. As I said earlier, it was the IO, the Intelligence Officer.

16 Q. Yes, to which force did you belong?

17 A. As I said, at that time it was under AFRC.

18 Q. Thank you. Mr Witness, apart from the Sierra Leone Army,  
19 whom you said was in Kenema after the coup, was there any other  
20 force in Kenema Town?

21 A. Yes, sir.

22 Q. What force was that?

23 A. The Revolutionary United Front.

24 Q. Thank you. And do you know whether the Revolutionary  
25 United Front had a leader in Kenema, at the time?

26 A. Yes, sir.

27 Q. Can you tell us who that person was?

28 A. Sam Bockarie.

29 Q. Did you personally meet with him in Kenema?

1 A. I met he himself in Kenema.

2 Q. Thank you, Mr Witness. Mr Witness, apart from the SLA  
3 soldiers and the RUF, was there any other force in Kenema?

4 A. They were there, sir.

5 Q. What force was that?

6 A. The Kamajors. And the Nigerians.

7 Q. Thank you. Do you know whether the Nigerians were there  
8 before the coup?

9 A. They were there before the coup.

10 Q. I want to ask you now, Mr Witness, after the coup, do you  
11 know what the relationship was between these forces you have  
12 mentioned?

13 A. Yes, sir.

14 Q. Please explain to the Court.

15 A. Their relationship was not cordial. The relationship was  
16 not cordial.

17 Q. Please explain further what you mean.

18 A. Where the relationship was not cordial, as we all know the  
19 Nigerians, who were the ECOMOGs, they were -- they were to the  
20 governments. I saw they were not in favour of the coup, so they  
21 were not in favour, so the Kamajors, again, they were not in  
22 favour. So there were some problems occurring, the fighting.

23 Q. You said the Kamajors were not in favour; in favour of  
24 what?

25 A. Of the -- about the AFRC takeover.

26 Q. Thank you, Mr Witness. I want to ask you now, before the  
27 coup, do you know what the relationship was between the forces in  
28 Kenema?

29 A. Well, before the relationship?



1 Q. Yes, sir.

2 A. The relationship was not good between the Kamajors and the  
3 soldiers, so the Nigerians said it was good. They were visiting.  
4 Sierra Leone soldiers, they would go to the Nigerian troops.  
5 They, too, would come -- unlike the Kamajors. They -- for them,  
6 the relationship was not good at all.

7 Q. Thank you, Mr Witness. Mr Witness, what about the RUF,  
8 before the coup?

9 A. It was not good at all. As we all know, they were the main  
10 targets. It was not good at all.

11 Q. Mr Witness, when you were now back with the army in -- at  
12 the army -- at the brigade headquarters, did anything happen  
13 after May 1997 in Kenema?

14 A. Yes, sir.

15 Q. Please explain to the Court what happened?

16 A. Fighting took place between the Nigerians and the joint  
17 forces. Serious fighting took place, and serious fighting took  
18 place between the Kamajors and the AFRC troops.

19 Q. Do you know what was the outcome of the fighting between  
20 the AFRC troops and the Nigerians?

21 A. Yes, the outcome, the fighting took place until the  
22 Nigerians pulled out from their base.

23 Q. And do you know where this base was in Kenema?

24 A. Yes, sir.

25 Q. Thank you. Do you know where was that?

26 A. Yes, sir. Lebanese school.

27 Q. Can you tell us where in Kenema was the Lebanese school?

28 A. Between Foni kor and the Ahmadiyya secondary school.

29 Q. Please, can you spell Foni kor for us?

- 1 A. Fonikor. Well, I can spell it in a way I can understand.
- 2 Q. Please do.
- 3 A. F-0-N-I-K-0 [phon].
- 4 Q. Just for clarity, was that in Kenema Town?
- 5 A. Yes, it was inside Kenema Town.
- 6 Q. Mr Witness, do you know what the was result between the
- 7 fighting -- after the fighting between the soldiers -- SLA
- 8 soldiers and the Kamajors?
- 9 A. Yes, sir.
- 10 Q. Please tell the Court.
- 11 A. The Kamajors -- the Kamajors pulled out from their places.
- 12 Their home was Ribbi Hotel. They used to make barricades. So,
- 13 after the fighting, they cleared there and they all moved
- 14 forward.
- 15 Q. You mentioned Ribbi Hotel. Can you tell this Court --
- 16 A. It was the Kamajors' base.
- 17 Q. Yes. Can you tell the Court where, in Kenema Town -- where
- 18 the Ribbi Hotel was in Kenema Town?
- 19 A. Yes, sir.
- 20 Q. Was it in Kenema Town?
- 21 A. Yes, sir.
- 22 Q. And can you please spell Ribbi for us?
- 23 A. Yes, sir.
- 24 Q. Please spell it.
- 25 A. R-I-B-A [sic].
- 26 Q. Mr Witness.
- 27 A. Yes, sir.
- 28 Q. [Overlapping speakers] these two clashes, were they the
- 29 only clashes in Kenema Town after May 1997?

1 A. Well, Kenema, as you yourself understand, it was Kamajors'  
2 stronghold base, so when they were removed from there, there was  
3 always fighting there. Around the surroundings.

4 Q. With whom -- between whom were these fights?

5 A. The Kamajors and the AFRC forces.

6 Q. Mr Witness, before the May 1997 coup, were there RUF in  
7 Kenema Town?

8 A. No, sir.

9 Q. Do you know when they went -- whether they went into Kenema  
10 Town after the coup?

11 A. Yes, sir.

12 Q. Do you know when they went into Kenema Town?

13 A. I cannot recall the date, but it was just after the  
14 takeover, the 25th May. That was the time they came there.

15 Q. Thank you, Mr Witness. Mr Witness, how long do you know,  
16 if you know, did the RUF stay in Kenema Town?

17 A. As I have told you, as soon as the overthrow, they came now  
18 and stayed there until when the AFRC --

19 Q. Fell?

20 A. Fell.

21 Q. Thank you. And do you know when the AFRC fell?

22 A. It was in February 1998.

23 Q. Thank you, Mr Witness. Whilst the RUF were there, did you  
24 witness any occurrences in Kenema Town involving the RUF?

25 A. Yes, sir.

26 Q. Can you remember any of them?

27 A. I can recall when Sam Bockarie was executing, was doing  
28 public execution in the town.

29 Q. Do you remember the month and the year?

1 A. I cannot recall the month, but it was in 1997, between 1997  
2 to 1998.

3 Q. Thank you. What did he do, how did he do these executions?

4 A. Well, according to him, he would bring some civilians and  
5 say they were looting. So, therefore, anybody who was caught  
6 doing that who was not a junta deserved to die, so he was doing  
7 it publicly.

8 Q. And where, in Kenema Town, did he do this?

9 A. He did it at the police station, secretariat and in police  
10 barracks.

11 Q. Thank you, Mr Witness. Mr Witness, did he do it personally  
12 himself? Did he execute these people personally?

13 A. He himself used to kill people. Sometimes he would order  
14 his men to do it.

15 Q. Thank you. Mr Witness, can you recall how many people you  
16 know that were killed by Sam Bockarie or his men?

17 A. I can recall some.

18 Q. Can you remember a number?

19 A. I can recall three whose names are still in my mind.

20 Q. Can you tell this Court these names?

21 A. He killed one man who we used to call K Aron, Burning Spear  
22 and Cole.

23 Q. Can you just go back to K Aron. Can you spell Aron for us?  
24 I take it that the K is like the letter K? K is the same as the  
25 letter K?

26 A. Yes, well, that is the man's name. The K is the letter.  
27 The Aron is the A-R-O-N; that's how we used to spell it.

28 Q. A-R-O-N. Thank you. And the next name?

29 A. Cole.

1 Q. And the third name?

2 JUDGE SEBUTINDE: Is that C-0-L-E or what?

3 MR MANLY-SPAIN:

4 Q. Is it C-0-L-E, Cole?

5 A. C-0-L-E.

6 Q. Thank you, Mr Witness. What was the third name?

7 A. Burning Spear.

8 Q. I think that is obvious. Burning Spear.

9 JUDGE SEBUTINDE: Sorry, we didn't catch that at all.

10 MR MANLY-SPAIN: He said Burning Spear.

11 Q. Burning Spear, can you spell Spear?

12 A. S-P-E-A-R.

13 JUDGE SEBUTINDE: That's not the issue. The first part of

14 it is what we don't understand. The pronunciation, perhaps.

15 What's that? Burn in Spear, or what?

16 MR MANLY-SPAIN:

17 Q. Can you spell burning for us?

18 A. Burning Spear.

19 Q. Can you spell Burning?

20 A. Yes.

21 Q. Please spell it for us.

22 A. B-U-R-N-I-N-G. Burning.

23 Q. Thank you, Mr Witness. Mr Witness, apart from these  
24 incidents, do you recall any incidents in Kenema at that time,  
25 involving Mosquito and the RUF?

26 MR AGHA: Objection, Your Honour. I don't think he's  
27 referred to a Mosquito before.

28 MR MANLY-SPAIN: Sorry. I take the point, sir.

29 Q. Do you remember any other incidents concerning Sam Bockarie

1 and the RUF?

2 A. Well, the incidents were as how -- like I said. They were  
3 many.

4 Q. Yes. Can you remember any other one you want to tell this  
5 Court about?

6 A. Yes, sir.

7 Q. Please explain to the Court.

8 A. I can recall the time when he went to apprehend the BS  
9 Massaquoi, Mr Kpaka and Dr Momoh.

10 Q. Okay. Let's take them one by one. Can you spell out  
11 BS Massaquoi for us?

12 A. Yes, sir.

13 Q. Please do.

14 A. The two letters, BS, and Massaquoi, M-A-S-S-A-Q-U-O-I.

15 Q. Yes. Do you know who BS Massaquoi was in Kenema Town?

16 A. Yes, sir.

17 Q. Who was he?

18 A. BS Massaquoi was one of the strong pillars in Kenema. They  
19 were the senior men in the town.

20 Q. Thank you, Mr Witness. You mentioned Mr Momoh. Do you  
21 know his full name?

22 A. Dr Momoh, I can't remember his first name now. But that  
23 was the name that was commonly called, Dr Momoh.

24 MR MANLY-SPAIN: I believe we've had Momoh before.

25 Q. And who was the third person you say, you mentioned?

26 A. Mr Kpaka.

27 Q. Who was he?

28 A. Mr Kpaka was just like how Dr Momoh and others were, and BS  
29 Massaquoi.

1 Q. And how do you spell Kpaka?

2 A. K-P-A-K-A.

3 Q. Thank you. Do you know whether anything happened to them  
4 when they came across Mosquito -- Sam Bockarie?

5 A. Yes, sir.

6 Q. Please tell this Court what happened.

7 A. Sam Bockarie apprehended them and took them to the  
8 secretariat and, from the secretariat, he took them to the police  
9 station.

10 Q. Where were you at that time?

11 A. As I told you earlier on, at the secretariat.

12 Q. And were you present when they were taken there by Sam  
13 Bockarie?

14 A. I was there.

15 Q. You said you later on took them to the police station.

16 A. Yes, sir.

17 Q. Do you know whether anything happened at the police  
18 station?

19 A. Yes, sir.

20 Q. What happened?

21 A. When he took them there, according to him, he said it was  
22 for investigation.

23 Q. Do you know what the investigation was about?

24 A. Yes, sir.

25 Q. What was it?

26 A. Well, according to him, he said he wanted to prove, because  
27 he had heard a piece of information that those people were  
28 Kamajor sympathisers, that they were financing Kamajors, for them  
29 to come and fight.

1 Q. Thank you, Mr Witness. When they were taken to the police  
2 station, do you know whether anything happened there?

3 A. At the police station, when he took them there, as I said  
4 earlier on, like Dr Momoh and all of them, those where I were.  
5 People. So, we were so concerned about the business, and we did  
6 everything we could to go and free all of them, but we only  
7 succeeded in freeing Mr Kpaka and Dr Momoh. And at that time, in  
8 fact, he was not around.

9 Q. Just hold it there, Mr Witness. When you say "we" went to  
10 free them, whom do you mean?

11 A. We, the securities. Just as I said. There were many  
12 troops in Kenema, but those of us who were concerned had interest  
13 in the people.

14 Q. Thank you, Mr Witness. Mr Witness, you said you succeeded  
15 in freeing only the two who were not BS Massaquoi?

16 A. Yes.

17 Q. Did anything happen later?

18 A. After that, it was so serious that when Sam Bockarie  
19 came -- they were not incarcerated in the same cell, so when we  
20 went and rescued those others, he came to the police station, and  
21 he made sure that the entire station, he took care of them. He  
22 harassed them seriously.

23 Q. Okay. Hold on there. Who did he harass?

24 A. The policemen who were in the police station.

25 Q. And do you know whether anything happened to the police  
26 station?

27 A. I was at the secretariat when we were informed that he  
28 molested even the commander there, the policemen; he molested  
29 them very seriously.



1 Q. Yes, I'm asking you not about the people working in the  
2 police station, about the police station itself. Did anything  
3 happen to it?

4 A. I can't tell if something happened, but the structure, we  
5 used to see it, it was there. It was the molestation that we  
6 heard about that was so serious and we were concerned about.

7 Q. Thank you, Mr Witness. Mr Witness --

8 A. Yes, sir.

9 Q. -- after Mosquito took BS Massaquoi to the police  
10 station -- can I please ask this question, Mr Witness -- I keep  
11 calling him Mosquito. Do you know whether Sam Bockarie had any  
12 other name, or was called by any other name?

13 A. They were calling him Mosquito.

14 Q. Thank you, Mr Witness. After you had taken BS Massaquoi to  
15 the police station, did you see BS Massaquoi again?

16 A. I did not see him. When he went there, he took him out.  
17 When he took him out, where he took him afterwards, all of us  
18 didn't know. And at that time, the tension had mounted, and he  
19 was a man who went -- wherever he reacted, nobody could go --  
20 nobody would go near him.

21 Q. Thank you, Mr Witness. Mr Witness, how did you know that  
22 Sam Bockarie took BS Massaquoi to a place which you did not know?

23 A. As I said earlier on, I was -- I was in the intelligence  
24 wing. Even the securities came and -- came at the secretariat  
25 and were working with the police. We were working. So when he  
26 went and took him out, they made sure that they informed us that  
27 that man had come and took out BS Massaquoi, and he had taken him  
28 away.

29 Q. Thank you, Mr Witness. Mr Witness, did you later learn

1 anything about BS Massaquoi ?

2 A. Yes, sir.

3 Q. What did you learn about him?

4 A. We at the secretariat, when people came and informed us  
5 that he had gone and killed him at the Guinea base.

6 Q. You said, "We were the secretariat." With whom were you  
7 the secretariat?

8 A. I served the secretariat. The commanders were there like  
9 Ben Kenneh. Of course, at that time, Demoh Musa had been  
10 transferred, and the man who relieved him was also there, and the  
11 secretariat security, as a whole, were all there.

12 Q. Thank you, Mr Witness. Mr Witness, you mentioned Guinea  
13 base. Do you know where Guinea base was situated?

14 A. Yes, sir.

15 Q. Where was that?

16 A. It was at the back of SS Camp. If I say SS Camp, that is  
17 at the back of Kenema show field, where the Guinean troops were  
18 based during the NPRC era.

19 Q. Thank you. Mr Witness, you said that you were informed  
20 that Sam Bockarie had taken BS Massaquoi to SS Camp and killed  
21 him --

22 JUDGE SEBUTINDE: That is not what the evidence said,  
23 Mr Manly-Spain. He simply said he took him and killed him. We  
24 don't know who took who yet.

25 MR MANLY-SPAIN: Thank you, Your Honour.

26 Q. Who took who?

27 A. This Sam Bockarie, Sam Bockarie, who is also Mosquito. We  
28 were informed that he had gone and taken BS Massaquoi from the  
29 police station and had taken him to SS Camp, at that Guinea base

1 area, and he had killed him there.

2 Q. Thank you. Mr Witness, did you see BS Massaquoi again.

3 A. I did not see him again.

4 Q. Just since that time, when have you seen him?

5 A. I did not see him again.

6 Q. Thank you, Mr Witness. Mr Witness, you said you went to

7 Tongo Field --

8 A. Yes, sir.

9 Q. -- a couple of times.

10 A. Yes, sir.

11 Q. When you went there, were there any forces stationed at

12 Tongo Field?

13 A. Yes, sir.

14 Q. Which forces were there?

15 A. The AFRC troops, the combined forces.

16 Q. What do you mean by combined forces?

17 A. What I mean, we had the soldiers and the RUF; these two

18 forces.

19 Q. Thank you. When you went there, was there anyone in charge

20 of them in Tongo?

21 JUDGE DOHERTY: Mr Manly-Spain, witness had said Tongo, you

22 said Tongo Field and now you're back to Tongo. Are they the one

23 and the same place?

24 MR MANLY-SPAIN: I'll ask him, Your Honour, to clarify.

25 Q. Mr Witness, is Tongo Field and -- you know Tongo Field and

26 Tongo?

27 A. Yes.

28 Q. Are they the same places?

29 A. They're the same place.

1 MR MANLY-SPAIN: Thank you, Your Honour.

2 Q. So when you went there, do you know whether anyone was in  
3 charge of Tongo?

4 A. I can still remember the OC secretariat at that time.

5 Q. And who was that?

6 A. It was one Sergeant-Major Junior.

7 Q. Thank you. When you were there, did you notice any killing  
8 of civilians in Tongo?

9 MR AGHA: Objection, Your Honour. It's a leading question.

10 PRESIDING JUDGE: What do you say, Mr Manly-Spain?

11 MR MANLY-SPAIN: That it goes to the indictment and I'm  
12 putting it to you the witness.

13 PRESIDING JUDGE: Go ahead.

14 MR MANLY-SPAIN:

15 Q. Did you notice any killing in Tongo?

16 A. Yes, sir. There were killings in Tongo.

17 Q. Do you know who were doing this?

18 A. It was the RUF troops.

19 Q. How do you know that?

20 A. It was at the mining areas, where they were mining. The  
21 place was called Cyborg Pit, one of the areas. They were doing  
22 mining there. And, according to them, they were getting diamonds  
23 from that place. So they were the only people working there.  
24 So, if anybody went there who was a civilian, to go and mine  
25 there, they would kill you there.

26 Q. Thank you, Mr Witness. Mr Witness, to whom do you refer as  
27 "they"?

28 A. These, the RUF. The RUF.

29 Q. Do you know whether anyone was in charge of the RUF at

1 Cyborg Pit?

2 A. I can remember some.

3 Q. Please tell the Court the names, if you can remember them.

4 A. I can remember Manawa.

5 Q. Manawa. Do you know how to spell it?

6 A. Yes, sir.

7 Q. Please spell it.

8 A. M-A-N-A-W-A-H [sic].

9 Q. Thank you. [Indiscernible].

10 A. There was another one who was called Mopleh.

11 Q. Can you spell that?

12 A. Well, we used to spell it M-O-P-L-E-H.

13 Q. Thank you. Do you remember any other one?

14 A. I can't remember any other one. These were the popular  
15 ones. As I said, I used to visit them -- I visited the place  
16 twice.

17 Q. Do you know, Mr Witness, whether Manawa and Mopleh reported  
18 to anyone about the mining?

19 A. Yes, sir.

20 Q. To whom did they report?

21 A. To Sam Bockarie.

22 Q. How do you know that?

23 A. His appointment was made in the open. People were there  
24 when he said these people have put them here and they're in  
25 charge of this place. And everybody would know that they were  
26 there.

27 Q. Did you personally, Mr Witness, go to Cyborg Pit?

28 A. I was not doing mining. I did not go to that particular  
29 pit.

1 Q. Thank you, Mr Witness. Mr Witness.

2 A. Yes, sir.

3 PRESIDING JUDGE: If you're starting another topic, I think  
4 we'll take the morning break, Mr Manly-Spain.

5 MR MANLY-SPAIN: Most obliged. Thank you, Your Honour.

6 PRESIDING JUDGE: Mr Witness, we're going to have a short  
7 break now. Don't talk about the evidence, or the case with  
8 anybody else in the meantime; do you understand that?

9 THE WITNESS: Okay, sir.

10 PRESIDING JUDGE: We'll adjourn until 11.00 a.m.

11 [Break taken at 10.45 a.m.]

12 [Upon resuming at 11.05 a.m.]

13 PRESIDING JUDGE: Go ahead, Mr Manly-Spain.

14 MR MANLY-SPAIN: Thank you.

15 Q. Good morning again, Mr Witness.

16 A. Yes, good morning, sir.

17 Q. Mr Witness, during the period you were with the SLAs in  
18 Kenema, did you witness any beatings of civilians by soldiers in  
19 Kenema?

20 A. I did not witness that one.

21 Q. Did you also witness killings of civilians by soldiers in  
22 Kenema?

23 A. I did not witness that.

24 Q. Did you, when you were in Tongo, Tongo Field, did you  
25 witness soldiers, or AFRC soldiers, as you were calling them,  
26 force civilians to mine at Cyborg pit?

27 A. No, sir.

28 Q. Thank you, Mr Witness, when you heard that Mr Witness, you  
29 said that you were in Kenema until February 1998?

1 A. Yes, sir.

2 Q. Do you recall anything happening in Sierra Leone  
3 in February 1998?

4 A. Yes, sir.

5 Q. What was that?

6 A. I can only recall when Sam Bockarie declared Operation Pay  
7 Yourself, in Kenema.

8 Q. Thank you, Mr Witness. Do you remember the date when you  
9 made this declaration?

10 A. I cannot remember the dates. It was when the intervention  
11 forces took over the capital city.

12 Q. Thank you. Who do you refer to as the intervention forces?

13 A. The ECOMOG.

14 Q. Thank you. And, Mr Witness, when the intervention forces,  
15 the ECOMOG, took over the capital city, do you know what happened  
16 to -- if anything happened to the AFRC?

17 A. Yes, sir.

18 Q. What was it?

19 A. They retreated.

20 Q. From where did they retreat?

21 A. We, who were in Kenema, we heard it through the radio that  
22 they moved and came through the peninsula to Waterloo.

23 Q. Thank you, Mr Witness. When you heard that, did anything  
24 happen in Kenema?

25 A. Yes, sir.

26 Q. Thank you. What happened in Kenema?

27 A. Sam Bockarie, who is Mosquito, he met us at the  
28 secretariat. He said, "Gentlemen, the city has fallen. So now,  
29 we, who are here, we should realise that we have fallen, so all

1 of us should prepare to move."

2 Q. Thank you, Mr Witness. Were you present when he said this?

3 A. Yes, sir. I was at the secretariat. As I said, there were  
4 a lot of people there, both civilians -- civilians were worried  
5 about where to go.

6 Q. When he told you that you should leave, did he tell you  
7 where you should go to?

8 A. He didn't tell me personally, but he just said everybody  
9 should prepare -- everybody should prepare a way to go through  
10 Segbwema, through Daru.

11 Q. Do you know what district Daru is?

12 A. Yes, sir.

13 Q. What district is that?

14 A. Kailahun District. Kailahun District.

15 Q. Thank you. Do you know whether at that time any forces  
16 were stationed at Kailahun?

17 A. Yes, sir.

18 Q. What force or forces were there?

19 A. It was the RUF who were there.

20 JUDGE SEBUTINDE: Is this Kailahun Town or Kailahun  
21 District? Your question, Mr Manly-Spain?

22 MR MANLY-SPAIN: Yes, I will clarify, Your Honour.

23 Q. Where in Kailahun District were they in?

24 A. The entire Kailahun District. They were all mixed in Daru.

25 Q. And is there any -- was there any particular thing at Daru?  
26 Police at Daru?

27 A. Barracks was there.

28 Q. Do you know or did you know, at the time, who was in  
29 occupation of the barracks at Daru?



1 A. It's -- RUF were there.

2 Q. Thank you, Mr Witness. Mr Witness, I believe you mentioned  
3 that Mosquito declared something after the fall of the AFRC; did  
4 anything happen after that in Kenema?

5 A. Yes, sir.

6 Q. What happened?

7 A. It was the Operation Pay Yourselfes.

8 Q. What did you -- sorry. Did you understand what he meant by  
9 that?

10 A. Yes, sir.

11 Q. Please explain to the Court what you understood by that?

12 A. Well, it's my own understanding it was to loot. He meant  
13 the looting.

14 Q. Do you know --

15 A. Because he himself demonstrated it.

16 Q. Thank you. Do you know whether any looting took place  
17 after this declaration by Mosquito?

18 A. Yes, sir.

19 Q. Yes; what happened?

20 A. It was the looting. As I said, there was no control in the  
21 entire township. It was only to loot.

22 Q. Do you know who did the looting?

23 A. Yes, sir.

24 Q. Please tell the Court.

25 A. The RUF did it at that time. They knew that they don't  
26 have anywhere to go, except Kailahun, which was their home base.

27 Q. Okay. Mr Witness, you said the whole town was in -- I  
28 don't know whether a better word could be turmoil. Do you know  
29 what happened to the civilians then, in Kenema?

1 A. I can recall some.

2 Q. Yes; what happened?

3 A. Many people joined Mosquito's pulled out -- pulling out.

4 Q. Thank you. Mr Witness, at the time, were there any senior  
5 Sierra Leone Army officers in Kenema?

6 A. Yes, sir.

7 Q. And can you remember any of them and their names?

8 A. Well, I can recall some names.

9 Q. Please tell the Court.

10 A. I can remember Captain Rogers. And I can still remember  
11 Seth Marah.

12 Q. Thank you. Do you know what happened to these people when  
13 they received the news that the AFRC had fallen - the soldiers I  
14 am talking about now?

15 A. Well, the soldiers were under threat.

16 Q. Threat from who?

17 A. From Sam Bockarie.

18 Q. What do you mean by that?

19 A. What I mean is that he was telling them that they were --  
20 they were the ones who had sabotaged the revolution because they  
21 were -- because they were there, and the city was taken over from  
22 them. So he was threatening them that they didn't want to fight.  
23 That if they wanted to fight, they would not have allowed that to  
24 happen.

25 Q. Thank you, Mr Witness. Did you and the soldiers in Kenema,  
26 at the time, do anything?

27 A. No, sir.

28 Q. Thank you, Mr Witness. Mr Witness, after the RUF had left  
29 Kenema, what happened?

1 A. The majority followed them. At any time, they said there  
2 were threats was coming that the Nigerians and the Kamajors would  
3 come.

4 Q. Yes. Who do you refer to as "majority"?

5 A. These soldier or civilians, as long as you are there, they  
6 were the ones I meant that the majority. We, who were in the  
7 town, all of us moved.

8 Q. And did you go anywhere?

9 A. Yes, sir.

10 Q. Where did you go to?

11 A. I went to Segbwema.

12 Q. Can you please spell it?

13 A. Yes, sir.

14 Q. Spell it for the Court, please.

15 A. S-E-G-B-W-E-M-A.

16 Q. Now, what district is Segbwema?

17 A. Segbwema is at the Kailahun District.

18 Q. Thank you. Mr Witness, when -- did you stay in Segbwema?

19 A. I stayed there for two days.

20 Q. Where after -- did you go anywhere?

21 A. I run away from there and went to Daru.

22 Q. Thank you. Did you go alone?

23 A. We were many, we who run away from Kenema.

24 Q. When you say "we," who do you mean?

25 A. As I'm talking about we, civilians, the rebels themselves,  
26 soldiers; all of us ran.

27 Q. Thank you. You went to Daru. Was that Daru Town or Daru  
28 Barracks?

29 A. Daru Town.

1 Q. Can you, Mr Witness, if you can, tell this Court how many  
2 of you went to Daru Town?

3 A. I cannot tell. There were many people.

4 Q. Thank you. Were there any SLA officers with you at Daru  
5 Town?

6 A. Yes, sir.

7 Q. Do you recall their names?

8 A. As I have been mentioning their names, Captain Rogers,  
9 Major Seth Marah; all of us moved.

10 Q. Thank you, Mr Witness. Whilst -- when you arrived at Daru,  
11 Mr Witness, did you and the other soldiers report to anyone?

12 A. No, sir.

13 Q. Whilst you were at Daru, did anything happen?

14 A. Yes, sir.

15 Q. What happened?

16 A. There was the serious fighting. As I said, we wouldn't  
17 just move like that. The Ogas had reached Segbwema. Their jets  
18 were raiding Daru itself.

19 Q. Okay, Mr Witness. I want you to take it small - small, bit  
20 by bit, okay? You said the Ogas; who do you mean?

21 A. The Nigerian soldiers.

22 MR MANLY-SPAIN: Your Honour, I can just say Ogas, O-G-A's,  
23 or O-G-A-S which he mentioned.

24 Q. You say that means the Nigerian soldiers?

25 Q. You said they had reached Segbwema. Do you know how  
26 Segbwema was from Daru Town?

27 A. You mean the mileage?

28 Q. Yes, yes.

29 A. I can't tell, but it's not a far distance.

1 Q. How did you know that the ECOMOG troops had reached  
2 Segbwema while you were at Daru?

3 A. It was because of the bombardment, that long-range  
4 bombardment. That was enough to tell us that they had got to the  
5 place, so you didn't stand there to wait for them.

6 Q. I believe, also -- first of all, where were you when you  
7 were bombarded?

8 A. I was in Daru itself.

9 Q. You also mentioned jets. What happened? What about the  
10 jets?

11 A. I was still there.

12 Q. Did the jets do anything?

13 A. Yes, sir.

14 Q. What did it do?

15 A. They bombarded.

16 Q. Where did they bombard?

17 A. The entire town. There were no specific places where they  
18 could bombard, so they bombarded the entire town.

19 Q. Thank you, Mr Witness. As a result of this bombardment by  
20 ECOMOG, did anything happen to the town?

21 A. Yes, sir.

22 Q. What happened?

23 A. Some places were destroyed. Some places got destroyed and  
24 sometimes it would hit targets.

25 Q. Thank you. What do you mean by places?

26 A. Houses. Houses, and even the barracks itself was  
27 bombarded.

28 Q. Thank you. Mr Witness, you also used the word just now,  
29 "some hit target." What do you mean by "target"?

1 A. Well, that target, like the barracks or where fighters  
2 were -- when they were firing against the jet, so it would  
3 bombard them. That is what I meant by hitting targets.

4 Q. As a result of this bombardment hitting targets, did  
5 anything happen?

6 A. Yes, sir.

7 Q. What happened?

8 A. We were getting prepared again to run away.

9 Q. Mr Witness, before you go to that, what was the effect of  
10 the bombardment hitting targets?

11 A. Well, people died. It was killing people.

12 Q. Which people?

13 A. Fighters. Fighters.

14 Q. Thank you, Mr Witness. As a result of the bombardment, did  
15 you do anything?

16 A. If I did anything?

17 Q. Yes.

18 A. I only run away.

19 Q. Please tell us about running away.

20 A. I run away, trying to escape.

21 Q. Thank you, Mr Witness. Mr Witness, did you do that alone?

22 A. No, sir.

23 Q. With whom did you do that?

24 A. We were many, just as I said earlier on. It was not a  
25 single amount of movement. There were many people, both  
26 civilians and fighters. We were many.

27 Q. Thank you, Mr Witness. When you run away from Daru, did  
28 you go anywhere in particular?

29 A. Yes, sir.

- 1 Q. Where did you go?
- 2 A. We went by Kailahun.
- 3 Q. When you say Kailahun, do you mean the town, or just the  
4 district?
- 5 A. Kailahun District, I mean.
- 6 Q. Any particular place?
- 7 A. Initially, I settled at a village called Kigbai.
- 8 Q. Thank you, Mr Witness. Can you spell Kigbai?
- 9 A. I can try.
- 10 Q. Please do.
- 11 A. K-I-G-B-A-I.
- 12 Q. Thank you, Mr Witness. Mr Witness.
- 13 A. Yes, sir. Yes, sir.
- 14 Q. Between the month of February 1998 and June 1998, were you  
15 in Kailahun Town?
- 16 A. I had not been in the Kailahun Town at that time.
- 17 Q. Whilst you were there, did anything happen?
- 18 A. Yes, sir.
- 19 Q. What happened?
- 20 A. I was there when Sam Bockarie killed Kamajors there.
- 21 Q. Do you know what happened after that?
- 22 A. When he killed them, that was what happened there.
- 23 Q. Thank you, Mr Witness. Mr Witness.
- 24 A. Yes, sir.
- 25 Q. Just to complete your evidence, I want you to tell this  
26 Court, if you know, what happened to the Sierra Leone Army  
27 officers with whom you went to Kailahun, if anything.
- 28 A. Yes, sir.
- 29 Q. Please tell the Court.

1 A. As I said earlier on, that Sam Bockarie said that they had  
2 betrayed the revolution and he harassed them. He harassed them  
3 so badly that, in fact, some of them were killed by him.

4 Q. Do you know any of those who were killed by Mr Bockarie?

5 A. I can remember two of them.

6 Q. Can you tell this Court their names?

7 A. Yes, sir.

8 Q. Please do.

9 A. He killed one Lieutenant Foday. And an officer who was  
10 called Major Fonti Kanu.

11 MR MANLY-SPAIN: I believe we've had that before.

12 Q. Thank you, Mr Witness. Mr Witness.

13 A. Yes, sir.

14 Q. Do you know what happened to the SLA soldiers with whom you  
15 were?

16 A. What happened to them is what I've been explaining to you,  
17 that they were harassed, and some even died, because Sam Bockarie  
18 said they wanted to escape; they wanted to go and surrender.

19 Q. Thank you. What about those who [overlapping speakers]?

20 A. Yes, sir. Well, you wouldn't get anywhere to go, except  
21 you just prefer to stay with them.

22 Q. What do you mean by "just prefer to stay with them"?

23 A. You wouldn't have any other option, any other place to go,  
24 because that place is their main base. You wouldn't have  
25 anywhere to escape where you wouldn't be caught, because they  
26 know all the areas.

27 Q. Thank you, Mr Witness. What did you do?

28 A. So I stayed there with them.

29 Q. When you stayed there, were you under the command of



1 anyone?

2 A. I was under their command, Sam Bockarie and other's  
3 command.

4 Q. Do you recall who were the RUF commanders there at the  
5 time?

6 A. Yes, sir. I can remember some.

7 Q. Yes, please tell the Court.

8 A. I can remember Sam Bockarie, Issa Sesay, Morris Kallon.

9 Q. Thank you, Mr Witness. Mr Witness, during this period now,  
10 you remember the time I told you, February and June 1998 --

11 MR AGHA: I'd object on this point, Your Honour, directing  
12 and pinpointing a time period. I should have objected earlier.  
13 I missed it.

14 PRESIDING JUDGE: What's the basis of the objection?

15 MR AGHA: The basis of the objection is that I think the  
16 witness himself should be asked when these events occurred,  
17 rather than saying between this period and that period.

18 PRESIDING JUDGE: I think he's already said that, hasn't  
19 he?

20 MR AGHA: Yes, on the basis of Mr Manly-Spain's question to  
21 him, during this period, then he answered. It was a point I  
22 should have been faster on the floor.

23 PRESIDING JUDGE: Well, that much is on the record. What  
24 do you reply to that objection?

25 MR MANLY-SPAIN: I believe my learned friend has answered  
26 the question, that he did not object at the time and it is now  
27 part of the evidence.

28 PRESIDING JUDGE: Yes.

29 MR AGHA: But I continue to --

1           PRESIDING JUDGE: You're objecting to his new question,  
2 though, on those grounds.

3           MR MANLY-SPAIN:

4 Q.     Do you recall, Mr Witness, saying that you were in Kailahun  
5 between February and June 1998?

6 A.     It was that '98 as we ran away. I can't recall the dates  
7 after that.

8 Q.     Whilst you were there, do you know whether there was any  
9 SLA officer commanding troops in Kailahun?

10 A.    No, sir.

11 Q.    I don't know. What do you mean by "no"? Were there any  
12 SLA officers commanding troops in Kailahun?

13 A.    They were not commanding troops there.

14 Q.    What were they doing?

15 A.    They were just there somewhere. As I was saying, some were  
16 looking for ways to escape.

17 Q.    Thank you, Mr Witness. Mr Witness, during your time in  
18 Kenema when you said you were with the army between May 1997  
19 and February 1998, did you meet with anyone called Tamba Brima in  
20 Kenema?

21 A.    No, sir.

22 Q.    This person called Tamba Brima is also alleged to be known  
23 as Gullit. Did you meet with any Sierra Leone Army soldier  
24 called Gullit in Kenema at that time?

25 A.    No, sir.

26 Q.    Did you, at that time, meet with any Sierra Leone Army  
27 soldier known as Ibrahim Kamara?

28 A.    No, sir.

29 Q.    He is also referred to as Bazzy. Did you meet with him in

1 Kenema?

2 A. No, sir.

3 Q. Did you meet with any Sierra Leone Army soldier known as  
4 Santi gie Borbor Kanu?

5 A. No, sir.

6 Q. He's also referred to as Five-Five. Did you meet with that  
7 person in Kenema?

8 A. No, sir.

9 Q. Do you know whether these people whom I've referred to  
10 commanded troops of the army or AFRC in Kenema at the time?

11 A. No, sir.

12 Q. Thank you very much, Mr Witness.

13 MR MANLY-SPAIN: That is all.

14 PRESIDING JUDGE: Thank you. Is there anything else in  
15 chief?

16 MS THOMPSON: Yes, Your Honour, just a couple of questions.

17 EXAMINED BY MS THOMPSON:

18 Q. Mr Witness --

19 A. Yes, sir.

20 Q. -- you said you went to Daru and when you left Daru -- you  
21 moved from Segbwema to Daru, and that you moved with some  
22 officers. Now, when you went to Daru, did you meet any SLA  
23 officers there?

24 A. Yes.

25 Q. Do you know their names?

26 A. It is only that late man, Lieutenant Foday, whom I can  
27 recall.

28 Q. Okay. You said, also, that -- you mentioned a Major Fonti  
29 Kanu. Before Major Fonti Kanu was killed, had you seen him

1 before?

2 A. Yes, sir.

3 Q. Where did you see him?

4 A. It was after Daru.

5 Q. Where?

6 A. There were villages there, which I cannot call. I don't  
7 know how to call them.

8 Q. How far from Daru are these villages?

9 A. I don't know the distance. It is not a far distance. They  
10 were the surrounding villages.

11 Q. Okay. If you were walking to these villages, how long  
12 would it take you?

13 A. Well, it could take three hours, roughly.

14 Q. All right, Mr Witness. That is all I'm going to ask you.  
15 Thank you very much.

16 EXAMINED BY MR DANIELS:

17 Q. Good morning, Mr Witness.

18 A. Good morning, sir.

19 Q. I have a couple of questions for you. Mr Witness, during  
20 the period 25th May 1997 and February 1998, did you ever hear of  
21 the first accused, Tamba Brima, working together with Sam  
22 Bockarie?

23 A. No, sir.

24 Q. During this same period, did you ever hear Ibrahim Kamara  
25 working together with Sam Bockarie?

26 A. No, sir.

27 Q. And likewise, did you ever hear Santi gie Borbor Kanu,  
28 during this period, 25 May 1997 to February 1998, in Kenema  
29 District, working together with Sam Bockarie?

1 A. No, sir.

2 Q. Mr Witness, did you at any time during the period  
3 14th February 1998 and 30th June 1998, within the Kailahun  
4 District, hear of the presence of those three names I just  
5 mentioned to you?

6 A. No, sir.

7 Q. Did you ever hear of those three persons having any command  
8 control within Kailahun District over any troops?

9 A. No, sir.

10 MR DANIELS: That will be all. Thank you very much.

11 PRESIDING JUDGE: Yes, thank you. Yes, Mr Agha.

12 CROSS-EXAMINED BY MR AGHA:

13 Q. Yes. Witness, I'm going to ask you a few questions. And  
14 if you could answer them as concisely as possible, that would be  
15 of assistance. So most of them can be answered with a simple  
16 "yes," "no," "I don't know." And if I require further  
17 explanation then I'll ask that of you; do you understand?

18 A. Yes.

19 Q. Now, in 1992, were you a Sierra Leone Border Guard?

20 A. Yes.

21 Q. And you were attached to the 4th Battalion in Kenema; is  
22 that right?

23 A. Yes.

24 Q. And what was your role at that time? Were you infantry or  
25 intelligence?

26 A. Infantry.

27 Q. And what was the name of the 4th Battalion before the NPRC  
28 came to power in 1992?

29 A. At that time, there was no battalion there.

1 Q. I say to you, witness, that there was a Cobra Battalion  
2 there; what do you have to say about that?

3 A. Yes.

4 Q. Now, when did you leave the Sierra Leone Border Guards?

5 A. As I said, between '92 and '93. I wanted -- I liked the  
6 job, but I didn't have the chance to succeed.

7 Q. So in which year did you leave?

8 A. '93.

9 Q. And what were you doing until you answered the call to join  
10 the army in May of 1997?

11 A. I was trading.

12 Q. Now, in May 1997, President Kabbah's government was  
13 overthrown. Are you aware of that?

14 A. Yes.

15 Q. And Kabbah's government was overthrown by other ranked  
16 soldiers of the Sierra Leone Army, wasn't it?

17 A. Yes.

18 Q. And did you learn that Alex Tamba Brima was one of the  
19 soldiers who overthrew the Kabbah government?

20 A. No.

21 Q. Now, when you joined the army in May of 1997, you became an  
22 intelligence officer, didn't you?

23 A. Yes.

24 Q. Now, whilst you were an intelligence officer, did you ever  
25 learn that some soldiers were referred to as honourables?

26 A. Yes.

27 Q. And what were the names of those soldiers who were referred  
28 to as honourables?

29 A. I can think of one. I think I can just remember one of

1 them.

2 Q. What was the name of that one?

3 A. Honourable Adams.

4 Q. So you didn't find out, through your intelligence sources,  
5 that Alex Tamba Brima was an honourable?

6 A. At all.

7 Q. And you didn't find out that Ibrahim Bazy Kamara was an  
8 honourable?

9 A. At all.

10 JUDGE SEBUTINDE: Mr Interpreter, speak English, please.

11 What does "at all" mean in English?

12 THE INTERPRETER: Not at all.

13 MR AGHA:

14 Q. And, as an intelligence officer, did you learn that  
15 Santigie Kanu, aka Five-Five, had been one of the other ranks  
16 who'd overthrown the Kabbah government?

17 A. No.

18 Q. So what was your actual job as an intelligence officer?  
19 Could you please tell me what it entailed?

20 A. Yes, I can say a bit about that, from my understanding.

21 Q. Well, can you please tell us what your job as an  
22 intelligence officer involved; what you did?

23 A. Well, we were trying to know -- we were finding out if  
24 Kamajors had a plan to go and attack us in Kenema. That was the  
25 most important role I was playing.

26 Q. So would you agree that your job involved the gathering of  
27 information?

28 A. I didn't get you clear.

29 Q. Would you agree with me that your job involved the

1 gathering, the finding out of information, about what was going  
2 on in the Kenema area?

3 A. Yes. As I just said, I find out about Kamajors, if they  
4 were coming to attack us.

5 Q. But, presumably, you'd also find out other information  
6 about what was going on in Kenema; for example, what the RUF were  
7 doing, wouldn't you?

8 A. Yes.

9 Q. And this information, when you received it, you passed it  
10 on to your superiors; is that right?

11 A. Yes.

12 Q. Now, as an intelligence officer, didn't you learn that  
13 honourables were the other ranks who'd overthrown the AFRC  
14 government?

15 A. No.

16 Q. Did you ever make inquiries about that while you were  
17 gathering intelligence?

18 A. I didn't bother to ask because what we cared about, we had  
19 already known that after the overthrow they had a head of state,  
20 and the eastern province had the secretary of state. That was  
21 what we were concerned about in that area.

22 Q. And who was the secretary of state of the eastern province?

23 A. It was retired Captain Eddie Kanneh.

24 Q. And did he ever come to Kenema?

25 A. Eddie Kanneh?

26 Q. Yes.

27 A. He was there.

28 Q. And what was he doing there?

29 A. He was the secretary of state in the provincial



1 headquarters for the east.

2 Q. So he was also finding out what was happening in Kenema; is  
3 that right?

4 A. He, the secretary of state?

5 Q. Yes. People used to tell him what was happening in Kenema?

6 A. Yes.

7 Q. And Eddie Kanneh, in his role as secretary of state, passed  
8 on this information to the AFRC government in Freetown; didn't  
9 he?

10 A. Well, I can't say so much about that place, because I don't  
11 really know.

12 Q. Do you know who Eddie Kanneh's superior was?

13 A. Yes.

14 Q. Who was that?

15 A. It was Johnny Paul Koroma.

16 Q. Now, you say that Sam Bockarie, alias Mosquito, carried out  
17 various executions in Kenema Town; do you remember that?

18 A. Yes.

19 Q. Did you personally see these executions?

20 A. Yes.

21 Q. And you say they were carried out by Sam Bockarie and his  
22 men; is that right?

23 A. Yes.

24 Q. I say to you that SLA soldiers were also a part of Sam  
25 Bockarie's men who carried out the executions; what do you say  
26 about that?

27 A. I didn't really see them with him, except his own security.

28 Q. So is your answer you don't know whether there were any SLA  
29 soldiers as a part of his men?

1 A. Not at all.

2 Q. What does that mean "yes" or "no"?

3 A. No.

4 PRESIDING JUDGE: Yes, Mr Manly-Spain.

5 MR MANLY-SPAIN: The witness said, "I didn't see them with  
6 him. Only his own security." And counsel put back to him, is  
7 your answer that you don't know. He said he knew, he did not see  
8 them with Sam Bockarie.

9 PRESIDING JUDGE: I thought when it was put to him, "you  
10 don't know," he agreed.

11 MR MANLY-SPAIN: He said no.

12 PRESIDING JUDGE: When he was asked, "You don't know?"

13 MR MANLY-SPAIN: He said no.

14 MR AGHA: My understanding, I didn't know what his answer  
15 was, so I said, "I presume you don't know." And I thought he  
16 said, "yes," he agreed.

17 PRESIDING JUDGE: In all fairness, I think we should ask  
18 again.

19 THE WITNESS: No. No.

20 PRESIDING JUDGE: Just a minute. Just a minute. Ask it  
21 again.

22 MR AGHA: Yes.

23 Q. I say to you that some of the people who were with Sam  
24 Bockarie who killed the civilians were also members of the SLS --  
25 SLA, I beg your pardon.

26 A. No.

27 Q. So did you see every single person of Sam Bockarie's men  
28 who carried out the executions?

29 A. No.

1 Q. So how can you say none of them were SLAs?

2 A. Sam Bockarie had his securities. His securities, he had  
3 them. That was the reason I said, "no."

4 Q. Well, I say to you amongst Sam Bockarie's securities were  
5 some SLAs; what do you have to say about that?

6 A. I don't know about that.

7 Q. Now, when Mosquito executed or ordered the execution in  
8 Kenema Town, which we've just been talking about, the AFRC  
9 government was in power, wasn't it?

10 A. Yes.

11 Q. And Mosquito was a member of the RUF; is that right?

12 A. Yes.

13 Q. And, at that time, the SLAs and the RUF formed the AFRC  
14 government, didn't they?

15 A. Yes.

16 Q. Now, as an intelligence officer, and based on your  
17 evidence, you knew about these executions, didn't you?

18 A. Yes.

19 Q. Now, did you report these executions to your superior?

20 A. Yes.

21 Q. And, likewise, with the incident with BS Massaquoi that you  
22 mentioned, the AFRC government was also still in power, wasn't  
23 it?

24 A. At the time the AFRC had fallen in Freetown, they had no  
25 good command at that time.

26 Q. Well, I'll ask you the question again, witness. When the  
27 incident you referred to were involving BS Massaquoi, had the  
28 intervention taken place?

29 A. The intervention was going on in Freetown then.

1 Q. So you're saying that BS Massaquoi was killed during the  
2 intervention; is that your evidence?

3 A. It was during that time.

4 Q. I say to you that BS Massaquoi was killed whilst the AFRC  
5 was still in power; what do you have to say about that?

6 A. Well, the information that we had at that time was that the  
7 AFRC -- that the intervention was going on in Freetown, very  
8 seriously.

9 Q. Now, when you were working with the AFRC secretariat, you  
10 were also working with the police, weren't you?

11 A. There were police in the office.

12 Q. Right. And you were working together, the police and the  
13 military and the intelligence, et cetera; is that right?

14 A. We were working together, but the commander was an RUF, so  
15 we were working with him.

16 THE INTERPRETER: Under him, Your Honours.

17 MR AGHA:

18 Q. So you were working with the RUF as well and they be your  
19 commander; right?

20 A. That Ben Kenneh that I spoke about, the intelligence  
21 commander was an RUF at the secretariat.

22 Q. Now, you mentioned that you were able to rescue, I believe,  
23 two detainees from the police station at the time when BS  
24 Massaquoi had been arrested; is that right? I think that's what  
25 you said.

26 A. I did not say myself. I said "we".

27 Q. So who was it who managed to rescue them?

28 A. As I said, some of us who were indigenes of Kenema.

29 Q. So was it you? You say it wasn't you. Was it the police;

1 was it the military; was it the local people? Who managed to  
2 rescue these two people?

3 A. It was not the police. It was the AFRC forces themselves.

4 Q. Now, you say that you heard that BS Massaquoi was killed,  
5 didn't you?

6 A. Yes.

7 Q. Did you report this incident to your superiors?

8 A. It was from them at the secretariat that we heard that,  
9 right at the secretariat.

10 Q. Sorry, it was known by the AFRC secretariat that BS  
11 Massaquoi had been killed by, I believe you say it was Mosquito;  
12 is that right?

13 A. Yes.

14 Q. Now, at this time, the 4th Battalion was based in Kenema  
15 Town, wasn't it?

16 A. It was not 4th again at that time. Initially it was 4th  
17 Battalion, but later, it became 18th Battalion.

18 Q. Sorry, it was the 10th Battalion at that time; right?

19 A. 18th.

20 Q. 18th. Now, the 18th Battalion and the SLAs didn't attempt  
21 to arrest Mosquito after they heard about the killing of BS  
22 Massaquoi, did they?

23 A. They hadn't the power to do that.

24 Q. I say to you that the SLAs/AFRC did not arrest Mosquito  
25 because they were working with the RUF; what do you have to say  
26 about that?

27 A. Mosquito was difficult to arrest.

28 Q. Yes, but I'm saying to you that they didn't even try to  
29 arrest him because they were working with the RUF; that's right,

1 isn't it?

2 A. Yes.

3 Q. Now, whilst you were in Kenema, the AFRC government forced  
4 civilians to mine for diamonds, didn't they?

5 A. Yes.

6 Q. And you say there was an AFRC secretariat in Tongo; is that  
7 right?

8 A. Yes.

9 Q. And the AFRC secretariat was monitoring the diamond mining  
10 operations on behalf of the AFRC government, wasn't it?

11 A. Go over that again.

12 Q. I'm saying to you that the AFRC secretariat, in Tongo, was  
13 monitoring the diamond mining operations on behalf of the AFRC  
14 government; is that right?

15 A. No.

16 Q. So what was it doing?

17 A. Sam Bockarie -- you know, there, in those times, they said  
18 he was representing Foday Sankoh, so he would do things on his  
19 own. That mining, he did his appointment for himself, at that  
20 pit.

21 Q. Mr Witness --

22 A. They were not reporting to the secretariat.

23 Q. Mr Witness, I'm not talking about Sam Bockarie. But, apart  
24 from this pit, the AFRC secretariat, in Kenema and Tongo, was  
25 monitoring the mining of the AFRC government, wasn't it?

26 A. I didn't get that clearly. They were monitoring it, but I  
27 didn't get that clearly.

28 PRESIDING JUDGE: Can you repeat the question, please.

29 MR AGHA:

1 Q. So, forget about Sam Bockarie and his pit, the AFRC  
2 secretariats, in Kenema and Tongo, were monitoring the diamond  
3 mining on behalf of the AFRC government, weren't they?

4 A. It is very difficult for me to say "yes" or "no," because I  
5 only visited there twice.

6 Q. So your answer is you don't know?

7 A. Not at all.

8 MS THOMPSON: Your Honour, I rise because, as far as mining  
9 is concerned, and mining has to do with forced labour and all of  
10 that, in terms of Kenema District which was restricted to Cyborg  
11 Pit, and evidence before this Court about monitoring mining and  
12 monitoring people who are mining has to do with the Kono  
13 District, and that's where the evidence has been led, and that's  
14 the evidence that the Defence has had to meet in bringing  
15 witnesses. As far as Kenema District is concerned, it is  
16 restricted to Cyborg Pit. So I think it's an unfair question to  
17 then ask the witness, or ask, especially a Defence witness, to  
18 meet something that hasn't been before this Court; that is to  
19 say, monitoring of mining elsewhere in the Kenema District, apart  
20 from Cyborg Pit.

21 PRESIDING JUDGE: Yes; do you wish to reply?

22 MR AGHA: Well, firstly, I think the Prosecution is at  
23 liberty to ask any questions it wants in cross-examination which  
24 are relevant, and one of the relevance to this indictment is  
25 forced labour, but I can direct my questions directly to Cyborg  
26 Pit, if need be.

27 PRESIDING JUDGE: Well, this witness is capable of  
28 answering that last question, Mr Agha.

29 MR AGHA: Exactly.

1           PRESIDING JUDGE: He can always say --

2           MR AGHA: "I don't know." That's what I'm saying,  
3 Your Honour. I don't think I'm restricted in the questions I  
4 ask. And if he doesn't -- if he is unable to answer me, he can  
5 say "I don't know."

6           PRESIDING JUDGE: As long as they are relevant.

7           MR AGHA: If they are relevant to the indictment, and I  
8 believe that these questions were.

9           PRESIDING JUDGE: All right. Go ahead.

10          MR AGHA:

11 Q. Now, how many SLAs were based in Tongo, roughly?

12 A. I can't tell.

13 Q. But there were SLAs there, in Tongo, weren't there?

14 A. Yes.

15 Q. I say to you that Junior Sheriff was in charge of  
16 monitoring the mining of Cyborg Pit on behalf of the AFRC  
17 government; what do you have to say about that?

18 A. I don't know about that.

19 Q. I say to you that the SLAs, as well as the RUF were also  
20 forcing civilians to mine at Cyborg Pit; what do you have to say  
21 about that?

22 A. I have been talking about the RUF. That is what I know  
23 about.

24 Q. I'm saying to you that the SLAs were also forcing civilians  
25 to mine at Cyborg Pit. Do you know about that, or don't you know  
26 about that?

27 A. I don't know about that.

28 Q. Now, you also say that there were killings going on by the  
29 RUF at Cyborg Pit; is that right?



1 A. Yes.

2 Q. And, as an intelligence officer, did you report that to  
3 your superiors?

4 A. Yes.

5 Q. And you say there were at least some SLAs based in Tongo.  
6 Could they communicate with the 18th Battalion by radio?

7 A. I can't say. I was at the secretariat, so I can't say  
8 anything about that area.

9 Q. Well, did you know whether they had radio equipment, the  
10 SLAs in the Tongo area -- the secretariat in Tongo?

11 A. Yes.

12 Q. And they could communicate with you at the secretariat in  
13 Kenema Town; is that right?

14 A. Yes.

15 Q. I say to you that the SLAs did not stop the killings at  
16 Cyborg Pit, because they were supporting the RUF in forcing  
17 civilians to mine; what do you have to say about that?

18 A. Well, I can't say anything about that. I don't know about  
19 that, if they were supporting.

20 Q. Now, Alex Tamba Brima used to visit Kenema and Tongo to  
21 monitor the mining operations, didn't he?

22 A. No.

23 Q. You never saw him?

24 A. I never saw him.

25 Q. Now, I say to you that Alex Tamba Brima did go to Kenema to  
26 monitor the mining operations; what do you have to say about  
27 that?

28 A. I don't know about that.

29 Q. Now, you mentioned that Operation Pay Yourself was ordered

1 by Mosquito; do you remember that?

2 A. Yes.

3 Q. And there were still SLAs in Kenema at that time?

4 A. Yes.

5 Q. I say to you that Mosquito was passing on Johnny Paul  
6 Koroma's order of Operation Pay Yourself, which he had already  
7 announced over the BBC radio; what do you have say about that?

8 A. I don't know about that. What Mosquito himself said before  
9 us is what I really know about.

10 Q. Now, Operation Pay Yourself led to widespread looting in  
11 Kenema by both SLAs and RUF, didn't it?

12 A. I said Mosquito.

13 Q. Apart from Mosquito, is it your evidence you didn't see any  
14 SLAs or RUF carrying out any looting after Operation Pay Yourself  
15 was announced?

16 A. Not at all.

17 Q. I say to you that you're being untruthful, and that looting  
18 took place by both the SLAs and RUF as they retreated from Kenema  
19 Town; what do you have to say about that?

20 A. I can't say "yes" or "no." What I saw is what I've spoken  
21 here.

22 Q. Now, you mentioned that you heard about the intervention  
23 through the radio, and that the AFRC was retreating; do you  
24 remember that?

25 A. Yes.

26 Q. Now, did you hear that through the BBC or the military  
27 radio at the AFRC headquarters in Kenema Town?

28 A. I didn't get you clear. Say that again.

29 Q. Did you hear about the retreat from the military radio

1 based in the AFRC secretariat, or over the BBC news?

2 A. BBC news used to talk about that.

3 Q. And what about the AFRC secretariat? Did you have any  
4 communications with other battalions in your area after the  
5 intervention?

6 A. I can't say because I was not near any radio set.

7 Q. So you say you were an intelligence officer. So are you  
8 aware that there was an AFRC secretariat in Kono?

9 A. I was so concerned about Kenema. Kenema.

10 Q. But did you know whether there was an AFRC secretariat in  
11 Kono?

12 A. I don't know.

13 Q. Did you know that the SLA had a battalion based in Ngai a,  
14 in Kono?

15 A. I only know about Kenema, that's why I can only talk about  
16 Kenema, because I was concerned about there.

17 Q. So you have no knowledge about what was going on in Kono;  
18 is that right?

19 A. Yes.

20 Q. Now, I want to talk to you about the period when you left  
21 from Kenema and went to Kailahun. Did you ever learn that Koi du  
22 Town had been recaptured by joint SLA /RUF force?

23 A. I didn't get you clearly.

24 Q. When you had retreated to Kailahun and you were in Daru,  
25 did you ever learn that Koi du Town had been recaptured by joint  
26 SLA and RUF force?

27 A. I can't say much about that because I don't know about  
28 that.

29 Q. Now, you say that you went from Daru to Kigbai; is that

- 1 right?
- 2 A. Kigbai?
- 3 Q. Yes.
- 4 A. I don't know Kigbai. Do you mean Kigbai?
- 5 Q. Kigbai. I apologise. You went there?
- 6 A. Yes.
- 7 Q. And did you go straight from Daru to Kigbai?
- 8 A. I had a problem with my foot, so I was going slowly.
- 9 Q. But you got to Kigbai before you got to Kailahun Town; is
- 10 that right?
- 11 A. Yes. Yes.
- 12 Q. And how long did you stay in Kigbai, or Kigbai?
- 13 A. About two to three days. I can't recall, but I didn't
- 14 spend a long time there. It was about two to three days.
- 15 Q. And then you went to Kailahun Town; is that right?
- 16 A. Yes.
- 17 Q. Which months were you in Kailahun Town?
- 18 A. I can't recall.
- 19 Q. Now, you say that you saw an execution of an unknown number
- 20 of Kamajors in Kailahun Town, don't you?
- 21 A. Yes.
- 22 Q. And this is on the orders of Sam Bockarie?
- 23 A. Yes.
- 24 Q. Did you give a statement to the Special Court, or any
- 25 representatives from the Special Court?
- 26 A. About that?
- 27 Q. Yes.
- 28 A. About that killing, yes.
- 29 Q. Well, in the summary we've been provided, you say it was on

1 Superman's orders.

2 A. Yes.

3 Q. So was it on Superman's orders or Sam Bockarie's orders;  
4 which is right?

5 A. I said Sam Bockarie. Sam Bockarie. I don't know if it was  
6 a mistake, but I said Sam Bockarie.

7 Q. Okay. So it's a mistake by the person who was writing down  
8 your statement?

9 A. Yeah.

10 Q. Now, you say that Sam Bockarie killed SLA officers,  
11 including Fonti Kanu; do you remember that?

12 A. Yes.

13 Q. Did you personally see Sam Bockarie kill Fonti Kanu?

14 A. I saw it.

15 Q. Did you mention this to the investigators when they took  
16 your statement?

17 A. Yes. I said that. I don't know if they didn't write it,  
18 but I said it.

19 Q. Well, in the summary we've received, there's no mention of  
20 that. So I say to you, you did not ever mention that to the  
21 people who took your statement; what is your response?

22 A. Just as I said, someone could make a mistake.

23 [Indiscernible] maybe me tell that person something, probably --  
24 probably he didn't write it. It could be a mistake.

25 Q. I say to you that it's a lie that Sam Bockarie killed Fonti  
26 Kanu and that Fonti Kanu was killed by Issa Sesay; what do you  
27 have to say about that?

28 A. I said it was Mosquito. So if he said it's a lie, that's  
29 his own side of the story, but I know about Mosquito.

1 Q. No. I say you're lying and I say it was Issa Sesay who  
2 shot Fonti Kanu.

3 A. That is what you are saying, but I said Sam Bockarie.

4 MR AGHA: That's all, Your Honour. That completes my  
5 cross-examination.

6 PRESIDING JUDGE: Thank you, Mr Agha. Is there anything in  
7 re-examination?

8 MR MANLY-SPAIN: Just one small question, Your Honour.

9 RE-EXAMINED BY MR MANLY-SPAIN:

10 Q. Mr Witness, my learned friend asked you whether you knew  
11 that the order for Operation Pay Yourself, given by Mosquito,  
12 whether Mosquito was passing on the order of Johnny Paul Koroma,  
13 which he declared on the BBC; you remember that question?

14 A. Yes.

15 Q. Did you, at any time -- you said you listened to the BBC.  
16 Did you, at any time, hear Johnny Paul Koroma on the BBC  
17 declaring Operation Pay Yourself?

18 A. No.

19 MR MANLY-SPAIN: That is all, Your Honour.

20 PRESIDING JUDGE: Thank you. I take it there's no other  
21 re-examination? All right. Thank you, Mr Witness, for coming to  
22 Court.

23 THE WITNESS: Yes, sir.

24 PRESIDING JUDGE: Just sit there, and we'll make  
25 arrangements for you to leave the courtroom.

26 THE WITNESS: Okay, sir.

27 [The witness withdrew]

28 MR DANIELS: Your Honours, while the witness is leaving the  
29 courtroom, I want to announce, on behalf of the Defence, that

1 that is the end of our common witnesses.

2 PRESIDING JUDGE: Thank you, Mr Daniels.

3 MR DANIELS: The Kamara team are due to start with their  
4 first individual witness. Your Honour, given that this is a new  
5 chapter in the proceedings, and looking at the time, we crave the  
6 indulgence of the honourable Court to be able to start after the  
7 lunch break so we do not interrupt the proceedings.

8 PRESIDING JUDGE: Yes, Mr Hardaway.

9 MR HARDAWAY: The Prosecution would object, even though it  
10 is a new phase of the witnesses here, we have 25 minutes; the  
11 witness can be sworn and we can perhaps make a huge dent into it  
12 and perhaps even finish. I don't know how long the chief is  
13 going to be, but given the fact there is almost a half hour  
14 remaining in the session, the Prosecution would object. We're  
15 ready to go.

16 PRESIDING JUDGE: Mr Daniels, what exactly are you saying;  
17 we take an early lunch and come back early?

18 MR DANIELS: That is all, if we can take an early lunch and  
19 come back early, so we go on without any interruption.

20 PRESIDING JUDGE: So we're not actually losing any Court  
21 time?

22 MR DANIELS: Not at all.

23 PRESIDING JUDGE: Yes, Mr Hardaway.

24 MR HARDAWAY: Based upon that, Your Honour, if there is no  
25 time to be lost, and I did not understand my learned friend, we  
26 misunderstood at that point.

27 PRESIDING JUDGE: That's why I asked him that question. I  
28 thought you had misunderstood. Yes, that application is granted,  
29 Mr Daniels. We'll take our lunch break now and we'll come back

1 at 2.00.

2 MR DANIELS: Most grateful, Your Honour.

3 [Luncheon recess taken at 12.27 p.m.]

4 [Upon resuming at 2.06 p.m.]

5 PRESIDING JUDGE: Yes, Mr Agha.

6 MR AGHA: Your Honour, it is just that I might kindly  
7 ask --

8 PRESIDING JUDGE: Just before you say something, we know  
9 Mr Brima is absent and he's requested leave to do so, which we  
10 have granted. Where is Mr Kamara?

11 MR DANIELS: Your Honour, just as you were walking in, he's  
12 gone to use the gents. He will be back in a second.

13 PRESIDING JUDGE: I understand. All right. Well, while  
14 we're on that subject, we will note that the first accused,  
15 Mr Brima, has expressly waived his right to be present. The  
16 Court proceedings will proceed in his absence, pursuant to Rule  
17 60. Now, Mr Agha.

18 MR AGHA: Yes, sorry, Your Honour. It was just to say that  
19 I would apologise, but I would like to excuse myself from Court  
20 this afternoon, as I have other matters to address dealing with  
21 the case, and also from time to time during the week, perhaps,  
22 although I would try to keep it as limited as possible. And, in  
23 my absence, my learned friend Mr Hardaway will have conduct of  
24 the case for the Prosecution. So I'm really just seeking  
25 permission of the Court.

26 PRESIDING JUDGE: Thank you for your courtesy, Mr Agha.  
27 Certainly, you go about your other business. We'll note that,  
28 from time to time during the week, you also may not be available.

29 MR AGHA: Thank you, Your Honour.



1           PRESIDING JUDGE: Now, Mr Daniels, this witness would be  
2 DBK-037, is that correct? To be sworn.

3           MR DANIELS: That's correct. That is correct,  
4 Your Honours.

5           JUDGE DOHERTY: Mr Daniels, which list is this gentleman  
6 on?

7           MR DANIELS: Your Honours, he's on the Kamara individual  
8 list, appearing, I believe, as the first witness.

9           JUDGE SEBUTINDE: The summary is to be found on the joint  
10 Defence disclosure of individual summaries for the first and  
11 second accused, filed on 11 September. I think he is witness  
12 number one on the Kamara list.

13           MR DANIELS: Witness number one, that is so, on the Kamara  
14 list.

15                                 WITNESS: DBK-037 [Sworn]

16                                 [The witness answered through interpreter]

17           MR DANIELS: Your Honours, just before I start, I want to  
18 bring the Court's attention to the fact that a very short  
19 application may be made to go into closed session, only to  
20 disclose his military ranking number. The reasons will become  
21 apparent as we go along.

22           PRESIDING JUDGE: Yes, all right. You make that  
23 application when necessary, Mr Daniels.

24           MR DANIELS: I have also alerted my friend on the other  
25 side.

26                                 EXAMINED BY MR DANIELS:

27 Q.     Mr Witness, good afternoon.

28 A.     Good afternoon, sir.

29 Q.     I shall be asking you a few questions. After that, my

1 colleagues on this side to my left, will also ask you some  
2 questions. And, after that, my colleagues to my right will ask  
3 you some questions; do you understand?

4 A. Sir.

5 Q. I caution you to speak slowly, because what you say will be  
6 translated, so that everybody can understand what you say; you  
7 understand?

8 A. Okay, sir.

9 Q. Mr Witness, you are Sierra Leonean by nationality?

10 A. Yes, sir.

11 Q. Please wait me to finish the question before you talk. You  
12 were born in Freetown?

13 A. Yes, sir.

14 Q. You are 36 years old?

15 A. Yes, sir.

16 Q. What is your tribe?

17 A. I am a Temne.

18 Q. And what languages do you speak?

19 A. I speak Temne.

20 Q. And your religion?

21 A. I am a Muslim.

22 Q. You are married?

23 A. I intend to marry.

24 Q. And you attended the Sierra Leone Police School in Kingtom,  
25 Freetown?

26 A. Yes, sir.

27 Q. You dropped out of school at class 6, for financial  
28 reasons?

29 A. Yes, sir.

- 1 Q. Thank you very much. Mr Witness, I'm now going to ask you  
2 questions to deal specifically with your military background.  
3 Mr Witness --
- 4 A. Yes, sir.
- 5 Q. -- when did you join the Sierra Leone Army?
- 6 A. In 1991.
- 7 Q. Where was this?
- 8 A. I trained in Makeni .
- 9 Q. And how long did you train for?
- 10 A. I trained for a couple of months.
- 11 Q. By a couple, what do you mean?
- 12 A. I trained for certain months.
- 13 Q. How many months?
- 14 A. I took four months.
- 15 Q. What was the nature of your training?
- 16 A. Well, we were in the billet and did some physical training  
17 and military combat, something pertaining to guerilla warfare.
- 18 Q. When exactly did you complete your training?
- 19 A. It was in May.
- 20 Q. Of what year?
- 21 A. 1991.
- 22 Q. Where you trained, is it the name of a battalion?
- 23 A. Yes, sir.
- 24 Q. What is that?
- 25 A. Depot.
- 26 Q. A depot; D-E-P-O-T, depot?
- 27 A. Daru Barracks.
- 28 Q. Did you receive any training on the laws of war?
- 29 A. Not at all.

1 Q. Who was your commanding officer?

2 A. The battalion commander was Colonel Marie Conte.

3 Q. Mr Witness, I would like you to give me your military  
4 identification number. Are you in a position to write it down?

5 A. It is impossible, because my hand has a problem.

6 Q. What is the problem with your hand?

7 A. This hand, I'd had a problem during the war.

8 Q. Just tell us what the problem was.

9 A. The problem of this particular hand was caused by the  
10 intervention force in 1998; that was the ECOMOG force. It was  
11 during that time that I had this problem.

12 MR DANIELS: At this stage, Your Honours, I'd like to  
13 make --

14 JUDGE SEBUTINDE: Mr Daniels, just for curiosity, the  
15 witness has put up his left hand. Am I to assume that he is  
16 ordinarily left-handed, and that he cannot write with his right  
17 hand?

18 MR DANIELS: I'll verify.

19 Q. Mr Witness, are you in a position to write with your right  
20 hand?

21 A. Not at all.

22 Q. Are you telling me that you are left-handed?

23 A. I am left-handed, yes.

24 PRESIDING JUDGE: But, Mr Daniels, you mean to say he can't  
25 even write down numbers, a few numbers, with his right hand?

26 MR DANIELS: Your Honours, I'm not too keen to go into a  
27 closed session if we can solve it another way. I just want, ask  
28 him to give us his numbers so we can move on. I asked him  
29 earlier on and he told me he's not in a position to write.

1 PRESIDING JUDGE: No, I certainly don't want to restrict  
2 him in any way, but most people who say they are right-handed can  
3 usually write down numbers with their left hand and vice versa.

4 MR DANIELS: I will verify. I will verify.

5 Q. Mr Witness, can you attempt just to write those numbers  
6 down with your right hand?

7 A. It is impossible, sir.

8 PRESIDING JUDGE: Why is it impossible?

9 MR DANIELS:

10 Q. Why can't you do that?

11 A. Because I cannot hold a pen with this hand in any way.

12 Q. I'm talking about your right hand.

13 A. I am unable to write with the right hand.

14 JUDGE SEBUTINDE: Why, Mr Witness? Why can't you use your  
15 right hand to write?

16 THE WITNESS: I am unable to write with my right hand. I  
17 used to use my left hand.

18 PRESIDING JUDGE: Well, Mr Witness, we'll make it clear to  
19 you --

20 THE WITNESS: Yes, sir.

21 PRESIDING JUDGE: -- Mr Daniels is not going to ask you to  
22 write anything; is that clear? He's not going to ask you to  
23 write. He's simply going to ask you to put down some numbers on  
24 a piece of paper. He's not asking you to write words, just to  
25 formulate some numbers on a piece of paper. Do you think you can  
26 do that with your right hand?

27 THE WITNESS: Well, I am unable to write with my right  
28 hand, because I cannot write with it.

29 MR DANIELS: Your Honours, if I could suggest that,

1 perhaps, he could dictate the numbers to the Court attendant and  
2 then maybe that would solve the problem.

3 PRESIDING JUDGE: No, that's not the satisfactory,  
4 Mr Daniels. We're going to have to order a closed Court so he  
5 can write down a few numbers.

6 MR DANIELS: Very well, Your Honour. Then at this  
7 juncture, I would like to make an application pursuant to Rule  
8 79.

9 PRESIDING JUDGE: All right. We'll announce to the public  
10 that this witness is about to write something on a piece of -- I  
11 beg your pardon. This witness is about to give some evidence  
12 that might reveal his identity and, seeing he is a protected  
13 witness, we have no option but to close the Court. So, Court  
14 attendant, would you make arrangements for the Court to be  
15 closed, please.

16 MR DANIELS: Most grateful.

17 MR HARDAWAY: Your Honour, just for the record, there is no  
18 objection from the Prosecution.

19 PRESIDING JUDGE: Yes, I understood that, from what  
20 Mr Daniels said earlier. Thank you, Mr Hardaway.

21 [At this point in the proceedings, a portion of the  
22 transcript, pages 78 to 79, was extracted and sealed under  
23 separate cover, as the proceeding was heard in a closed session]

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1 [Open session]

2 MR DANIELS: Thank you very much.

3 Q. Mr Witness, you have just told us your rank. When were you  
4 promoted to that rank?

5 A. I was promoted in 2004.

6 Q. Mr Witness, after your military training, were you deployed  
7 anywhere?

8 A. After the military training, they took us to Daru.

9 Q. And after you were in Daru, were you deployed anywhere?

10 A. Well, I --

11 THE INTERPRETER: Your Honour, could the witness repeat his  
12 testimony again.

13 MR DANIELS:

14 Q. Mr Witness, could you please speak to the mic and speak up  
15 so that the interpreter can hear you.

16 A. I was deployed in Daru. I had a casualty there. I had a  
17 blast problem which caused problem with my eardrum. Therefore,  
18 they sent me to the military hospital at 34.

19 Q. Mr Witness, do you recall 25 May 1997?

20 A. Well, I can remember some, but I cannot remember  
21 everything.

22 Q. Where were you on 25th of May 1997?

23 A. I was in the barracks.

24 Q. Which barracks?

25 A. The barracks of the 1st Battalion, Wilberforce.

26 Q. What were you doing?

27 A. Well, as I was a soldier, I was in the barracks because I  
28 used to take my salary down Cockerill, so I was not having  
29 anything to do there. It was my residential area that I was.

1 Q. Do you recall anything significant happening in Freetown on  
2 25th of May 1997?

3 A. Well, I can remember what happened in May 25.

4 Q. Please tell this Court.

5 A. In 1997, the 25th of May, in the morning, I heard an  
6 announcement from Corporal Gborie. He said, "Today I had  
7 overthrown the elected government."

8 Q. How did you hear this announcement?

9 A. I heard the announcement through radio.

10 Q. Do you know those who staged the coup?

11 A. Well, I know some, but I don't know the others.

12 Q. Please tell us those that you know of.

13 A. I knew Corporal Gborie. I knew Adams. I knew Abdul Sesay,  
14 and Zagalo. We were all sports men.

15 Q. Do you know which government was overthrown as a result of  
16 the coup?

17 A. The government that was overthrown was the government of  
18 Tejan Kabbah.

19 Q. Do you know whether the second accused, Ibrahim Kamara,  
20 took part in the coup?

21 A. Those that I knew were the ones that I have mentioned to  
22 the Court.

23 Q. After you heard about the coup on 25 May 1997, did anything  
24 happen to you?

25 A. Nothing happened to me.

26 Q. Did you do anything?

27 A. Well, I do not feel that I did anything.

28 Q. Apart from the coup, did anything else happen in Freetown?

29 A. Yes.



1 Q. What happened?

2 A. In June 1998, the Nigerian-led ECOMOG force, invaded Sierra  
3 Leone from the sea, and the land at Mammy Yoko.

4 Q. Can you go over the date again?

5 MR HARDAWAY: Objection, Your Honours. It is clear: Asked  
6 and answered.

7 MR DANIELS: I didn't hear. I'm just asking.

8 MR HARDAWAY: He said June 1998.

9 MR DANIELS: June 1998, very well.

10 Q. Where were you when the ECOMOG entered --

11 JUDGE DOHERTY: He didn't mention ECOMOG, he mentioned a  
12 Nigerian force.

13 MR DANIELS:

14 Q. When did the Nigerian force enter Sierra Leone?

15 JUDGE DOHERTY: Sorry, I have been corrected, Mr Daniels.

16 THE WITNESS: The Nigerian force --

17 MR DANIELS:

18 Q. Where were you when the Nigerian-led force entered  
19 Freetown?

20 A. Where I was, I was in the barracks.

21 Q. Did anything happen to you?

22 A. Well, nothing happened to me.

23 Q. Did you stay in Freetown?

24 A. I was in Freetown, in the barracks.

25 Q. For how long did you stay in Freetown after the Nigerian  
26 forces entered Freetown?

27 A. I was in the 1st Battalion from - in 1997, when the  
28 Nigerian forces came in, when Johnny Paul Koroma went and  
29 received them and took them to Jui, because I was with my

1 commander, who was commander Paul Thomas.

2 Q. Did you go anywhere after that?

3 A. Well, I was with my commander. When my commander moved, he  
4 moved with me.

5 Q. Did your commander move anywhere?

6 A. Yes.

7 Q. Where did he move to?

8 A. Well, he moved with Johnny Paul Koroma to visit the  
9 Nigerian-led ECOMOG force that came to Freetown, anchored at the  
10 navy, own land.

11 Q. Did Johnny Paul Koroma continue to stay in Freetown?

12 A. Yes.

13 Q. Do you know how long he stayed in Freetown for?

14 A. I can remember from 1997 to February 13, when we withdrew  
15 from Freetown.

16 Q. You said, "When we withdraw from Freetown." Who withdrew  
17 from Freetown?

18 A. When the Nigerian intervention force, which was called the  
19 ECOMOG, when they invaded us, we had no other alternative,  
20 because of the safety of our people and ourselves, we were  
21 told by our commander, who was Johnny Paul Koroma that, and Paul  
22 Thomas, who was my own commander, told us that, "Gentlemen, now  
23 we have to move." And we went as far as Tombu to Fogbo, from  
24 Fogbo to Four Mile, and from Four Mile, we found ourselves at  
25 Masi aka.

26 Q. So how did you eventually get to Masi aka?

27 A. Well, I entered Masi aka using the seaside route through  
28 Tombu and, from there, the boat took us to a place called Fogbo,  
29 because we were many and, at that time, soldiers were throwing

1 their guns into the sea and some of us moved up to Four Mile. At  
2 that time, as I told you earlier, my hand, I incurred a damage on  
3 my hand and they took us in a vehicle and took us to Masiaka.

4 Q. So when you got to Masiaka, can you mention the name of  
5 some of the senior officers who were present?

6 MR HARDAWAY: Objecti on. Leadi ng, Your Honour.

7 MR DANIELS: I'll rephrase.

8 Q. Who was in command of the troops at Masiaka?

9 A. Well, when we had withdrawn in May, from Freetown, we  
10 reached Masiaka on the 13th of February 1997. I can tell you,  
11 for certain, that it was Johnny Paul Koroma and SAJ Musa.

12 Q. Did anything happen when you got to Masiaka?

13 A. Yes.

14 Q. Please tell me what happened.

15 A. That day, it was a very sad day for the armed forces of  
16 Sierra Leone. When we had all vacated Freetown and went to  
17 Masiaka, Johnny Paul Koroma started addressing the entire troop,  
18 but before he started giving his address, the Nigerian ECOMOG  
19 force came unexpectedly with the Alpha Jet and dropped bombs, so  
20 we all took cover. And, after some time, he called us up again  
21 to line up and have a parade. And, that day, he told us that  
22 this time there is no longer AFRC, but that each and every one of  
23 us should look out for a safety area where you can rest yourself.  
24 Because, at that time, the south and the eastern part of the  
25 country were not at all safe for us.

26 Q. Did you personally hear Johnny Paul Koroma address the  
27 troops?

28 A. I was subject to his command, and I was on the ground at  
29 that time.

1 Q. Apart from telling you that the AFRC is no more, did Johnny  
2 Paul Koroma say anything else?

3 MR HARDAWAY: Objection, Your Honour. Asked and answered.  
4 He's mentioned that, just the fact that there's no AFRC, but that  
5 the south and east were no longer safe for them.

6 PRESIDING JUDGE: How does it follow from that that he  
7 didn't say anything else?

8 MR HARDAWAY: Well, my learned friend's question was, after  
9 he said there's no more AFRC what, if anything else, did he say  
10 and he responded to that in the broad general question the last  
11 time.

12 PRESIDING JUDGE: Well, we've got his answer so far.  
13 You're asking: Did Johnny Paul say anything after that; is that  
14 correct?

15 MR DANIELS: That's it. That is so.

16 THE WITNESS: Johnny Paul addressed us, the soldiers, and  
17 said that all soldiers should try and find themselves in the  
18 northern part of the country because there was safer, and that  
19 the eastern part and the southern part were not safer zones for  
20 them.

21 MR DANIELS:

22 Q. So what happened to you after Johnny Paul Koroma's address?

23 A. As I had told the Court earlier, I said that day was a very  
24 sad day for the armed forces of Sierra Leone. What happened  
25 finally to me was that my commander, who was Paul Thomas, and  
26 SAJ Musa, they loaded all of us on board a vehicle, a Toyota  
27 Hilux, and took us to Makeni, all of us who were wounded in  
28 action.

29 Q. Before we talk about that, please tell me why you said it

1 was a sad day?

2 A. Because we were in Freetown, just as I, that you see me  
3 speaking to you now, I was at the 34 Military Hospital  
4 in February 1998. I was shot at. And that particular night I  
5 was admitted at the hospital. They did a surgical operation on  
6 me and, in the morning, whilst we are about to wake up and get  
7 our breakfast, we saw the Nigerians and the Kamajors coming  
8 through the mobile area around Hill Cott Road area.

9 Q. Okay.

10 A. And before they came to the hospital where we had a  
11 surgical ward.

12 Q. Thank you, Mr Witness. Mr Witness, how long did you stay  
13 at Makeni for?

14 A. We were in Makeni for a couple of days.

15 Q. Do you recall the name of any senior commanders at Makeni?

16 A. Well, at that time, I was with Paul Thomas and SAJ Musa.

17 Q. From Makeni, you said you stayed a couple of days there;  
18 did you go anywhere else?

19 A. Yes.

20 Q. Where did you go to?

21 A. Paul Thomas and SAJ Musa took us, all of us who were  
22 damaged in action, they took us to Kabala because, at that time,  
23 ECOMOG was now drawing closer, so we went to Kabala.

24 Q. How did you get to Kabala?

25 A. Every soldier that was wounded, they saw to it that he was  
26 being taken care of well, and he was loaded on board a vehicle  
27 and taken to Kabala.

28 Q. Do you recall the names of some of the soldiers who went  
29 with you to Kabala?

1 A. I can recall some of them, but not all of them.

2 Q. Please tell us those you can recall.

3 A. My own commander, who was Paul Thomas and SAJ Musa and Ki s  
4 Kamara, and some other officers.

5 Q. And for how long did you stay in Kabala?

6 A. In Kabala, I spent about five days, because the Nigeri an  
7 ECOMOG force also invaded us there.

8 Q. Do you recall exactly when it was you got to Kabala, what  
9 time of the year it was?

10 A. Within the year. It was within that same February that I  
11 reached there.

12 Q. And when you got to Kabala, what did you see?

13 A. Well, I saw a lot of soldiers, with whom I was in Freetown.  
14 They were all there in Kabala Town. So that brought me a little  
15 courage for me to sustain my life there.

16 Q. Who was the commander of the troops while you were in  
17 Kabala?

18 A. At that time, my overall commander was Sergeant Musa.

19 Q. Were there any civilians in Kabala?

20 A. Yes.

21 Q. Did these civilians come with you from Freetown?

22 A. Our families were all there with us, some of them who were  
23 able to come with us.

24 Q. From Kabala, did you go anywhere else?

25 A. Yes.

26 Q. Where did you go to?

27 A. The place where we went to was called Mongo.

28 Q. Did you go straight to Mongo?

29 A. We passed through Dankawally to Mongo.

1 MR DANIELS: Dankawally is D-A-N-K-A-W-A-L-L-Y.

2 Q. How long did you spend in Dankawally.

3 MR HARDAWAY: Objection, Your Honour. He never said he  
4 stayed in Dankawally. He said he passed through.

5 PRESIDING JUDGE: All right. Perhaps you can rephrase  
6 that, Mr Daniels.

7 MR DANIELS: I will do.

8 Q. Did you spend any time in Dankawally?

9 A. Yes.

10 Q. How much time did you spend there?

11 A. We spent two days there.

12 Q. Were you alone in Dankawally?

13 A. As I have always told you in this Court, I was a  
14 wounded-in-action man, and I was with people who were trying to  
15 cure me. I was not alone there.

16 Q. Do you know which district Dankawally is in?

17 A. It is under Kabala.

18 Q. Mr Witness, you've told us that, from Dankawally, you went  
19 to Mongo. When you went to Mongo, did anything happen?

20 A. We reached Mongo. The thing that happened at Mongo was  
21 terrible.

22 Q. Please tell us what was terrible that happened at Mongo.

23 A. Well, that particular day when we were at Mongo.

24 Q. Yes, please.

25 A. When we were at Mongo, on that particular day, the  
26 Nigerian-led ECOMOG Alpha Jets, invaded the hospital where we  
27 were admitted.

28 Q. Did anything happen as a result of the invasion of the  
29 hospital by the Nigerian-led ECOMOG?

1 PRESIDING JUDGE: Did he say the Alpha Jets or the ECOMOG?

2 MR DANIELS: The Alpha Jets. I beg your pardon.

3 Q. As a result of the Alpha Jets, did anything happen in  
4 Mongo?

5 A. Yes.

6 Q. Please tell us.

7 A. There were about 25 wounded men. We were being treated.  
8 And during that time, about 15 soldiers were killed.

9 Q. How were they killed?

10 A. They released cluster bombs and they fired BMG  
11 anti-aircraft weapon against.

12 Q. In what district is Mongo?

13 A. It falls under Kabala.

14 Q. For how long were you in Mongo?

15 A. We last spent up to March.

16 Q. March of which year?

17 A. 1998.

18 Q. Who was the -- Mr Witness, are you okay?

19 A. I'm okay.

20 Q. Who was the commander? Who was the commander of the forces  
21 in Mongo?

22 A. The commander at Mongo was SAJ Musa.

23 Q. Did SAJ Musa do anything in Mongo?

24 A. Yes.

25 Q. What did he do?

26 A. Well, that particular day, in March, we heard an  
27 announcement from the President Dr Ahmed Tejan Kabbah, that the  
28 military has been disbanded and that he was calling on the entire  
29 army that was there in Mongo at that time.



1 Q. He was calling on the army to do what?

2 A. He called on the army, for us to be briefed about the new  
3 development that has taken place in the city, and that we should  
4 now take a cause that would be very relevant for us, the  
5 soldiers.

6 Q. How did you hear this announcement?

7 A. He listened to the announcement on the radio station, which  
8 was 99.9.

9 JUDGE SEBUTINDE: Sorry, who listened to the announcement?  
10 I'm not sure.

11 MR DANIELS: I'll clarify, Your Honour.

12 Q. Who listened to the announcement?

13 A. Sergeant Musa. Sergeant Musa.

14 MS THOMPSON: Your Honour, before my learned friend goes  
15 on, this happened on Friday and I think -- because I think we all  
16 know who Sergeant Musa is, but for the purpose of the transcript,  
17 the interpreter keeps saying "Sergeant Musa," which is not what  
18 the witness is saying, and it happened on Friday again. But I  
19 did not bring it up then. What I'm concerned, if we're getting  
20 "Sergeant Musa" when, in fact, the witnesses are saying  
21 "SAJ Musa," when we come to look at the transcript at some later  
22 date, we may think we're talking about someone totally different.

23 PRESIDING JUDGE: All right. Did you hear that,  
24 Mr Interpreter?

25 THE INTERPRETER: Yes, I heard it clearly, but the witness  
26 is also saying Sergeant Musa, which is different from SAJ Musa.

27 PRESIDING JUDGE: Well, sergeant is a rank, but SAJ is a  
28 nickname. Are you sure he's saying Sergeant Musa?

29 THE WITNESS: He is not somebody that I really do not know.

1 He was my commander. I was subject to him, and I took all  
2 instructions from him. I knew him very well.

3 MR DANIELS:

4 Q. Mr Witness, can you give us his full name and rank.

5 A. I can do that, sir.

6 Q. What is he called?

7 A. The time --

8 Q. What is he called? What is his name and rank?

9 A. Captain Sergeant Musa Solo.

10 JUDGE SEBUTINDE: Sorry, did he say Captain Sergeant Musa?

11 MR DANIELS:

12 Q. Can you give the full name again. Repeat.

13 A. His name was Captain Sergeant Musa.

14 MR DANIELS: We have all heard it. While I'm on my feet,  
15 can I seek the permission of the Court for the third accused who  
16 would like to be excused to use the convenience.

17 PRESIDING JUDGE: Mr Kanu can leave the courtroom.

18 MR DANIELS:

19 Q. Mr Witness, did you yourself hear the announcement?

20 A. Well, that particular day, I never heard the announcement.  
21 It was Captain Sergeant Musa who gave us the information, and he  
22 called up a forum.

23 Q. What do you mean by he called a forum?

24 A. He called a muster parade.

25 Q. Were you present at the muster parade?

26 A. Yes, sir.

27 Q. Apart from him telling you that the army had been  
28 disbanded, did anything else happen at the muster parade?

29 A. That particular day, again, was another sad day. It was a

1 very loose day.

2 Q. Why do you say so?

3 A. Because the soldiers never expected that the President was  
4 going to say that he was going to disband the army.

5 Q. Before I go on, Mr Witness, can you spell Sergeant Musa?

6 A. Not at all, because my level of education did not reach  
7 there.

8 JUDGE SEBUTINDE: I think -- I keep hearing this witness  
9 say SAJ Musa. There's no NT at the end. He keeps saying  
10 SAJ Musa. I didn't hear him say Sergeant Musa.

11 MR DANIELS:

12 Q. Mr Witness, can you help us, are you referring to the rank  
13 Sergeant Musa, or SAJ Musa?

14 A. Anyway, I think the Court wants to say it in a different  
15 way. But I want them to understand that his name is Captain  
16 Sergeant Musa. Not a sergeant. He was a trained cadet officer  
17 in the Sierra Leone Army.

18 Q. Thank you very much, Mr Witness.

19 PRESIDING JUDGE: Well, Mr Daniels, I'd still like the  
20 witness to answer your question. Can you ask him again. What is  
21 he saying, sergeant or SAJ?

22 MR DANIELS:

23 Q. Mr Witness, are you, when you are referring to Captain  
24 Musa, are you saying Sergeant or SAJ Musa?

25 A. Sergeant Musa, not a sergeant. Because this was the usual  
26 name by which he was called in the army.

27 MR DANIELS: Your Honours --

28 PRESIDING JUDGE: We've heard him.

29 MR DANIELS: Very well. I'll move on.

1 Q. Mr Witness, who was second in command to Captain SAJ Musa  
2 while you were in Mongo?

3 A. We had Paul Thomas, who was next to him, at that time.

4 Q. Mr Witness, while you were in Mongo, was the second accused  
5 present, Ibrahim Kamara?

6 A. As I am seated in front of this Court, I want to say I  
7 never saw Ibrahim at Mongor.

8 Q. For how long were you in Mongor?

9 A. We were there in March.

10 Q. But I'm saying, how long did you spend there? How much  
11 time were you there for?

12 A. Well, about three weeks. We spent about three weeks there.

13 Q. From Mongor, did you go anywhere?

14 A. Yes.

15 Q. Where did you go?

16 A. We went to Kurubonla.

17 Q. Kurubonla; do you know which district it is in?

18 A. Yes.

19 Q. What district is that?

20 A. It is under Kabala.

21 Q. And when you said "we went to Kurubonla," who are "we"?

22 A. Well, I mean the army; part of the army went to Kurubonla.

23 Q. Were there civilians in Kurubonla?

24 A. Yes. Yes.

25 Q. I mean, the same civilians who left Freetown with you?

26 A. Well, we --

27 THE INTERPRETER: Your Honours, the witness is running too  
28 fast.

29 MR DANIELS:

1 Q. Mr Witness, can you repeat what you are saying, but do so  
2 slowly.

3 A. The people with whom we left Freetown and the civilians  
4 that we met there.

5 Q. Did anything happen in Kurubonla?

6 A. Yes.

7 Q. What happened?

8 A. On that day, the Nigerian Alpha Jets also invaded us there  
9 and started bombarding.

10 Q. Did anything happen as a result of the Alpha Jets  
11 bombarding?

12 A. Yes.

13 Q. What happened?

14 A. They killed about five civilians when they dropped the  
15 bombs.

16 Q. And while you were in Kurubonla, who was in command of the  
17 forces?

18 A. Sergeant Musa was the commander at Kurubonla.

19 Q. And for how long did you stay in Kurubonla?

20 A. In Kurubonla, we were there for about a month.

21 Q. And after you stayed in Kurubonla for about a month, did  
22 anything happen?

23 A. Yes.

24 Q. What happened?

25 A. Sergeant Musa had to call a muster parade, which had to do  
26 with a dispatch team, which was the first batch, headed by a  
27 commander called FAT.

28 Q. Before we get there, was the second accused, Ibrahim Bazy  
29 Kamara, was he in Kurubonla at this time you are talking about?

1 A. As I told you the last time, this man, I never saw him  
2 around Kurubonla.

3 Q. You have also just mentioned that SAJ Musa arranged for an  
4 advance team; advance team to do what?

5 A. Well, this advance team was the team that he chose, because  
6 when they spelt out to us that since -- from this point in time,  
7 there is no longer a Sierra Leone Army, the army has been  
8 disbanded. He said this team was now going to go and look out  
9 for a base.

10 Q. Did the team actually go and look out for a base?

11 A. Yes, sir.

12 Q. Do you know who were part of the team that went to look for  
13 the base?

14 A. Yes, sir.

15 Q. Please tell us.

16 A. The first man was FAT; the second man, Eddie; the third man  
17 was King; the fourth man, alias Junior Lion.

18 Q. Do you know why they were going to look for a base?

19 A. Yes.

20 Q. Please tell us.

21 A. Because that base was going to be a base that was going to  
22 be located by the first batch within the northern area where we  
23 can build ourselves up, and then push towards Freetown.

24 Q. Were you part of the advance team?

25 A. Yes.

26 Q. So where did you proceed to?

27 A. This base, the first base that we located, was at Rosos.

28 Q. Where is Rosos?

29 A. Rosos is in the Sanda Chiefdom.

1 Q. Apart from the advance team, did any other teams advance  
2 to -- or go to Rosos?

3 A. No other team went to Rosos. We were the only one that  
4 were there.

5 Q. And for how long were you in Rosos?

6 A. We were there for a month.

7 Q. While you were at Rosos was the second accused, Ibrahim  
8 Bazy Kamara, was he present at Rosos?

9 A. He was not there.

10 JUDGE SEBUTINDE: Mr Daniels, are we to assume that this  
11 witness somehow knows these accused persons, because no evidence  
12 has been led as to the fact whether he knows them or how he knows  
13 them, in order to attest to their presence or absence at X, Y, Z.

14 MR DANIELS: I'll clarify.

15 Q. Mr Witness, do you know the second accused in this --

16 A. I know him.

17 Q. And how do you know him?

18 A. How I knew Ibrahim, both of us were given cards to go to  
19 Benguema for medical checkup.

20 Q. And for how long have you known him?

21 A. Well, all of us trained as soldiers from 1991.

22 Q. Thank you, Mr Witness. Mr Witness, from Rosos, did you go  
23 anywhere?

24 A. Yes.

25 Q. Where did you go?

26 A. Well, to begin, before we left Rosos, it was the  
27 Nigerian-led ECOMOG force that invaded us, they used artillery  
28 against us, they bombarded, or they used artillery. The  
29 communication that we had, they destroyed it, and they killed the

1 signaller. So we found another base called Camp Eddie.

2 Q. Who was the overall commander while you were at Rosos?

3 A. It was FAT.

4 Q. What was his rank?

5 A. In the army, he was a lieutenant.

6 Q. And for how long were you at Rosos?

7 A. We were there up to the end of July.

8 Q. And you've just told us that you, from Rosos, you went to  
9 Eddie, Eddie Town; how many of you went to Eddie Town?

10 A. We were about one-and-a-half company.

11 Q. How many people are in a company?

12 A. Three platoons make one company.

13 Q. When you arrived at Eddie Town, did anything happen?

14 A. When we arrived, when we were in Camp Eddie, something  
15 happened.

16 Q. What happened?

17 A. We had an information from one civilian that one former  
18 AFRC man, who was called Ibrahim Kamara, was in a village, so  
19 they informed FAT, who was the commander. He organised a team.  
20 He called the MP commander, who was Junior Lion, to make a team  
21 and appoint one commander to go and collect this man where he  
22 was.

23 Q. This man you are talking about, is he the same second  
24 accused?

25 A. Yes.

26 Q. And did they eventually go to find him?

27 A. Yes.

28 Q. Do you know why they went to find the second accused?

29 A. Yes.



1 Q. Please tell this Court.

2 A. First of all, SAJ, Sergeant Musa had given an order to FAT,  
3 who was the commander of the troops that had come ahead. He said  
4 anywhere that he had an information about members of the former  
5 AFRC they should be grabbed.

6 Q. Did you know the second accused to be a member of the AFRC?

7 A. I did not know him as a member of the AFRC, because I did  
8 not know the position that he was handling. I knew that he was a  
9 soldier.

10 Q. So what happened after you had been given instructions or  
11 instructions were given to go and grab the second accused?

12 A. Well, they formed a patrol team comprising of two sections.  
13 They dispatched the man or the commander to effect this arrest.

14 Q. Was the arrest effected?

15 A. Yes.

16 Q. Where was the arrest effected?

17 A. At a town around Port Loko.

18 Q. Did you personally go together with those who went to  
19 effect the arrest?

20 A. Yes, sir.

21 Q. And how long did it take you to get there from Eddie Town?

22 A. We spent two days.

23 Q. And after you effected the arrest, what happened?

24 A. We brought the man, when we had arrested him, to the MP  
25 commander. We handed him over to the MP commander, who was  
26 Junior Lion.

27 Q. Where did you hand him to the MP commander?

28 A. The MP commander was at the HQ.

29 Q. And where was the HQ?

1 A. The HQ was in Camp Eddie.

2 Q. So after the second --

3 JUDGE SEBUTINDE: Could we just get these acronyms for the  
4 record straight. We think we know what HQ means, but we'd rather  
5 hear it from the witness.

6 MR DANIELS:

7 Q. Mr Witness, what do you mean by MP?

8 A. MP was the intelligence, intelligent officer for the  
9 military.

10 Q. Do you know what the letters "MP" stand for?

11 A. I do not know.

12 Q. Do you know what the letters "HQ" stand for?

13 A. It was the headquarters.

14 Q. Now, after the second accused was brought to the  
15 headquarters, did anything happen to him?

16 A. He was taken to the -- to a cell where they were locked up;  
17 it was a booth house.

18 Q. It was a what house?

19 A. It was a house -- it was a house that was built in a house  
20 without mud, but they built grass-like around it.

21 Q. And do you know the reason why he was taken there?

22 A. He was taken there for safe-keeping.

23 Q. After the second accused was taken to the booth house for  
24 safe-keeping, did anything happen in Eddie Town?

25 A. Yes.

26 Q. What happened?

27 A. We had a report from the combat camp, which was a soldier  
28 named Kordulay was fired at.

29 Q. Where was the combat camp?

1 A. It was one mile off.

2 Q. And who fired the soldier Kordulay?

3 A. Well, they sent the MP commander, who was Junior Lion,  
4 because there was a clash around in that camp, to investigate the  
5 matter. So, from there, he went to the camp. When he went to  
6 that camp, later we were in the HQ. They -- we saw them came  
7 running and we learnt that -- they told us that it was Junior  
8 Lion who shot Kordulay.

9 Q. Mr Witness, at this time, where was SAJ Musa?

10 A. Sergeant Musa was at the rear, which was Kurubonla.

11 Q. How do you know that?

12 A. Well, it was from the signal set.

13 Q. How -- what did you hear from the signal set?

14 A. At one time, all of us, with the commander, FAT, he took  
15 his men for security, when he wanted to go and send a message to  
16 SAJ Musa. So he went there to send a message to SAJ Musa, and he  
17 said we had had a casualty in this camp. Since we had -- he  
18 informed that --

19 THE INTERPRETER: Your Honour, could the witness slow down  
20 his speed for the interpreter to catch up with him.

21 MR DANIELS:

22 Q. Mr Witness, can you stop there and repeat what you are  
23 saying, but do so slowly, so we can all hear.

24 A. That day, we were in the camp. FAT took us to the  
25 signalers, the signal set area. He went there to send a  
26 message. He said we had arrested one of the AFRC member, so he  
27 said we should keep him; he was coming. After that, he said that  
28 another incident had happened again, that is to say, that a  
29 soldier had been fired to death, and he was killed by Junior

1 Li on.

2 Q. Who was coming?

3 A. Well, Sergeant Musa told FAT that he had dispatched a team  
4 led by -- which was O-Five.

5 Q. He had dispatched a team where, to go where?

6 A. He said he dispatched this team to meet us to find a  
7 location where we, the first batch, are.

8 Q. Do you know where the team were coming from?

9 A. The team came from Kurubonla.

10 Q. Did the team eventually come to Eddie Town?

11 A. Yes.

12 Q. Did you see the team coming into Eddie Town?

13 A. Yes, we received them.

14 Q. You have mentioned one person, O-Five. Who else was with  
15 the team when they came?

16 A. We had Foyoh, we had Keforkeh, we had Sheriff, and we had  
17 NPFL.

18 Q. When this team came, did anything happen in Colonel Eddie  
19 Town?

20 A. Well, this team, they, too, came with a prisoner for -- a  
21 prisoner, who was Tamba Bri ma.

22 Q. Did you know Tamba Bri ma at that time?

23 A. I know Tamba Bri ma.

24 Q. And when they brought him to Eddie Town, did anything  
25 happen?

26 A. Well, he was taken to the next detainee, who was already  
27 detained earlier.

28 Q. Who took him?

29 A. Who took Tamba Bri ma along?

1 Q. Yes.

2 A. It was the MP commander who took him to the detention where  
3 they put --

4 Q. Can you finish; where they put?

5 A. I did not get the question clear.

6 Q. I'll move on. Mr Witness, did SAJ Musa eventually arrive  
7 at Colonel Eddie Town?

8 A. Yes.

9 Q. When did he arrive at Colonel Eddie Town?

10 A. In late November.

11 Q. Did he come alone?

12 A. He was not alone that came.

13 Q. If you know, who did he come with?

14 A. He had commanders who were his junior commanders.

15 Q. Were you there when SAJ Musa came to Eddie Town?

16 A. I was there.

17 Q. When SAJ Musa arrived at Eddie Town, did anything happen?

18 A. Yes.

19 Q. What happened?

20 A. It was a very big celebration for that day, because it  
21 had -- it took a long time without us seeing him.

22 Q. When SAJ Musa arrived in Eddie Town, for how long did you  
23 and the troops remain at Colonel Eddie Town?

24 A. Well, when SAJ Musa arrived, it was at the end of November.  
25 We left November, the first batch. The first batch to cross the  
26 water, which is the Little Scarcies.

27 Q. Mr Witness, who led the first batch to cross the Little  
28 Scarcies?

29 A. FAT led the first batch to cross the Little Scarcies.

1 Q. Where did the first batch cross the Little Scarcies?

2 A. Because this batch was the batch which was -- which  
3 understood the ground, because we had been there for a long time.  
4 We're used to crossing over the water to do some operations.

5 Q. Did any other batch cross the Little Scarcies?

6 A. Well, when the second batch crossed, I was not there again.  
7 I was part of the front team.

8 Q. And where were you heading to with the front team?

9 A. We were heading for Mange Bureh, which was the blocking  
10 force.

11 Q. Who sent you to Mange Bureh as the blocking force?

12 A. Captain Sergeant Musa sent us to go as a blocking force.

13 Q. Can you explain what you mean by a blocking force?

14 A. Well, our own team was in charge of clearing the front.  
15 Any obstacle that is in front of us, because we understood the  
16 terrain, that's why he sent us to go before, to look for any  
17 obstacle, and come back.

18 Q. So did you stay at Mange Bureh, or did you return to Eddie  
19 Town?

20 MR HARDAWAY: Objection, Your Honour. Leading.

21 PRESIDING JUDGE: It is leading, Mr Daniels.

22 MR DANIELS: The witness said, "and come back." I took it  
23 to mean -- well, I'll clarify.

24 Q. Come back to where?

25 A. We did not return.

26 Q. Very well. For how long did you stay at Mange Bureh?

27 A. At Mange Bureh, we spent there a day, because we sent at  
28 the rear, we said we had captured Mange Bureh, let the other  
29 batch cross the stream and meet us.

1 Q. Did the other batch cross the stream to come and meet you?

2 A. Yes.

3 Q. If you know, who was the commander of the other batch that  
4 came to meet you?

5 A. Well, that one, if I say anything, I would lie at you,  
6 because I was already at Mange Bureh with the first batch.

7 Q. Apart from this second batch you are talking about, did any  
8 other batch come to Mange Bureh?

9 A. When the second batch arrived, it did not take long.  
10 SAJ Musa arrived, who was the overall commander.

11 Q. And when SAJ Musa arrived, who did he arrive with this?

12 A. Well, he had a lot of people. He came with soldiers and  
13 families, all of them.

14 Q. For how long did you stay at Mange Bureh?

15 A. We spent a day there, and in two days' time, SAJ Musa  
16 came -- Sergeant Musa came and we all moved. And he said, "We  
17 are all now going to Freetown." And he said, "This particular  
18 operation for which we are living, we are going to reinstate the  
19 national army."

20 Q. So from Mange Bureh, where did you go?

21 A. We passed through Port Loko.

22 Q. Did anything happen while you were at Port Loko?

23 A. Around Port Loko, a village that is called Conakachik, the  
24 Nigerian-led ECOMOG force, and the Kamajors, they also attacked  
25 us there. They attacked us there, and they killed one of our  
26 officers, who was King. And, at the same time, some other ranks  
27 were killed. They were five in number. Therefore, we decided to  
28 move off from there again and go ahead for further developments.

29 MR DANIELS: Your Honours, I have Conakachik as

1 C-O-N-A-K-A-C-H-I-K.

2 Q. At this time, where was the second accused?

3 A. As I told you, these guys were at the rear, with the  
4 headquarter team, that is, the team of SAJ Musa.

5 Q. And from Conakachik, where did you go?

6 A. Well, we crossed over to Mamusai a, and then we came towards  
7 Lunsar area.

8 Q. Did you stop at Lunsar?

9 A. Well, it was around Lunsar that SAJ Musa asked us to  
10 blockade first.

11 Q. What do you mean by that?

12 A. We decided to re-org there because some of our men, who had  
13 died, we decided to offer special prayers for them.

14 Q. Did I hear you say re-org?

15 A. Re-org, I said.

16 Q. What is the meaning of that?

17 A. SAJ Musa told us that we should gather there and that he  
18 had something to tell us. In relation to the soldiers who had  
19 lost their lives, he wanted us to offer special prayers for them.

20 Q. Were there special prayers held?

21 A. Yes.

22 Q. I take it that this was at Lunsar?

23 A. Along Lunsar Village area.

24 Q. And for how long were you at Lunsar Village area?

25 A. We spent just two days there. That is what we spent there.

26 Q. And from there, did you go anywhere?

27 A. Yes.

28 Q. Where did you go to?

29 A. Sergeant Musa decided to monitor the Nigerian ECOMOG that



1 was around Lunsar area, and he told us that we should plan an  
2 operation to enter Lunsar, and that we should enter there.

3 Q. Did you eventually enter Lunsar on the operation?

4 A. Yes, I was there during the operation, sir.

5 Q. And who else was with you?

6 A. Foyoh, Sherri f and Terminator.

7 Q. And from there, did you go anywhere?

8 A. We withdrew, when we had had the material, and we withdrew  
9 and gave -- handed over the material to SAJ Musa.

10 Q. Mr Witness, what material are you referring to?

11 A. Well, we got some ammunition. We got a signal set that  
12 comprised about five. We had about two cartons of American  
13 uniforms and boots.

14 Q. So from Lunsar you went -- from this operation, where did  
15 you go back to?

16 A. Well, Sergeant Musa had to tell us that we should move that  
17 particular night, and we decided to move that night. We came  
18 straight towards Masi aka area.

19 Q. What time did you get to Masi aka area?

20 A. Well, it was now within December month that we were in  
21 Masi aka.

22 Q. And for how long were you at Masi aka?

23 A. We spent three days around the Masi aka area.

24 Q. And who was the commander of the troops when you were at  
25 Masi aka?

26 A. The commander was Sergeant Musa.

27 Q. And who was his deputy?

28 A. It was FAT.

29 Q. At this time, was the second accused with you?

1 A. Not at all.

2 Q. From Masiaka, did you go anywhere?

3 A. We headed towards Freetown.

4 Q. And where did you go to?

5 A. From there, we moved, and that operation was being planned  
6 by Captain Sergeant Musa, during which he said now, as we were  
7 heading for Freetown, we are going to pass through Benguema  
8 first.

9 Q. Did you pass through Benguema?

10 A. Yes. Yes.

11 Q. And while you were at Benguema, did anything happen?

12 A. Yes.

13 Q. What happened?

14 A. Well, that particular night, and in the morning, that is  
15 the 22nd of December, FAT had to call on us and said, "Well,  
16 finally, Sergeant Musa is dead."

17 Q. Where were you when you heard from FAT that SAJ Musa is  
18 dead?

19 A. Well, Junior Lion.

20 Q. I said where were you when you heard that SAJ Musa was  
21 dead?

22 A. It was when they tote him.

23 Q. Mr Witness, please listen to the question. Where were you  
24 when you heard that SAJ Musa was dead? Where were you,  
25 personally?

26 A. I was at Benguema.

27 Q. Do you know how SAJ Musa died?

28 A. He died by a shock from a fragment.

29 Q. Can you explain further?

1 JUDGE SEBUTINDE: Sorry, was that shot or shock?

2 MR DANIELS: Your Honours, I heard "shock." I can clarify.

3 Q. How did SAJ Musa die?

4 A. When the fragment hit, there was an element in it, and when  
5 it hit him, it pierced through his head, and it was at that time  
6 that they called for a milk for him to drink. He was given the  
7 milk, he drank, and after an hour and 30 minutes, he could not  
8 withstand, then he passed away.

9 Q. Were you close to SAJ Musa, as he had been hit by this  
10 fragment, as you say?

11 A. I was not there at that time but, when I heard the message,  
12 I came close to the area and I saw him whilst he was lying down?

13 Q. At that time, do you know where the second accused was?

14 A. I never knew where he was at that time.

15 Q. So where was the last time that you saw him?

16 PRESIDING JUDGE: You mean at that time, or at present?

17 MR DANIELS: No, at that time.

18 Q. At the time that you were in Benguema, when was the last  
19 time you had seen the second accused?

20 A. The last place where I saw him was at Camp Eddie.

21 Q. Mr Witness, from there, after SAJ Musa died, did anything  
22 happen?

23 A. Yes. Yes.

24 Q. What happened?

25 A. Well, the command structure.

26 Q. What do you mean by "the command structure"? What happened  
27 to it?

28 A. The commander, they all called themselves together at that  
29 time, and they decided to form up a new command structure.

1 Q. Who called themselves together?

2 A. FAT and Eddie and Junior Lion, they called themselves  
3 together, so that a new man called O-Five to build up a new team.

4 Q. Was this team actually built up?

5 A. Yes.

6 Q. And did anything happen after the team was built up?

7 A. Well, certain things were shaky amongst the other ranks,  
8 but the commanders were trying to settle this and push ahead.

9 Q. Can you explain what you mean by certain things were shaky?

10 A. Yes.

11 Q. Go on.

12 A. In the first place, when Sergeant Musa had died, FAT  
13 decided to call a muster parade, and he said, "Now, gentlemen,  
14 the commander who had led us to come to Freetown, finally, his  
15 life has been taken by God. Now, at this point in time, we are  
16 going to have a new command structure. Never mind, our commander  
17 is dead, but we shall complete the mission." And he decided to  
18 brief all the men in the entire troop and try to put them  
19 together.

20 Q. Was the command structure actually put together; that is,  
21 the new command structure?

22 A. They were able to put it together again.

23 Q. Can you tell us about this new command structure?

24 A. Yes.

25 Q. Please go ahead, Mr Witness.

26 A. The overall commander at that time was the second in  
27 command, who deputised Sergeant Musa, who was FAT. He now took  
28 up the command, and he appointed Eddie, who was the adjutant, and  
29 he appointed O-Five, who was the operations commander. He

1 appointed Junior Lion as the MP commander. Still, he remained in  
2 that office position to lead the team to Freetown.

3 Q. You said that, in order to complete the mission, the new  
4 command structure was set up. Complete which mission? Which  
5 mission are you talking about?

6 A. The mission was wholly and solely to reinstate the national  
7 army of Sierra Leone.

8 Q. Where were you at that time?

9 A. Well, we were all there for the muster parade while the  
10 commander was giving his appointments, and he told us that these  
11 are the commanders that I've called.

12 Q. Do you know what happened to SAJ Musa after he died?

13 A. After Sergeant Musa died, we had to bury him around the  
14 Benguema area.

15 Q. After SAJ Musa was buried, and after the new command  
16 structure was set up, did anything happen?

17 A. Well, we had to spend about a week. After all, we decided  
18 to offer a special prayer for him before we decided to dispatch.

19 MR DANIELS: Your Honours, I'm looking at the time and I'm  
20 wondering whether this is a convenient time to stop?

21 PRESIDING JUDGE: Yes, I think that's an appropriate time.  
22 Thank you, Mr Daniels.

23 MR DANIELS: Most grateful.

24 PRESIDING JUDGE: Mr Witness, we're going to finish for the  
25 day. You can come back tomorrow to finish your evidence off.

26 I'll just caution you that, in the meantime, you're not permitted  
27 to discuss your evidence, or the case, with any other person. Is  
28 that clear?

29 THE WITNESS: It's clear, My Lord.

1           PRESIDING JUDGE: Thank you. Yes, we'll adjourn Court now  
2 until 9.15 tomorrow morning.

3           MS THOMPSON: Your Honour, I just inform the Court that  
4 Mr Graham will be taking over for me tomorrow.

5           PRESIDING JUDGE: All right. Thank you, Ms Thompson.

6                     [Whereupon the hearing adjourned at 4.03 p.m., to be  
7 reconvened on Wednesday, the 4th day of October 2006,  
8 at 9.15 a.m.]

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**WITNESSES FOR THE DEFENCE:**

WITNESS: DAB-137	2
CROSS-EXAMINED BY MR WAGONA	2
WITNESS: DAB-147	14
EXAMINED BY MR MANLY-SPAIN	15
EXAMINED BY MS THOMPSON	51
EXAMINED BY MR DANIELS	52
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