

Case No. SCSL-2004-15-T  
THE PROSECUTOR OF  
THE SPECIAL COURT  
V.  
ISSA SESAY  
MORRIS KALLON  
AUGUSTINE GBAO

WEDNESDAY, 05 APRIL 2006  
9.50 A.M.  
TRIAL

TRIAL CHAMBER I

Before the Judges:	Pierre Boutet, Presiding Bankole Thompson Benjamin Mutanga Itoe
For Chambers:	Ms Candice Welsch Ms Sidney Thompson
For the Registry:	Ms Maureen Edmonds
For the Prosecution:	Mr Peter Harrison Mr Mark Wallbridge (Case Manager)
For the Principal Defender:	NO APPEARANCE
For the accused Issa Sesay:	Mr Wayne Jordash
For the accused Morris Kallon:	Mr Charles Taku Mr Melron Nicol-Wilson
For the accused Augustine Gbao:	Mr Andreas O'Shea Mr John Cammegh

1 [RUF05APR06A-SGH]  
2 Wednesday, 5 April 2006  
3 [Open Session]  
4 [The accused present]  
09:50:45 5 [Upon commencing at 9.50 a.m.]  
6 PRESIDING JUDGE: Mr Harrison or Prosecution.  
7 MR WALLBRIDGE: Good morning, Your Honours, Wallbridge.  
8 PRESIDING JUDGE: Yes, Mr Wallbridge, so the witness you  
9 are calling this morning is TF1-159?  
09:52:17 10 MR WALLBRIDGE: Correct.  
11 PRESIDING JUDGE: This is the one that is coming now.  
12 MR WALLBRIDGE: That is correct, Your Honour. And he is a  
13 Temne speaker and is a Muslim for the purposes of the oath.  
14 PRESIDING JUDGE: Very well. Can the witness be -- yes.  
09:52:40 15 [The witness entered court]  
16 PRESIDING JUDGE: And this witness is your witness number?  
17 MR WALLBRIDGE: 70th Prosecution witness and 71st trial  
18 witness.  
19 PRESIDING JUDGE: Good morning, witness. Please proceed to  
09:53:20 20 take the oath.  
21 THE WITNESS: Good morning.  
22 WITNESS: TF1-159 [Sworn]  
23 EXAMINED BY MR WALLBRIDGE:  
24 THE WITNESS: I am coming to say all that I saw if I say  
09:57:10 25 anything that I did not see, may this Bible work against me.  
26 PRESIDING JUDGE: Thank you, Mr Witness. Mr Prosecutor.  
27 JUDGE ITOE: Testifying in Temne?  
28 MR WALLBRIDGE: Correct, Your Honour.  
29 JUDGE ITOE: Thank you.



1 Q. Good morning, witness.  
2 A. Good morning.  
3 Q. Now, this morning I will ask you some questions.  
4 A. Okay.  
09:57:44 5 Q. And later other persons in this Court may ask you  
6 questions.  
7 A. Okay. Okay.  
8 Q. First of all, I just ask you to make sure you listen to the  
9 questions that are asked?  
09:58:04 10 A. Okay.  
11 Q. To go slowly and to take your time?  
12 A. Okay. Okay. Okay.  
13 Q. And tell this Court what you know in a clear, strong,  
14 voice.  
09:58:33 15 A. Okay.  
16 Q. Now, Mr Witness, where were you born?  
17 A. Bombali District.  
18 PRESIDING JUDGE: What was the answer Bombali?  
19 MR WALLBRIDGE: It sounded like street.  
09:59:04 20 PRESIDING JUDGE: Bombali District. Is it what you said,  
21 Mr Witness, Bombali District?  
22 THE WITNESS: Yes, Bombali District.  
23 PRESIDING JUDGE: District.  
24 MR WALLBRIDGE:  
09:59:24 25 Q. And what village were you born in?  
26 A. XXXXXXXX.  
27 Q. Witness, how old are you?  
28 A. Well, since am an old man, I cannot tell my age. Age is  
29 working against me. I have not been to school.



1 Q. Witness, are you married?  
2 A. Yes, yes.  
3 Q. Do you have children?  
4 A. Yes.  
10:00:15 5 Q. How many children do you have?  
6 A. 13 children.  
7 Q. What is your occupation?  
8 A. I am a farmer. I do farm work.  
9 Q. And what languages do you speak?  
10:00:40 10 A. Only Temne. It's only Temne.  
11 Q. Can you read, Witness?  
12 PRESIDING JUDGE: He hasn't been to school.  
13 THE WITNESS: I cannot read. I cannot.  
14 MR WALLBRIDGE:  
10:00:50 15 Q. Thank you, Witness.  
16 A. Okay.  
17 Q. Mr Witness, do you remember the war that occurred in this  
18 country?  
19 A. I do understand it a little when I was captured. I was  
10:01:15 20 captured.  
21 Q. Okay, Mr Witness. Now where were you when you were  
22 captured?  
23 A. I was in my village, but I was captured when I was doing my  
24 work, my farm work.  
10:01:46 25 Q. What village was that, Witness?  
26 A. Where I was working it was called XXXXXXXX. That is where I  
27 went to work.  
28 Q. And in which district is XXXXXXXX?  
29 A. In the Bombali District. It is just in the Bombali



1 District.

2 Q. Now you said you were captured. Do you remember what year  
3 this was?

4 A. I know. I can tell the month in which I was captured.

10:02:38 5 Q. In which month?

6 A. The English people call it May.

7 Q. And witness, do you remember how long ago you were  
8 captured?

9 A. No, I cannot recall any more. It has taken a long time.

10:03:09 10 Q. Now, witness, you said you were captured. Who captured  
11 you?

12 A. Yes. Soldiers.

13 Q. Do you remember how many soldiers captured you?

14 A. Those that captured -- those that captured me were seven.  
10:03:37 15 Three first then captured me and he had another four. In all  
16 they were seven.

17 Q. How do you know they were soldiers?

18 A. They were the ones that told me so. I did not know them  
19 before. They were the ones that told me they were soldiers.

10:04:21 20 Q. What happened after you were captured by the soldiers?

21 A. They took me to town, in my own town.

22 Q. Just so we're clear, Mr Witness, which town was that?

23 A. Yes. XXXXXXX Town.

24 Q. What happened when you were taken back to XXXXXXX Town?

10:05:07 25 A. I was in my place of work. When they ran after me and they  
26 struck me with a gun, that was the time that they grabbed me in  
27 my place of work. You see, I was there, I lay down there for  
28 sometime and when I felt better they took me.

29 Q. So they took you to XXXXXXX, after that?





1 JUDGE ITOE: Mr Wallbridge, they strike him with a gun. At  
2 what point in time did it take place? Because he has now been  
3 captured from his place of work and has been brought to his  
4 village XXXXXXX. So when was he struck by the gun?

10:05:53 5 MR WALLBRIDGE:

6 Q. Mr Witness, you were at your place of work and you were  
7 captured --

8 A. Yes.

9 Q. Then you were captured by the soldiers?

10:06:10 10 A. That was why they captured me.

11 Q. And You said before you were struck by a gun. When did  
12 that occur?

13 A. Yes. It was in the morning that they grabbed me. In my  
14 place of work. It was a boli land. I did not know that they  
10:06:35 15 were coming. That was the time that I fell down.

16 PRESIDING JUDGE: You fell down because you were hit with  
17 the gun?

18 THE WITNESS: Yes.

19 PRESIDING JUDGE: How was that done to you?

10:06:57 20 THE WITNESS: They ran after me and they found out that I  
21 was going to escape from them. That was the time that they hit  
22 me with the gun.

23 MR WALLBRIDGE:

24 Q. Witness, you mentioned soldiers before. Were they the ones  
10:07:13 25 that hit you?

26 A. They were the ones that hit me with the gun. When I felt  
27 better they asked me, they said, "Old man, do you know us?" I  
28 said no, I did not know them. They said that, "Now we are called  
29 soldiers. Or if you don't want to say soldiers, you can say



1 junta."

2 Q. Now, Witness --

3 A. That was the time I knew them.

4 Q. I will just remind you to speak slowly when you answer the  
10:07:51 5 questions.

6 A. Okay.

7 Q. So after this incident when you were struck, what happened  
8 next?

9 A. They took me to town.

10:08:29 10 Q. What happened when you were taken to town?

11 A. I met a lot of people. There were so many, a lot of  
12 people. Those that were captured, those that came, they there  
13 were so many and I was nothing amongst them.

14 Q. Mr Witness, I will just ask you again to go slowly.

10:08:51 15 A. Yes. Okay.

16 Q. So you said there were a lot of people when you came to the  
17 town?

18 A. Yes.

19 Q. And you mentioned those that were captured?

10:09:20 20 A. Yes, those with whom they came.

21 Q. And when you say, "Those with whom they came," who do you  
22 mean?

23 A. Soldiers. They were all soldiers. They were in town. In  
24 fact, they are all soldiers with the ones that they captured.

10:09:47 25 Q. Witness, the ones that they captured, who were they?

26 A. Yes. They were civilians. They were not there with them.

27 Q. When you say, "They were not there with them," what do you  
28 mean?

29 A. Well, some were hacked to death, some were shot. That is



1 what I saw.

2 Q. So, witness --

3 A. Yes.

4 Q. You arrived at XXXXXXXX and you saw the soldiers and  
10:10:34 5 civilians?

6 A. Yes.

7 Q. And you have mentioned those that were hacked and shot.  
8 Who was hacked and shot?

9 A. These were civilians. It was only the civilians.

10:10:53 10 Q. Was this in XXXXXXXX Town?

11 A. Yes.

12 Q. Can you estimate how many people you saw hacked and shot?

13 A. I was not able to count them because I was panic stricken.

14 Q. So, witness, after you arrived in XXXXXXXX Town and you saw  
10:11:52 15 what you have just described --

16 A. Yes, yes.

17 Q. -- what happened to you after this?

18 A. They gave me some work to do. They said I was to pound  
19 rice. Husk rice. I was to pound rice. Nothing more, nothing  
10:12:11 20 less.

21 Q. Who told you you had this work to do?

22 A. He was called Sergeant Musa. He told me that I was to  
23 pound rice and I was to fetch water from the stream. That was my  
24 only work.

10:12:40 25 Q. Now you said it was SAJ Musa that told you this. How did  
26 you know it was SAJ Musa?

27 A. Yes, yes. He was the one that told me so; he said that  
28 that was his name.

29 Q. What happened after SAJ Musa told you this?



1 A. I did that work. I would start pounding rice from the  
2 morning up to around 2.00. That was the job that I was asked to  
3 perform.

4 Q. And was this in XXXXXXXX?

10:13:51 5 A. Yes, initially that was where it took place. Initially,  
6 yes.

7 Q. How long were you in XXXXXXXX?

8 THE INTERPRETER: Your Honours, would learned attorney ask  
9 the question again.

10:14:09 10 PRESIDING JUDGE: Mr Wallbridge, can you repeat your  
11 question again.

12 MR WALLBRIDGE:

13 Q. Mr Witness --

14 A. Yes.

10:14:22 15 Q. You said this initially happened in XXXXXXXX. How long were  
16 you in XXXXXXXX?

17 A. Yes. We spent nine days at XXXXXXXX and we left that place  
18 and went to some other area.

19 Q. Mr Witness, just before we move on to the other areas,  
10:14:50 20 during those nine days --

21 A. Yes, yes, yes.

22 Q. Mr Witness, just before we move on to the other areas,  
23 during those nine days --

24 A. Yes. Yes. Yes.

10:14:50 25 Q. -- do you remember what happened in XXXXXXXX?

26 A. Yes. The nights that we spent there we were only there  
27 looting people's property.

28 THE INTERPRETER: Your Honours, would the witness go slow  
29 so as to enable the interpreter to catch up with him.





1 PRESIDING JUDGE: Mr Witness, we to need hear what you say.

2 THE WITNESS: Yes.

3 PRESIDING JUDGE: [Microphone not activated]. If you speak  
4 too fast --

10:15:37 5 THE WITNESS: Okay.

6 PRESIDING JUDGE: It is important that we hear what you  
7 have to say. So can you repeat your last answer to the question.  
8 What happened in Mafabu during those days?

9 THE WITNESS: There was mass killing and looting of  
10:16:04 10 people's property. They killed a lot of civilians. In fact, it  
11 was only the civilians that were killed. Whosoever as was  
12 brought was killed, the civilians, and by then I was pounding  
13 rice.

14 MR WALLBRIDGE:

10:16:26 15 Q. Witness, again I will just remind you also to go slowly?

16 A. Okay.

17 Q. So you said there was mass killing of civilians. Did that  
18 occur during the whole nine days you were in XXXXXXX?

19 A. Yes.

10:16:53 20 Q. Again, I would ask you to estimate how many people you saw  
21 or how many civilians you saw killed?

22 A. The ones that I saw I cannot tell you the number because I  
23 was not able to count them. By then I was pounding rice. It was  
24 difficult for me to count them, but there was so many.

10:17:33 25 Q. Can you say about how many civilians were killed?

26 A. The number it was difficult, you know, for me to go on  
27 counting because they did not give me the opportunity to go and  
28 count them, but there were so many lying down on the ground.

29 Q. Now, witness, who was killing these civilians?



1           PRESIDING JUDGE: I think he has already said so. He said  
2 soldiers killed [overlapping speakers].

3           THE WITNESS: The soldiers.

4           MR WALLBRIDGE:

10:18:22 5       Q.    And you mentioned looting of properties. Did this occur  
6 during the nine days you were in XXXXXXXX?

7       A.    That is what happened. All that happened.

8       Q.    Did you see how the people were killed?

9       A.    Yes, some were hacked to death. Some were shot to death.

10:19:10 10      Q.    Okay. Now, witness, you already mentioned that you spent  
11 nine days in XXXXXXXX? What happened after the nine days?

12      A.    Yes. When we left that place, when we left XXXXXXXX, after  
13 the nine days they burnt the whole of the town and we went away.

14      Q.    Where did you go?

10:19:41 15      A.    The town was called Malama. That is where we went.

16      Q.    Which district is Malama in?

17      A.    Bombali.

18      Q.    Did anything happen on the way between XXXXXXXX and Malama?

19      A.    We spent three days at Malama and there again they killed a  
10:20:29 20      lot of people and I was still with my routine job of pounding  
21 rice.

22           THE INTERPRETER: Your Honours, would the witness go over  
23 the last segment of his testimony.

24           MR WALLBRIDGE:

10:20:52 25      Q.    Mr Witness, I will just ask you --

26      A.    Yes.

27      Q.    -- if you could repeat your answer to the question what  
28 happened after you left XXXXXXXX and went to Malama?

29      A.    Uh-huh. When we left, they burnt the whole of the town.



1 They burnt the whole of the town.

2 Q. Then after they burnt the town, they went to Malama?

3 A. Yes.

4 Q. And you said you spent three days at Malama?

10:21:51 5 A. Yes.

6 Q. Just if you repeat what happened in Malama during those

7 three days?

8 A. At Malama when we were there, they asked me again to

9 continue my job and that is pounding rice. And when I was

10:22:24 10 pounding the rice, I saw a lot of corpse littering the ground. I

11 saw them looting people's property at Malama.

12 Q. What happened after the three days you were in Malama?

13 A. We left there again. They burnt the town and we left the

14 place.

10:22:59 15 Q. When you say you left the place, who left the place?

16 A. The soldiers. The soldiers. When I was in their custody,

17 so wherever they went I was with them.

18 Q. Where did you go?

19 A. We went to Rosos.

10:23:26 20 Q. What district is Rosos in?

21 A. Bombali.

22 Q. What happened at Rosos?

23 A. Terrible things happened there. Rosos. We took sometime

24 there. Terrible things happened there. They killed a lot of

10:23:55 25 people. Whosoever was brought there was killed and they looted

26 people's property. They raped women. And I was still pounding.

27 Q. Okay. Witness, just remember to go slowly. Now, you said

28 you were there.

29 A. Yes. Okay.



1 Q. You said you were in Rosos. How long were you in Rosos?

2 A. Rosos, we were there for three months, but they did a lot  
3 of work there.

4 Q. When you say "they did a lot of work there," who do you  
10:24:41 5 mean did a lot of work there?

6 A. They captured young men and they brought them a lot of  
7 young men and they said they were going to make them to parade.  
8 That is what I saw them doing.

9 Q. Were you told this?

10:25:21 10 A. Yes. They told me that they are going to train them.

11 Q. Who told you they were going to train them?

12 A. It was the big man. Sergeant Musa, he was the one that  
13 told me that.

14 Q. Now, apart from young boys, was anyone else captured?

10:25:55 15 JUDGE THOMPSON: I think he said young men. Young men.

16 MR WALLBRIDGE:

17 Q. Witness, you said young men were captured. Was anyone else  
18 captured?

19 A. Yes. They captured young men and young boys. They said  
10:26:09 20 they were going to train them.

21 Q. Do you know how old the young boys were?

22 A. I cannot tell because some were little boys and some were a  
23 little bit older so I cannot tell the age.

24 Q. Do you know about what age they were?

10:27:01 25 A. It would be a little bit difficult for me to say because I  
26 did not know where they were born. I only saw them.

27 Q. Okay. Witness, you said they were captured and they were  
28 to be trained. Did you see the training?

29 A. It was right at the middle of the town. They were shaved.





1 Their hair was shaved. Their hair was shaved, sorry. It was  
2 right at the middle of the town.

3 Q. Can you describe the training?

4 A. They asked them to creep. They said that was the way that  
10:28:01 5 they were told to do. So they crawled. They were asked to  
6 crawl.

7 Q. And, witness, apart from crawling, was there any other  
8 training that you saw?

9 A. That is the only work that I saw them doing. I saw them  
10:28:30 10 running. I saw them crawling. No matter what the weather was,  
11 whether it was raining or not, they were running and crawling.

12 Q. Now, you said before you were made to pound rice and fetch  
13 water. Did you do this while you were at Rosos?

14 A. Yes.

10:29:01 15 THE INTERPRETER: Your Honours, would the learned attorney  
16 repeat the question again.

17 PRESIDING JUDGE: Can you repeat your question.

18 MR WALLBRIDGE: Yes.

19 Q. Mr Witness, when you were at Rosos, were you made to work?

10:29:17 20 A. Yes. Yes. Yes.

21 THE INTERPRETER: Your Honours, would the learned attorney  
22 put the question to the witness again.

23 MR WALLBRIDGE:

24 Q. Witness --

10:29:39 25 A. Yes.

26 Q. -- while you were at Rosos, did you continue to work for  
27 SAJ Musa?

28 A. That is the only work that I had been doing.

29 Q. Okay, witness --



1 A. Yes.

2 Q. Now you said before that you were captured by the soldiers  
3 and you --

4 A. Yes.

10:31:06 5 Q. -- and you followed them as you were captured, in their  
6 custody?

7 A. I was with them by then.

8 Q. Can you tell this Court what the soldiers looked like?

9 PRESIDING JUDGE: What the soldiers looked like? Is that  
10:31:27 10 your question?

11 MR WALLBRIDGE: Yes.

12 PRESIDING JUDGE: What they looked like?

13 MR WALLBRIDGE: Yes.

14 Q. Can you describe the soldiers to the Court?

10:31:35 15 A. Oh, I cannot because there were so many. I cannot. They  
16 were so many.

17 Q. Do you remember what they were wearing?

18 A. Yes.

19 Q. Can you tell the Court what they were wearing?

10:32:01 20 A. They were wearing combat. That is what they wore. Soldier  
21 uniform, that is what they wore.

22 Q. Mr Witness, what happened to you after the three months in  
23 Rosos, you were kept in Rosos?

24 A. What happened there at Rosos? At Rosos, I pounded and  
10:32:45 25 pounded rice until I had a hydrocele.

26 Q. Witness, sorry. I will just re-phrase my question. You  
27 said before you were at Rosos for three months, what happened  
28 after the three months?

29 A. Yes. We left there.



1 Q. And what happened to you after you left there?

2 A. They burnt the whole of the town and they went away.

3 Q. And what happened to you after that?

4 A. Three days. Three days.

10:33:23 5 THE INTERPRETER: Your Honours, the interpreter didn't get  
6 the name of the town. Could the witness be asked to repeat.

7 PRESIDING JUDGE: Mr Witness, can you repeat the name of  
8 the town --

9 THE WITNESS: Yes.

10:33:38 10 PRESIDING JUDGE: -- where you went after you left Rosos?

11 A. It was called Rotorfeyin [phon]. That is where I was  
12 released, when we left Rosos.

13 MR WALLBRIDGE: I have a phonetic --

14 JUDGE ITOE: What's the name of town again?

10:34:04 15 MR WALLBRIDGE: I believe it is pronounced Rotorfeyin.

16 THE WITNESS: Rotorfeyin. That is what they told me. I  
17 didn't know the town before but I was told it I was called  
18 Rotorfeyin.

19 PRESIDING JUDGE: Rotorfeyin.

10:34:17 20 THE WITNESS: Rotorfeyin, that is what they said.

21 MR WALLBRIDGE: Which I think you can spell

22 R-O-T-O-R-F-E-Y-I-N.

23 Q. What happened after you got to Rotorfeyin?

24 A. That's where I was released. They told me I was to return  
10:35:00 25 where I came from.

26 Q. Who told you to return to where you came from?

27 A. SAJ Musa, because he was their -- the leader of the group.  
28 He was the one that told me so.

29 Q. Thank you, Witness, the Prosecution has no further



1 questions.

2 PRESIDING JUDGE: Thank you.

3 THE WITNESS: Okay.

4 PRESIDING JUDGE: Any cross-examination.

10:35:19 5 MR JORDASH: No questions, thank you.

6 PRESIDING JUDGE: Mr Nicol-Wilson.

7 MR NICOL-WILSON: No question on behalf of the second

8 accused.

9 PRESIDING JUDGE: Third accused, Mr Cammegh.

10:35:27 10 MR CAMMEGH: No questions, thank you.

11 PRESIDING JUDGE: Very well, Mr Witness, we thank you very  
12 much for coming this morning to give the Court your evidence.

13 THE WITNESS: Okay.

14 PRESIDING JUDGE: And that --

10:35:45 15 THE WITNESS: Okay.

16 PRESIDING JUDGE: -- that completes your presence in the  
17 Court today. You may go back to your home, please, now. We  
18 thank you very much. And wish you good luck. But wait before  
19 you move from there.

10:36:08 20 THE WITNESS: Okay.

21 [The witness withdrew]

22 PRESIDING JUDGE: So Mr Prosecutor, while we are doing  
23 this, your next witness is a 92bis if I am not mistaken.

24 MR WALLBRIDGE: That's correct, Your Honour. The next  
10:36:40 25 witness will be TF1-156.

26 PRESIDING JUDGE: 156. And this is a witness that is  
27 expected to give his evidence in Madingo.

28 MR WALLBRIDGE: Yes, Your Honour. But I have consulted  
29 with defence counsel, and they have indicated they have no





1 questions for this witness.

2 PRESIDING JUDGE: For the next witness.

3 MR WALLBRIDGE: For the next witness.

4 PRESIDING JUDGE: Very well, we will confirm that.

10:37:09 5 Mr Jordash, is that the case?

6 MR JORDASH: That's correct, Your Honour.

7 PRESIDING JUDGE: So we are talking here of TF1-156.

8 MR JORDASH: Yes. Mr Nicol-Wilson for the second accused.

9 MR NICOL-WILSON: That's correct, Your Honour.

10:37:21 10 PRESIDING JUDGE: So, no objection.

11 Mr Cammegh or Mr O'Shea. This is for witness TF1-156, a  
12 92bis.

13 MR O'SHEA: Your Honour, we don't have any questions for  
14 that witness.

10:37:36 15 PRESIDING JUDGE: Thank you very much, Mr O'Shea.

16 JUDGE ITOE: And this is the 70th, the 71st prosecution  
17 witness.

18 MR WALLBRIDGE: That's correct, and 72nd trial witness.

19 PRESIDING JUDGE: Yes.

10:38:13 20 MR WALLBRIDGE: I have made available the transcripts.

21 PRESIDING JUDGE: You have it now?

22 MR WALLBRIDGE: Yes, I gave them to your legal officer  
23 earlier this morning.

24 PRESIDING JUDGE: And the transcript in question, can you  
10:38:31 25 just describe it? Furthermore -- Just wait, I am sorry  
26 Mr Prosecutor, we just wish to open the curtains so everyone can  
27 see what is happening here.

28 So I was asking you if you would give an additional  
29 description of the transcript so we know for the record what this



1 transcript is all about.

2 MR WALLBRIDGE: Thank you, Your Honour. So pursuant to the  
3 decision of the Trial Chamber of the 3rd April, the Prosecution  
4 seeks to formally admit into evidence the transcript of the  
10:39:07 5 testimony of TF1-156 --

6 PRESIDING JUDGE: Yes.

7 MR WALLBRIDGE: -- which was given in the AFRC trial  
8 on 26th September 2005, and for the said transcript to be marked  
9 as an exhibit in this trial.

10:39:46 10 PRESIDING JUDGE: The transcript I have in front of me is  
11 of 67 pages. This is what -- No, it is goes from page 33 to 67.

12 MR WALLBRIDGE: That's correct, and I can give the court  
13 management page numbers --

14 PRESIDING JUDGE: Yes.

10:40:02 15 MR WALLBRIDGE: -- if you like. So filed with the Court  
16 previously was the transcript and it appears at pages 17850.

17 PRESIDING JUDGE: Yes.

18 MR WALLBRIDGE: To 17885 inclusive. But I note also in the  
19 order of the Court of 3rd April, that the order included that  
10:40:38 20 those portions of the transcripts that included a closed session  
21 are to be sealed.

22 PRESIDING JUDGE: And this is part -- there's a closed  
23 session as part of that transcript, that is what you are saying.

24 MR WALLBRIDGE: That's correct, Your Honour. The closed  
10:40:53 25 session is from pages 17869 to 17871.

26 PRESIDING JUDGE: 871, inclusive.

27 MR WALLBRIDGE: Yes, Your Honour.

28 PRESIDING JUDGE: Yes, so that completes your submission?

29 So I take it again, I ask Mr Jordash and counsel for the defence



1 if there was any objection. Obviously we are talking of this  
2 transcript as described by the Prosecution.

3 MR JORDASH: No objections.

4 PRESIDING JUDGE: Very well. Mr Nicol-Wilson.

10:41:51 5 MR NICOL-WILSON: No objection, Your Honour.

6 PRESIDING JUDGE: Mr Cammegh or O'Shea.

7 MR O'SHEA: None at all. I am curious about the probative  
8 value of it but there's no objection.

9 PRESIDING JUDGE: Pardon?

10:42:02 10 MR O'SHEA: I said I am curious as to the probative value  
11 of that evidence but obviously there's no objection.

12 PRESIDING JUDGE: That is a different issue.

13 MR O'SHEA: A different issue.

14 PRESIDING JUDGE: As you know. So this transcript of the  
10:42:11 15 evidence of TF1-156 in the AFRC trial and of the 26th September  
16 2005, consisting of pages according to court management numbering  
17 system pages 17850 to 17885, inclusive is marked as Exhibit 103.

18 MS EDMONDS: Yes, Your Honour.

19 PRESIDING JUDGE: Is marked as Exhibit 103 and as ordered  
10:42:47 20 in our decision to allow this 92bis evidence, pages 17869  
21 to 17871 contained in that transcript, which was -- contained  
22 evidence given in closed session is to remain in the -- to be  
23 kept confidential, not to be disclosed publicly. So that  
24 concludes this part of the evidence. Do you have any other  
10:43:11 25 evidence to adduce this morning? Mr Harrison or Mr Wallbridge.

26 [Exhibit No. 103 was admitted]

27 MR WALLBRIDGE: No, Your Honour.

28 PRESIDING JUDGE: So that is it for today.

29 MR WALLBRIDGE: That's correct.



1           PRESIDING JUDGE: So we know what -- I remember yesterday  
2 Mr Harrison was indicating that there were these witnesses, and  
3 one for tomorrow morning which is a witness that has -- can come  
4 only on Thursday morning. We are still on the agenda with this  
10:43:39 5 witness tomorrow morning; am I right?

6           MR WALLBRIDGE: That's correct, Your Honour. TF1-081.

7           PRESIDING JUDGE: And that would be the last witness for  
8 this trial session?

9           MR WALLBRIDGE: That's correct.

10:43:50 10          PRESIDING JUDGE: And it is well understood that this  
11 witness is to be of relatively short duration.

12          MR WALLBRIDGE: That's correct, Your Honour.

13          PRESIDING JUDGE: Very well.

14          THE INTERPRETER: Your Honours, what language will he be  
10:44:05 15 testifying?

16          PRESIDING JUDGE: You heard the comments from the  
17 interpreters, what will be the language used by the witness  
18 tomorrow morning?

19          MR WALLBRIDGE: The English language.

10:44:12 20          PRESIDING JUDGE: English language. Very well. Mr Cammegh  
21 and defence counsel, I saw some of you nodding in the affirmative  
22 meaning it will be a short witness. Is that what you meant by  
23 your nodding, Mr Cammegh?

24          MR O'SHEA: Well, I don't know how long the chief is going  
10:44:26 25 to be but potentially we could be an hour in cross-examination.  
26 I don't know if that affects matters.

27          JUDGE ITOE: Your defence team will be -- is it...

28          MR O'SHEA: Yes, of course. I had forgotten it was  
29 a 92bis. I had forgotten it's a 92bis.





1           PRESIDING JUDGE: It's a 92bis.

2           MR O'SHEA: Then it should be fine.

3           PRESIDING JUDGE: Very well, thank you very much. So the  
4 Court is adjourned until tomorrow morning 9.30. Thank you.

5                               [Whereupon the hearing adjourned at 10.45 a.m.,  
6                               to be reconvened on Thursday, the 6th day of  
7                               April 2006, at 9.30 a.m.]

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EXHIBITS:

Exhibit No. 103 20

WITNESSES FOR THE PROSECUTION:

WITNESS: TF1-159 2

EXAMINED BY MR WALLBRIDGE 2