

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

FRIDAY, 11 APRIL 2008  
9.45 A.M.  
TRIAL

TRIAL CHAMBER I

Presiding

Before the Judges:	Benjamin Mutanga Itoe, Bankole Thompson Pierre Boutet
For Chambers:	Ms Sandra Brown Ms Erin Shaw
For the Registry:	Ms Advera Kamuzora Mr Thomas George
For the Public Defender:	Ms Elizabeth Nahamya
For the Prosecution:	Mr Charles Hardaway Mr Vincent Wagona
For the accused Issa Sesay:	Mr Wayne Jordash Ms Sareta Ashraph Mr Jared Kneitel
For the accused Morris Kallon:	Mr Charles Taku Mr Lansana Dumbuya Ms Tanoo Mylvaganam Mr Lois Mbafor
For the accused Augustine Gbao:	Mr John Cammegh Mr Scott Martin

1 [RUF11APR08A-DG]

2 Friday, 11 April 2008

3 [Open session]

4 [The accused present]

09:51:15 5 [Upon commencing at 9.45 a.m.]

6 PRESIDING JUDGE: Learned counsel, good morning. You're  
7 welcome from the Easter break. I hope that we all had the  
8 opportunity to relax and to rest with a view to resuming with  
at

9 least some reinforced energies this time, if we did not get  
10 exhausted, some of us did, during the break, rather than  
09:51:48 having

11 the rest to spend a lot of time doing other things that  
exhaust

12 you. Whatever the case may be you are welcome and I hope that

13 we'll proceed as smoothly as we've always done and that the

14 Kallon Defence will take its cue from the Sesay Defence to get

09:52:13 15 along smoothly. Right. You're welcome, and I see there is a

16 waiver here.

17 There is Mr Sesay, who says he does not intend to be in  
18 Court today; he waives his right to be present. And the  
reason

19 he gives is that he does not want to go to this Court today.

09:52:39 20 Yes. So this is what we have and I would like us to exhibit

21 this, you know, for purposes of our records. We will exhibit

to 22 this waiver. And I suppose the Prosecution has no objection

23 our exhibiting it?

24 MR WAGONA: No objection, My Lord.

09:53:01 25 PRESIDING JUDGE: No objection. Yes, yes. It is indeed  
26 exhibited and it's marked Exhibit 335; am I right?

27 MR GEORGE: Yes, My Lord.

28 PRESIDING JUDGE: 335. Right. Yes, I think you can  
29 proceed to swear the witness in.

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1 WITNESS: ACCUSED MORRIS KALLON [Sworn]

2 PRESIDING JUDGE: Yes, the witness is sworn in. Whose  
3 witness is it?

4 MR TAKU: It's my witness.

09:54:24 5 PRESIDING JUDGE: Your witness, yes. You may proceed  
6 please, Mr Taku.

7 MR TAKU: Yes, Your Honours. Good morning, Your  
Honours.

8 Before I proceed there are preliminary issues I want to deal  
9 with. I want to tender certain documents into the record that

09:54:38 10 will be very, very crucial in leading Mr Kallon. We did  
discuss

will  
the  
I

11 with the Prosecutor. We had a meeting and discussed and I  
12 tender them. Some of the areas he is very well versed with  
13 content of these documents but if he has any comments to make,  
14 will bring this document to his attention, he will say so.

09:55:13 15 JUDGE BOUTET: When you say -- sorry, Mr Taku --

16 MR TAKU: No, please.

17 JUDGE BOUTET: When you say "If I bring this to his  
18 attention he will say so," who are you talking about; the  
19 Prosecution or the witness?

09:55:21 20 MR TAKU: No, no. I said that I discussed with the  
21 Prosecutor, I showed him the document --

22 JUDGE BOUTET: Yes.

23 MR TAKU: -- in a meeting last week. And I have given a  
24 copy of the documents to him. I have given a copy of the  
09:55:31 25 documents to the Registrar for the attention of Your Lordships  
26 and my other colleagues.

received 27 PRESIDING JUDGE: Are these the documents we just

28 this morning? Are they the documents in this red folder?

29 MR TAKU: Yes, Your Honour; those are the documents.

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I 1 PRESIDING JUDGE: And what are they all about anyway, if  
2 may know? I mean, what are these document all about?  
3 MR TAKU: Your Honour --  
4 PRESIDING JUDGE: Are you seeking to tender them, you  
know,  
09:55:50 5 before we --  
6 MR TAKU: Yes.  
7 PRESIDING JUDGE: -- before we proceed to hearing the  
8 testimony of this witness?  
9 MR TAKU: Yes, Your Honours. We have the statement of  
09:56:02 10 agreed facts. We intend to take as less time as possible. We  
11 don't want to revisit issues that are not in controversy. So  
I 12 will just tender the facts, the two pages of statement of  
agreed 13 facts. We also have filed a notice of our intention to rely  
on 14 and adopt certain aspects of the accused Issa Sesay's  
testimony 15 with a confidential annex because we do not want again to lead  
09:56:41 16 evidence on issues duplicate.  
17 JUDGE BOUTET: But you have already filed that motion.  
18 MR TAKU: We filed that, Your Honours.  
19 JUDGE BOUTET: You have?  
09:56:59 20 MR TAKU: We have.  
21 JUDGE BOUTET: Yes. I remember seeing something about  
that 22 that you were adopting.  
23 MR TAKU: Yes, Your Honour. Yes.  
24 JUDGE BOUTET: Part of Sesay's evidence.

09:57:06 25 MR TAKU: Yes, Your Honour.  
26 JUDGE BOUTET: So this is nothing new. You are just --  
27 MR TAKU: It is not --  
28 JUDGE BOUTET: -- indicating that, the work that has  
been  
29 done. Okay.

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1 MR TAKU: Yes, Your Honours. Also, Your Honours --  
2 PRESIDING JUDGE: Excuse me, Court Management. Can we  
have  
3 this exhibit please? Yes, Mr Taku, sorry.  
4 MR TAKU: Your Honours, if you remember on the 20th of  
09:57:30 5 February 2006, the Prosecutor filed an application for leave  
to  
6 amend the indictment, to which he annexed a list of some  
witness  
7 evidence which he said was adduced out of the time frames and  
8 Your Honours, in a decision dated 31 [indiscernible] 2006  
denied  
9 that motion. I did discuss this with the Prosecutor. I  
printed  
09:58:03 10 out just the pages of the witness testimony which the  
Prosecutor  
11 himself indicated in that annex, and I gave copies to the

12 Prosecutor to verify to see whether it conformed to the  
testimony

13 he himself said were led out of the time frame.

14 I bring it at this point in time because we want to

09:58:22 15 concentrate on issues that are relevant to the proceedings so  
we

16 have a copy of that. It is in evidence but we just want to  
draw

17 your attention to that fact.

18 PRESIDING JUDGE: Do you seek to tender that one as  
well?

19 MR TAKU: Yes, Your Honours, especially this thing.

09:58:38 20 PRESIDING JUDGE: Why? Why? Is it not -- is our denial  
of

21 the motion, the papers that preceded that, are those not  
already

22 part of these records? We are on record, you know, that we  
23 denied the motion.

24 MR TAKU: Thank you, Your Honour.

09:58:54 25 PRESIDING JUDGE: After looking at all those facts. I  
and

26 mean, this is my view, you know. It is part of the records  
denial

27 you could -- I mean you could consider them -- I mean, the  
the

28 and the facts on which the denial was based as being part of  
29 records. I mean, I don't see why this should be tendered, you

1 know, at this stage.

2 MR TAKU: Thank you, Your Honours. Thank you. We just  
3 wanted to bring your attention to this so that -- yes, Your  
4 Honour.

09:59:25 5 JUDGE BOUTET: If I may, to get some clarification, just  
6 looking at this document that you have filed on this, what you  
7 have included in the binder is the Prosecution application at  
the  
8 time. Nothing --

9 MR TAKU: Yes, Your Honour.

09:59:41 10 JUDGE BOUTET: It's the Prosecution application together  
11 with the supporting material that they filed in support of  
their  
12 application then.

13 MR TAKU: Yes.

14 JUDGE BOUTET: Which was part of the transcript of some  
09:59:50 15 evidence, whatever it was, I don't recall, but this is what is  
in  
16 there. So what you have in the binder I note that it says:  
17 Prosecution application for leave to amended indictment,  
together  
18 with copies of transcripts of, I would imagine, of the  
evidence  
19 of some witnesses.

10:00:10 20 MR TAKU: Yes, Your Honour. Annex A. He listed the  
21 witnesses in annex A.

22 JUDGE BOUTET: Yeah.



23 MR TAKU: And the evidence that relates to the  
application.  
24 The testimony that was obvious to the application.  
10:00:22 25 JUDGE BOUTET: This is what you have in this binder?  
26 MR TAKU: Yes, Your Honour. I will now print it out  
27 because he mentioned it during the footnotes, but we'll print  
it  
28 out, the exact pages on evidence to which it relates in order  
29 to --

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1 JUDGE BOUTET: Okay. It was not -- I get you. So in  
that  
2 motion that transcript was not there, it was only these were  
3 footnotes in their application that you have now inserted?  
4 MR TAKU: Exactly, Your Honour.  
10:00:48 5 JUDGE BOUTET: Okay. But that doesn't change what  
Justice  
6 Itoe has said; all of this is indeed part of the record. It  
may  
7 facilitate our lives to have the transcript of the footnotes,  
8 that's fine, but it's already on record.  
9 MR TAKU: Thank you, Your Honours.  
10:01:16 10 PRESIDING JUDGE: Yes --

11 JUDGE BOUTET: Mr Taku, on the copy I have, on what you  
12 have described as "agreed facts" it's headed "Suggestions by  
Mr  
13 Kallon as to agreed facts." What does that mean?  
14 MR TAKU: No, Your Honours, those two pages, the first  
two  
10:01:38 15 pages do not constitute -- is not part of this. It is the two  
Prosecutor  
16 pages that the Prosecutor marked with a question. The  
those  
17 drew my attention to that shortly before you came in that  
18 two pages, the first two pages, was a memo, internal memo,  
which  
19 unfortunately it starts from where it says "Facts, yes, no,"  
10:02:07 20 those two pages we presume that --  
21 JUDGE BOUTET: Okay. So what are pages 4 and 5 is what  
you  
22 say are agreed facts?  
23 MR TAKU: Yes, Your Honour.  
24 JUDGE BOUTET: But the first, page 2 to 4 or to --  
10:02:20 25 MR TAKU: To 3, I think. Four.  
26 JUDGE BOUTET: Well, because it's a bit confusing  
27 because --  
28 PRESIDING JUDGE: I see 2/6, 3/6.  
29 JUDGE BOUTET: And then 4/5.

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1           PRESIDING JUDGE: Is it the same document?

2           MR TAKU: I confirm --

3           PRESIDING JUDGE: 1/6. 2/6. Let's be very sure of the  
4 pages you're referring to Mr Taku, please.

10:02:38 5

the  
pages

6           MR TAKU: The problem, Your Honours, is that the file,

7 two pages -- we removed the pages already. The first two

8 that was an internal memo from where you see 4/5. That's 4/5,

9 5/5.

10          JUDGE BOUTET: So this page here?

10:02:55 11

at

12          MR TAKU: Yes, Your Honour.

the

13          JUDGE BOUTET: So that's why you have a table which says

14 the top "Facts" and on the margin, on the left-hand side, on

15 right-hand side, says "yes" and "no."

16          MR TAKU: Yes.

10:03:06 17

agreed.  
that's

18          JUDGE BOUTET: So these are the "yes" are the ones

19 And the "no" are the ones not agreed to. I would imagine

20 the way to read it.

21          MR TAKU: Yes, Your Honour.

that

22          JUDGE BOUTET: So we have to ignore everything before

10:03:17 23

24 in the binder.

25          MR TAKU: Yes, Your Honour.

26          JUDGE BOUTET: Okay. So we should not have --

27          PRESIDING JUDGE: I -- yes.

24 JUDGE THOMPSON: I, speaking for myself, this is quite a  
10:03:30 25 prodigious document, and could you take us through what's the  
26 purpose of all this? I mean, if you can shed some further  
light  
27 on this, because it seems as if the procedure is getting a  
little  
28 complicated, from my own estimation of how you should in fact  
29 begin. But if you can shed some more light on it, I may be  
able

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1 to come along with you, because I find sometimes when  
documents  
2 are prodigious the devil is in the detail.  
3 MR TAKU: Yes.  
4 PRESIDING JUDGE: And before you answer that, I think to  
10:04:14 5 complement what my learned brother has said, since the  
document  
6 is prodigious, I mean, don't you think that redoing it and  
just  
7 refiling, you know, the -- just what we need is more  
convenient  
8 for purposes of the proceedings, you know, than our beginning  
to  
9 say: Well, forget about pages 2, 3 or so. Why don't you file

10:04:48 10 the precise document on the agreed facts? Since you agreed  
with  
11 the Prosecution on the issues which have been raised, which  
are  
12 raised this morning by my brother, you know, Justice Boutet, I  
13 thought that it might be more convenient and more expeditious,  
14 you know, if you filed the exact agreed facts rather than  
10:05:17 15 excluding -- I mean, if you put in the whole page, you know,  
it  
16 puts us into the process of deciphering what is relevant and  
what  
17 is not relevant. So if you can respond to the two, you know,  
at  
18 once.  
19 MR TAKU: Okay, Your Honours, we'll do just that. But  
in  
10:05:35 20 response to the Honourable Justice Thompson, the reason, Your  
21 Honours, if I may, since they are very brief facts, maybe I'll  
22 read them out to the record and I'll explain.  
23 You look at question 4, it says: "During the latter  
part  
24 of 1997, the secretary of state south at Bo was AF Kamara,  
where  
10:06:01 25 the AFRC army brigade commander was Boysie Palmer." That's an  
26 agreed fact.  
27 PRESIDING JUDGE: You're on what page?  
28 MR TAKU: Page 4, Your Honour, the facts.  
29 MR WAGONA: My Lords, if I may?

4/5? 1 PRESIDING JUDGE: That is page 4/5, what you call page

2 MR TAKU: Exactly, Your Honour.

3 PRESIDING JUDGE: Yes, okay. All right. Thank you.

4 MR WAGONA: My Lords, if I may?

10:06:42 5 PRESIDING JUDGE: Yes, Mr Wagona.

6 MR WAGONA: I just looking through my file and it would

7 appear that the document that Mr Taku is referring to might  
not

8 be the one that was actually filed with Court because the one

9 that was filed was an annex to -- to the filings. It was  
Annex H

10:07:07 10 and I just got my copy now. It's possible that he's looking  
at

11 not the final document that was -- that was filed. I could  
give

12 him my copy and he could look at it, because the one that was

13 signed by both him and Mr Peter Harrison --

14 JUDGE THOMPSON: Let me at this juncture try and see if  
I

10:07:38 15 can unravel a mystery. Why is page three six, page 3/6  
preceding

16 page four five. What kind of numbering is that? It rather  
looks

17 very much like Egyptian kind of hieroglyphics sort of, because  
we

18 have 3/6 and then 4/6, and then 5/6 and then 4/5. How is it -

-

19 it is perhaps my compilation must have been confusing.

10:08:22 20  
indeed,

21 JUDGE BOUTET: It is not at all. It is confusing  
it's not yours, it's all compilation, but --

22 JUDGE THOMPSON: I seek some enlightenment, I mean, we  
23 learn from day-to-day.

24 PRESIDING JUDGE: And to go with my colleagues, you  
know, I

10:08:34 25 would have preferred the conventional, you know, numbering of  
our

26 pages rather than slash slash, you know, it makes reference,  
you

27 know, easier in the process.

28 JUDGE BOUTET: But if I may assist a bit of what Mr Taku  
29 has said is that the first part -- page 1/6 up to and  
including

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he

1 5/6 is to be ignored and that form part of the documents that

at

2 has given us. That's what he told us. So we should just look

3 4/5 so --

4 JUDGE THOMPSON: Yes --

10:09:08 5 JUDGE BOUTET: -- for all intent purposes.

6 JUDGE THOMPSON: Yes, it's just that my concern is why  
go  
7 through this kind of extremely complicated gyration in  
numbering  
8 which is so unconventional but counsel may have some reason  
for  
9 this methodology, I stand to be enlightened.

10:09:30 10 MR TAKU: This was done by the legal assistant at the  
time

11 and then Mr Turay signed it, and so --

12 PRESIDING JUDGE: Well, it's part of your defence in any  
13 event, it's not too late. I think that in the light of -- you  
14 know, this is my view, in the light of what Mr Wagona has  
said,

10:09:45 15 it means that you may not necessarily have the same document  
that  
16 he has. Why don't you revisit this, see the Prosecution and  
then  
17 file a new document, you know --

18 MR TAKU: We'll do that, Your Honour.

19 PRESIDING JUDGE: -- which would be less complicated and  
10:10:07 20 less defined and guided by some incomprehensible hieroglyphics  
to  
21 borrow the expression of my colleague Thompson.

22 MR TAKU: We would do that, Your Honour, we'll do just  
23 that.

24 JUDGE BOUTET: And if I may when you do that, please  
make

10:10:24 25 sure that the copies we have are readable, because on the --  
the  
26 one that I have in my book are parts where the X's in the yes  
27 part, and I cannot read what's there. So, if it is to assist  
us



assistance

28 that you are giving us copies of that, it is of little  
29 if I cannot read it.

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Your

1 MR TAKU: Thank you, Your Honour, we'll do just that,  
2 Honour. Thank you. Before the end of the day, we'll do that.

3 MR WAGONA: Now, Your Honours may I commence on --

4 PRESIDING JUDGE: Yes, Mr Wagona, yes.

10:10:53  
at

5 MR WAGONA: My Lords, I don't know whether I can respond  
6 this time to some of the exhibits sought to be tendered.

you

7 PRESIDING JUDGE: Hmm -- I -- I -- I -- I do not know,

8 know, -- well, again it's the case for the -- for the Defence.

9 MR WAGONA: Because --

10:11:17  
the

10 PRESIDING JUDGE: But at what stage, you know, that is  
11 question, at what stage would you want to tender these

exhibits

12 Mr Taku? Would you want to look at it, you know, after

refiling

13 the document on agreed facts.

14 MR TAKU: Yes, Your Honours.

10:11:37  
15

PRESIDING JUDGE: Because if he comes in now, you know,

16 we'll be looking at a document maybe which has not yet been  
17 refiled.

18 MR TAKU: Yes, Your Honour.

19 MR WAGONA: My Lords, it's with regard to the notice of  
10:11:53 20 intention to adopt evidence from the first accused.

21 PRESIDING JUDGE: Yes.

22 MR WAGONA: That's the one that I wanted to respond to.

23 PRESIDING JUDGE: I think on this issue, Mr Wagona, you  
--  
24 you -- there is a pending motion on this. Mr Wagona, there is  
a  
10:13:01 25 pending motion on this issue.

26 MR WAGONA: My Lord, it's true that the notice was filed  
27 and the reason we did not respond to it until now is that the  
28 issue was still under consideration, but if it is the view of  
the  
29 Chamber that we respond in writing we can do that today.

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1 PRESIDING JUDGE: Yes, we prefer that you respond in  
2 writing.

3 MR WAGONA: Much obliged.

4 PRESIDING JUDGE: Yes, so that we dispose of it, you  
know,

10:13:39 5 as soon as we can, yes.

6 MR WAGONA: Much obliged.

7 PRESIDING JUDGE: Yes, Mr Taku.

8 MR TAKU: Thank you, Your Honours. Mr Kallon --

9 PRESIDING JUDGE: With these preliminaries, can we  
proceed.

10:13:54 10 MR TAKU: We can proceed, Your Honour, yes.

11 PRESIDING JUDGE: Right.

12 MR TAKU: Thank you Your Honour. Mr Kallon, you want to  
13 testify in open session or closed session.

14 THE WITNESS: I want to speak in open session.

10:14:10 15 MR TAKU: He says open session.

16 PRESIDING JUDGE: Mr Kallon is testifying in what  
language?

17 MR TAKU: You are testifying in what language?

18 PRESIDING JUDGE: Let's get that very clear. And he  
should

19 testify in a language in which he expresses himself better for  
20 his own purposes. So what language does Mr Kallon prefer.  
10:14:26  
May

21 we have that on record, please.

22 THE WITNESS: My Lords, I will speak English.

23 PRESIDING JUDGE: English.

24 THE WITNESS: Yes.

10:14:40 25 PRESIDING JUDGE: Right. Okay, thank you.

26 JUDGE BOUTET: Mr Taku, I'm quite surprised at the  
question

27 you posed to the accused if he wants to testify in open or  
closed

28 session. I didn't know that this was open to the accused to  
29 decide that he would testify in closed session.

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1 MR TAKU: Well --

and

2 JUDGE BOUTET: I mean this is a trial that is in public

in

3 the accused is certainly, I am at a lost to understand the

4 purpose of that question, I must say. Anyhow he has replied

10:15:05 5 the negative, so.

6 PRESIDING JUDGE: And we're happy with that reply, you  
7 know.

8 MR TAKU: I know he want --

9 PRESIDING JUDGE: He testifies in public, because as you  
10:15:11 10 very well know, testifying in public is a rule, and I think he  
11 has an interest, you know, to be heard --

12 MR TAKU: Exactly.

what

13 PRESIDING JUDGE: -- by the public which wants to know  
14 his role was in this matter.

10:15:28 15 MR TAKU: Yes, Your Honour.

16 PRESIDING JUDGE: You want him to go into hiding and be

17 testifying there?

18 MR TAKU: No, I put the question to him Your Honours,  
19 principally because I wanted it to be his choice. He should

be

10:15:40 20 the one. It's an important issue.

21 PRESIDING JUDGE: Well --

22 MR TAKU: I -- I --

23 PRESIDING JUDGE: -- what Justice Boutet is saying in  
that,

24 is that it is not his choice as to whether he goes --

10:15:45 25 MR TAKU: Okay.

26 PRESIDING JUDGE: -- on public or closed.

27 JUDGE THOMPSON: Is that the practice in other  
tribunals?

28 MR TAKU: Well, when he makes the indication the lawyer  
can

29 make -- the counsel can make the application to Your Honours.

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1 But he elects and the counsel now --

2 JUDGE THOMPSON: I asked the question because I wanted  
to

3 defend you, that you make, in addition to the other tribunal's

4 practice, that you're transplanting what may obtain there to

10:16:12 5 here.

6 MR TAKU: In fact, and they are very very strict about  
7 that, that the application made by counsel in this crucial  
issue  
8 should be what the witness himself had said before the Judges.

9 JUDGE BOUTET: No, no, we're not talking of the witness  
--  
10:16:24 10 no, we are talking of the accused being a witness. I mean, I  
am  
11 totally unaware, and this is the question raised by my learned  
12 brother Justice Thompson. Are you -- I would like to know if  
in  
13 other tribunals an accused giving evidence has the right to  
14 testify in closed session. I -- I'm really surprised by that,  
10:16:44 15 so, maybe you do have some jurisprudence in this respect and  
I'm  
16 curious to see that because I'd like to look at it.

17 MR TAKU: The reason that may arise Your Honour, it's  
if,  
18 and I would -- and that was necessarily what I was going to  
put  
19 to him if the evidence is going to lead --

10:16:57 20 JUDGE BOUTET: No, no, please -- Mr Taku, please answer  
my  
21 question. My question is not -- we know the answer from this  
22 accused. My question to you as a follow-up to Justice  
Thompson's  
23 question is, maybe you can enlighten this Tribunal to inform  
us  
24 of jurisprudence by other tribunals where an accused person  
10:17:19 25 giving evidence, sought the right to testify in closed  
session.

26 I am really surprised to hear this but maybe you do have  
27 jurisprudence, if you do please give us these references, so  
we

public

28 could look into it. But I mean not to have this answer right  
29 away, your client hasn't said: No, he wants to testify in

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because

disclose

ask

without

in

1 before it becomes [overlapping speakers] --

2 MR TAKU: The reason, the reason why I say this is

3 the Chamber does -- a lot of evidence was adduced in closed

4 session that may be covered by the rulings of this Court with

10:17:52 5 regard to identity of some witnesses. And the reason I was

6 asking, there was going to be a follow-up question, I mean, in

7 order to advise him that if need be, if the answer will

8 the identity of other witnesses, then maybe, maybe we would

9 for closed session, or maybe we may apply to Your Lordships to

10:18:15 10 look for a mechanism by which the evidence can be adduced  
without

11 necessarily revealing the identity of those witnesses. It is

12 that frame of mind, with that frame of mind that I pose the

13 question to him.

14 JUDGE THOMPSON: Counsel, I think the position is the

10:18:30 15 procedural proprietary of putting the question is what has  
has 16 intrigued us. But as my honourable colleague Justice Boutet  
these 17 said if you have some jurisprudence which can enlighten us  
other 18 are Judges who always want to learn from the experiences of  
19 tribunals. Submit this sometime in writing because really, I  
10:18:54 20 mean, unless you want to take the rest of the morning to  
persuade 21 us jurisprudentially as to why that question was necessary, I  
and 22 mean, we are talking about the procedural proprietary of that  
23 perhaps you can reserve any further discuss on this so we can  
24 proceed.

10:19:12 25 MR TAKU: We can proceed. May I proceed your honours.  
26 PRESIDING JUDGE: Oh yes, why not. That's what we've  
been 27 waiting for.

28 EXAMINED BY MR TAKU:

29 MR TAKU:

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1 Q. Mr Kallon, good morning, sir.

2 A. Good morning, My Lord.



3 Q. Can you tell the Court your name?  
4 A. My name is Morris Kallon.  
10:19:37 5 Q. Apart from Morris Kallon is there any other name or  
names  
6 by which you are known?  
7 A. Yes, during the RUF I was having another two extra  
names.  
8 The one -- the two was my code name during the war. One was  
9 Sparrow and the one was Friend.  
10:20:23 10 JUDGE BOUTET: The first one is Sparrow.  
11 THE WITNESS: Sparrow.  
12 JUDGE BOUTET: The other one is.  
13 THE WITNESS: Friend.  
14 JUDGE BOUTET: Fren. Can you spell that out please.  
10:20:34 15 THE WITNESS: F-R-I-E-N-D.  
16 JUDGE BOUTET: Oh, friend. Yeah, okay. Thank you.  
17 MR TAKU:  
18 Q. Yes, Mr Kallon. With regard to these two names you've  
19 given to the Court, I will read an extract from the testimony  
of  
10:21:32 20 a witness and then put the question to you; you understand?  
21 A. Yes, My Lord.  
22 Q. Now, listen carefully. TF-361 testified on 13 July  
2005,  
23 page 12, line 1 to 13, and said you were called "Friend" and  
24 "Sparrow." Under the following cross-examination on 15 July  
10:21:57 25 2005, page 90, line 27 to 29, the witness --  
26 PRESIDING JUDGE: Cross-examination on what date?  
27 MR TAKU: On 15 July 2005, Your Honours. Page 90, line

Jordash. 28 to 29, the witness answered as follows: Question by Mr  
29 106869, that is.

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1 "I want to ask you about the third paragraph," he was  
2 referring to out-of-Court statement of the witness, "I want to  
3 ask you about the third paragraph. Do you see that Kallon was  
4 clever. He was mostly mediator between Superman, Issa Sesay  
and  
10:23:02 5 Mosquito. So we called him Friend or Sparrow because he was  
very  
6 clear. Do you see that?" Page 93, that is page 93, 15 July  
7 2005, line 4 to 18. Witness, question, answer "yes, sir."

8 Question: Line 6 to 7: "Is it right that Kallon was a  
9 mediator between Superman, Issa and Mosquito?"

10:23:48 10 Answer: Lines 8 to 11: "Mediator in the sense he was a  
11 junior man that was working with all of them. He was not  
12 encountering any problem with them. That is the reason why we  
13 give him the code name as Sparrow or friend."

file 14 Question: Line 12 to 13. "Mr Witness, just close the  
10:24:20 15 a minute please. Was he a mediator between Superman and  
Issa?"

16 Line 14 to 15. "Superman, Issa and Mosquito, yes. He was the

17 junior man amongst them."

18 Question: Line 16 to 17. "Did he try to resolve  
conflicts

19 between Superman, Issa and Mosquito?"

10:24:48 20 Answer: Line 18. "Yes, he used to advise all of them  
to

21 come together."

22 Question: Line 19. "This is 1998 we're referring to,  
is

23 it?"

24 Line 20: "Yes."

10:25:06 25 Mr Kallon, you've heard that?

26 A. Yes, My Lord.

27 Q. Now, Mr Kallon, do you agree with the context in which  
you

28 were given those names as stated by that witness?

29 A. Yes, My Lord, because the witness was once a radio

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1 operator. At the same time the contents in that reading you  
did

2 actually it is true. At that time of the conflict, I was  
really

3 a junior man among those guys, so I used to be sort of a  
mediator

4 not to see them in loggerhead, because if they go loggerhead  
10:26:05 5 things will go out of control. It is true.

6 Q. Now, we reach, Mr Kallon, Exhibit 34. We did indicate  
the  
7 list of exhibit we'll be referring to in the course of this  
8 trial. We filed that. You have Exhibit 34, please. Can you  
9 show Mr Kallon? Okay, I'm sorry. You just said they didn't  
10:26:39 10 bring it here today, Your Honour. No problem. Mr Kallon, you  
11 know -- you know Exhibit 34 -- Prosecution Exhibit 34 --  
12 PRESIDING JUDGE: We would have loved to have it.  
13 MR TAKU: Exactly. They said they didn't bring it.  
14 PRESIDING JUDGE: Is it possible for you to proceed and  
10:26:49 15 then, you know, bring it later?  
16 MR TAKU: Okay, Your Honour.  
17 PRESIDING JUDGE: We don't want him to speculate on an  
18 exhibit he doesn't have in front of him.  
19 MR TAKU: Yes, exactly, Your Honours.  
10:27:22 20 PRESIDING JUDGE: Yes. Maybe if you may, you may  
proceed,  
21 and then we will come back to Exhibit 34 when the exhibit is  
22 available.  
23 MR TAKU: Exactly, Your Honours. Thank you.  
24 PRESIDING JUDGE: So he can specifically and physically  
10:27:22 25 refer to it.  
26 MR TAKU: Yes, Your Honours.  
27 PRESIDING JUDGE: Before obtaining his response to that.  
28 MR TAKU:  
29 Q. Now, Mr Kallon, we'll come back to that but were you  
ever

about? 1 also known as SP within this time frame that we're talking

2 A. No, My Lord.

3 PRESIDING JUDGE: As what?

4 MR TAKU: SP.

10:27:30 5 PRESIDING JUDGE: You said he was not known as SP?

6 MR TAKU: Yes, Your Honour.

7 THE WITNESS: No, My Lord.

8 PRESIDING JUDGE: How do you spell that? Just "S" and a

9 "P"?

10:27:38 10 MR TAKU: S and P.

11 Q. Mr Kallon, the Prosecutor alleges in the indictment that

whether 12 you were also called Bilai Karim. Can you tell the Court

13 you were ever known as Bilai Karim?

14 PRESIDING JUDGE: Is it Bilai or Bilai?

10:28:15 15 MR TAKU: Bilai Karim, Your Honour.

16 PRESIDING JUDGE: Bilai Karim.

17 MR TAKU: Bilai Karim.

18 PRESIDING JUDGE: Yes, I remember the name.

19 THE WITNESS: Actually, My Lord, when the indictment was

10:28:23 20 served on me, if I'm not mistaken on 10 March 2003, I saw that  
21 abbreviation as a name Bilai Karim but, really, the name was  
not  
22 a specific name on me. But during the time of the war, if we  
go  
23 back tomorrow, we see in the RUF ideology there were certain  
laws  
24 governing the RUF operation. Within my own area of control,  
or  
10:29:01 25 wheresoever I was physically being, any RUF who used to break  
26 that law, sometime, as I see that word, Bilai Karim, I will do  
27 what you have done, if you are not supposed to do, I will do  
this  
28 to you. I will surely discipline you. It was sort of a  
29 discipline language but it is a Koranic war. I used to take  
an

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1 oath that this crime you have commit I will surely punish you,  
so  
2 it was not a name. I just saw it in that indictment.  
3 JUDGE BOUTET: Sorry, you mentioned something, it was --  
4 did you say Koranic war?

10:29:38 5 THE WITNESS: Yes, sir. It's an Arabic war.

6 MR TAKU: "Word."

7 THE WITNESS: Yes.

8 JUDGE BOUTET: "Word" yes.

9 PRESIDING JUDGE: Which meant punishment or what?

10:29:50 10 THE WITNESS: No. I swear to my God and Anabi. That  
is, I

11 take oath on God and Prophet Salalawa Allah.

12 MR TAKU:

13 Q. You take the oath that what? That what?

14 A. That this crime you have commit, I will surely repay you  
10:30:04 15 with punishment.

16 Q. When you swore on the Prophet Bilai Karim, did you  
punish

17 the people?

18 A. My Lord, all RUF combatants can attest to that. If I  
utter

19 that language. Once my power is over you, I able to control  
you,

10:30:46 20 I will surely punish you, the crime you commit against the  
21 civilians.

22 PRESIDING JUDGE: Did you punish?

23 THE WITNESS: Yes, sir, I did.

24 PRESIDING JUDGE: That's the question.

10:30:53 25 THE WITNESS: I did. The one happened in my presence.

26 MR TAKU:

27 Q. Mr Kallon, within the time frame specified in this  
28 indictment, may I remind you from May 1996 to January 2002,  
did

29 you know any person or persons within the RUF wearing the name  
of

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1 Kallon? If you did, please, can you tell the Judges?

the

2 A. Yeah, My Lord, I know many, many RUF fighter who bear

one

3 name Kallon. I know them many. If you want, I can give the

4 I can recall now.

10:32:05

5 Q. Yes. Can you give the name of some of them?

6 A. Yeah. In the first place, the RUF political adviser to

7 Foday Sankoh was called David Kallon, and we, Foday Sankoh

We

8 trained in Liberia, we were about six bear the name Kallon.

9 have Pa Momoh Kallon; we have Fatu Kallon; we have Florence

10:32:42

10 Kallon; then we have Musa Kallon, and myself, Morris Kallon.

11 PRESIDING JUDGE: Take that list again, please.

Kallon;

12 THE WITNESS: We have Pa Momoh Kallon; we have Fatu

13 we have --

woman?

14 PRESIDING JUDGE: Fatu Kallon, was that a man or a

10:33:04

15 THE WITNESS: No, sir, she's a woman.

16 PRESIDING JUDGE: A woman?

17 THE WITNESS: Florence Kallon.

18 PRESIDING JUDGE: Who?



19 THE WITNESS: Florence.  
10:33:14 20 PRESIDING JUDGE: Forence or Florence?  
21 THE WITNESS: Florence.  
22 PRESIDING JUDGE: Florence?  
23 THE WITNESS: Yes, sir.  
24 PRESIDING JUDGE: Florence, another woman?  
10:33:19 25 THE WITNESS: Yes, sir. Then we have Mussa Kallon.  
Then  
26 me, Morris Kallon. The other guy, I have forgotten his first  
27 name. Then when we came back to Sierra Leone, or we came in  
28 Sierra Leone, we have lot of Sierra -- I mean, Sierra Leonean  
who  
29 join bear the name Kallons, especially from Kailahun District.

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1 As you know, the family base of Kallon is based in Kailahun  
2 District, in Jawie Chiefdom, Daru. You will see from the --  
3 PRESIDING JUDGE: Is this in Jawie, Jawie District?  
4 THE WITNESS: Jawie Chiefdom.  
10:34:07 5 PRESIDING JUDGE: Jawie?  
6 THE WITNESS: Yes, sir, Kailahun District. From the  
base,  
7 you will see Mr AS Kallon, commonly known as Saidu something

8 Kallon, who was the overall MP adviser within the RUF  
movement.

9 Then, if you want the few Sierra Leonean who join in Sierra  
10:34:36 10 Leone, I can give their names, who bear the name Kallon, but  
11 there was lot of Kallon names within the RUF.

12 MR TAKU:

13 Q. Mr Kallon, specifically in Kono District, between  
14 February 1998 and June 1998, do you know of any persons within  
10:34:57 15 the ranks of the RUF bearing the name Kallon?

16 A. Yes, sir.

17 PRESIDING JUDGE: Between February 1998 --

18 MR TAKU: 1998 to June 1998.

19 THE WITNESS: Yes, sir. Between February 1998 to June  
1998

10:35:16 20 in Kono, you have Major AS Kallon, who was the Joint Security  
21 Commander, at the same time, RUF overall military adviser.

Then

22 you have Miloskie Kallon, who was senior bodyguard commander  
to

23 Colonel Superman, who's commonly known as Ngugumeh. Then you

24 have Baggie Kallon, who commonly known as TKK. Then you have  
10:35:49 25 Momoh Kallon, who's commonly known as Ziggy. Myself, Major

26 Kallon, at that time I was there, and many other, who I cannot  
27 recall, remember their full names now.

28 Q. Mr Kallon, witness TF1, that's Prosecution witness TF1-  
334,

29 on the 17 May 2005, testified at page 38, line 12, and said  
that

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in 1 the Kallon was involved in the looting of the Iranian Embassy  
2 Freetown, was an SLA who held an AFRC ministerial position. I  
3 was not Morris Kallon of RUF. Mr Kallon, how do you react to  
4 that?

10:37:09 5 A. My Lord, as the witness speak for himself, it is true.  
6 One, I was RUF, Major Morris Kallon at that time. Two, I was  
not 7 holding no ministry position -- ministerial position within  
the 8 AFRC government. Three, from June to August I was deployed at  
9 Makeni based in Teko Barracks. Then from August to February,  
I

10:37:51 10 was in Bo. So indeed so, I was not in Freetown when this  
Iranian 11 Embassy was looted as that witness exactly said. As I told  
you, 12 there are many, many people bearing the name Morris Kallon in  
13 Sierra Leone.

14 Q. Mr Kallon, the Prosecutor in furtherance of his  
disclosure 15 obligations did disclose to you a booklet, part of a booklet,  
16 with a list of senior RUF officials within Kono District.

Now, 17 we did file, Your Honours, this is a bit -- but if the  
Prosecutor

we  
if  
10:38:46

18 did not -- the Registry did not bring them to Court. Maybe,  
19 may share our own copy to Mr Kallon and ask him to look at it  
20 that is what the Prosecutor disclosed to him?

21 JUDGE BOUTET: I'm not sure I understand what you mean,  
22 disclose to him.

23 MR TAKU: Rule 68, the Prosecutor disclosed a series of  
24 documents under Rule 68 and among them would have that  
document.

10:39:04 25 PRESIDING JUDGE: Was it filed? Is it filed as an  
exhibit?

26 MR TAKU: It was filed, it was filed Your Honours.

27 JUDGE BOUTET: It was filed.

28 MR TAKU: No, Kallon filed as a list -- in the list of  
29 exhibits we intend to use.

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1 JUDGE BOUTET: Okay, but this is not an exhibit yet.

2 MR TAKU: It's not an exhibit yet.

3 JUDGE BOUTET: That's why I was asking because what you  
4 mean by this.

10:39:20 5 MR TAKU: Yes, Your Honours.

file 6 JUDGE BOUTET: This is a document that you intend to  
7 through Mr Kallon.  
8 MR TAKU: Yes, Your Honours.  
9 JUDGE BOUTET: Okay.  
10:39:28 10 THE WITNESS: Yes, My Lord, some time ago, I saw this, I  
11 think two or three months ago I saw this document.  
12 MR TAKU:  
13 Q. Now, can you point out to the Judges, Your Honours that  
is 14 a list of senior RUF officials in Kono District within the  
time 15 frame?  
10:39:53 16 JUDGE THOMPSON: Let him tell us that.  
17 MR TAKU:  
18 Q. Okay. Mr -- what is that, you saw it three months ago,  
so 19 what can you tell the Court exactly what that is?  
10:40:03 20 A. Yes, sir, this is a sort of nominal rule in Kono between  
21 February 1998 to June 1998, this was a list. Last time when  
they 22 disclosed this I able recognise.  
23 Q. Can you point out to the Court the names the Kallons you  
24 can find on that document? Call the number and the name.  
10:40:35 25 A. Okay. If you look at number three, you will see  
26 Lieutenant-Colonel Morris Kallon, then if you look at  
27 number eight you will see Major Kallon. Then if you see  
number 28 30, you will see Staff Captain Baggie Kallon. Then, if you  
see 29 number 36, you will see GJ Kallon. Then if you look number  
80,

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you  
look  
these  
10:42:33

1 you will see Mohamed Kallon. Just a moment please. Then if  
2 look at 209, you will see Captain Jumu Kallon. Then if you  
3 at 231, you will see Second-Lieutenant Hassan Kallon. Then if  
4 you look at 274, you will see RSM Foday Kallon. My Lord,  
5 are the names of Kallon I could see on this document.

last

6 MR TAKU: Your Honours, we're seeking leave of Court to  
7 tender that in evidence. We did show the Prosecutor a copy  
8 week to inspect it prior to filing.

9 PRESIDING JUDGE: Any objection.

10:42:51  
cites

10 MR WAGONA: May I see the document, My Lords, and may I  
11 request that when counsel is referring to the documents he  
12 maybe a Court Management number so that we can trace it in our  
13 records easily.

14 MR TAKU: The first Court Management number on this  
10:43:16 15 document is 00025573.

16 MR WAGONA: My Lords, there's no objection from the  
17 Prosecution.

336. 18 PRESIDING JUDGE: It is admitted and marked as Exhibit

19 [Exhibit No. 336 was admitted]

10:43:51 20 MR WAGONA: Yes, My Lord.

21 PRESIDING JUDGE: And you are not --

22 MR JORDASH: Sorry. Just for the record we don't  
object.

23 PRESIDING JUDGE: You don't object. Well, anyway. I'm  
not

24 sure Mr Cammegh does not object, either.

10:44:11 25 MR CAMMEGH: Now, that I'm asked, no.

26 PRESIDING JUDGE: For the record.

27 MR CAMMEGH: No.

28 PRESIDING JUDGE: Yes, Mr Taku.

29 MR TAKU:

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the 1 Q. Mr Kallon, in the Makeni, Lunsar, Magburaka axis during  
2 time frame from 1999 to 2002 was there any RUF commanders that  
3 you know of that bore the name of Kallon, if yes, who were  
they?

that 4 A. Yes, sir. Umm, with your permission, before I answer

10:44:55 5 question I want to make certain thing clear on this exhibit  
6 they've just tendered and admit in Court. The number eight on  
7 that record -- name on that record number eight is the name of  
8 me. That was my rank at that particular time between February  
to 9 June 1998. That's the correction I would like to make in that  
10:45:15 10 document.

11 JUDGE BOUTET: So the number three that you read saying  
12 that on that document number three you said indicated a person  
by 13 the rank and name of Lieutenant-Colonel Morris Kallon that's  
not 14 you.

10:45:33 15 PRESIDING JUDGE: Yes, that's number eight?

16 THE WITNESS: Yes, sir.

17 JUDGE BOUTET: Number three.

18 THE WITNESS: Number three, no, sir, not my name, not me  
or 19 the rank.

10:45:39 20 JUDGE BOUTET: It's your name but that's not your rank?

21 THE WITNESS: The name there, they pronounced the same  
but 22 not my rank at the time, sir.

23 JUDGE BOUTET: So your rank, you say was the item number  
24 eight, which just says, Major Kallon, doesn't give any other  
name

10:45:53 25 but just Kallon?

26 THE WITNESS: Yes, sir you are correct sir.

27 JUDGE BOUTET: So the first Morris Kallon number three  
is 28 not you.



29 THE WITNESS: No, sir, I was not colonel at that time.

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1 JUDGE BOUTET: Okay.

2 THE WITNESS: Yes, sir, can you repeat your question  
now,  
3 please sir.

4 MR TAKU:

10:46:14 5 Q. Yeah. My question is in the Makeni, Lunsar, Magburaka  
axis  
6 during the time frame from 1999 to 2002 was there an RUF  
7 commander or commanders that you know of who bore the name  
8 Kallon. If yes, who are they and what command positions did  
they  
9 have?

10:46:42 10 A. Yes, sir. Between 1999 to 2002 there were various  
Kallons  
11 within that axis, Makeni, Lunsar, Magburaka. I start with  
12 myself, I was Morris Kallon based in Magburaka between that  
time.  
13 Then you have Colonel AS Kallon, who was the overall MP  
adviser,  
14 based in Makeni. Then you have Lieutenant-Colonel Miloskie  
10:47:29 15 Kallon, who were the 5th Brigade commander, based in Lunsar.  
16 Then you have --

17 PRESIDING JUDGE: Lieutenant-Colonel who?

18 THE WITNESS: Miloskie Kallon, who was the chief brigade

19 commander based in Lunsar. Then you have Lieutenant-Colonel

10:47:49 20 Baggie Kallon, he was one of the headquarter officer in Makeni

21 working under Colonel Kailondo. Then there were other junior

22 officers Kallon, which I cannot able to call their names now.

23 JUDGE BOUTET: Sorry, what was your rank at that time?

24 THE WITNESS: At that time, I was colonel.

10:48:23 25 JUDGE BOUTET: Colonel, full colonel not

26 lieutenant-colonel.

27 THE WITNESS: Yes, sir.

28 JUDGE BOUTET: Okay.

29 MR TAKU:

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spoken 1 Q. Now, specifically about Miloskie Kallon, that you've

Rule 2 of, now the Prosecutor again furtherance or pursuant to his

3 68 obligations, disclosed to you a letter dated 18 April 2000.

4 The filing number and the Prosecutor is 25510 to 25512. Now -

-  
10:49:32 5 now -- now, if you see a copy of that letter will you  
recognise

6 please?

I 7 A. Yes, sir, a letter from Miloskie sometime in 2000, yeah,

8 can recall.

9 Q. Is that the letter?

10:49:56 10 A. You are correct sir.

11 Q. Now, what is the name on that letter. You say it's

12 Miloskie Kallon. It's addressed to whom?

13 A. The letter is from Mr Miloskie Kallon, the commander

Sankoh, 14 Lunsar, Port Loko District, addressed to Chairman Foday S

10:50:32 15 leader, RUFP party, Freetown.

16 Q. And what is the date on it?

17 A. And the date of this letter is 18 April 2000.

18 Q. And what is the subject matter of that letter?

19 A. Request and reminder.

10:51:01 20 Q. Does it mention his command position in that letter?

Commander 21 A. Yeah, because he say from Mr Miloskie M Kallon,

22 Lunsar, Port Loko.

23 Q. MR TAKU: Your Honours, we seek leave to tender that

24 letter?

10:51:30 25 THE WITNESS: And if I can say something?

26 MR TAKU:

27 Q. Yes, proceed.

28 A. This letter prove that the bearer of this letter, or the

29 letter from Mr Miloskie M Kallon, he was surely in charge of

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1 Lunsar, and he was the RUF 5th Brigade commander, based in  
2 Lunsar. And if I can recall well, in April 2000, he was the  
one  
3 appointed by the late Corporal Foday Sankoh to collect all  
orphan  
4 child and within the RUF to connect with the Caritas and other  
10:52:22 5 NGO who were in charge of that programme. He was in charge of  
6 that responsibility.

7 MR TAKU: We seek leave to tender, Your Honours. You  
can  
8 show the Prosecutor and my colleagues.

9 PRESIDING JUDGE: Any objection from any of the parties?  
10:52:50 10 Prosecution?

11 MR WAGONA: No objection.

12 MR JORDASH: No, thank you.

13 MR CAMMEGH: No, thank you.

14 PRESIDING JUDGE: All right.

10:53:04 15 JUDGE BOUTET: Mr Officer of the Court, can I see the  
16 document in question?

17 PRESIDING JUDGE: Yes. The letter is admitted and  
marked  
18 as Exhibit 337.

19 MR TAKU: Yes, My Lord.

10:53:53 20 [Exhibit No. 337 was admitted]

21 PRESIDING JUDGE: Yes, Mr Taku, you may proceed. You  
may

22 continue, please.

23 MR TAKU:

24 Q. Mr Kallon, were you at any time within the time frame  
10:54:05 25 specified in this indictment, that is, from May 1996 to  
January

26 2002, were you at any time ever called Moses Kallon?

27 A. No, My Lord. As I told you earlier, there were a lot of  
28 people bearing Kallons. I cannot recall their first name but  
I

29 was never called Moses Kallon.

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1 PRESIDING JUDGE: What time frame did you give, Mr Taku?

2 MR TAKU: May. That is from 25 May 1996 to January  
2002.

3 Q. Now, Mr Kallon, TF1 -- Prosecution witness TF1-012 came  
4 here on 2 February 2005 and testified that, amongst persons  
10:55:12 5 present, when a number of people were put in a house and set  
on

6 fire, was a Moses Kallon, and this testimony is at page 34,  
lines

7 29 and at page 35 of the transcript of that day.

8 JUDGE BOUTET: I'm sorry, I missed the day Mr Taku.

9 What's the date of the transcript?

10:55:38 10 MR TAKU: 2 February 2005, Your Honour.

11 JUDGE BOUTET: Thank you.

12 MR TAKU:

13 Q. Mr Kallon, again, do you know anything about this  
incident

14 and were you ever called Moses Kallon? Again I ask you that

10:55:53 15 question?

16 A. Yes, sir. I have already --

17 PRESIDING JUDGE: He has answered he was never called

18 Morris Kallon.

19 THE WITNESS: My name was not Morris -- Moses Kallon.

10:56:04 20 PRESIDING JUDGE: Moses Kallon, I'm sorry.

21 THE WITNESS: I don't know anything about that such

22 allegation. I only heard it in this courtroom, as you are

23 rightly right, say it in the transcript, and I was not -- I  
don't

24 even know the crime base where that crime was committed.

10:56:26 25 MR TAKU:

26 Q. You saw that individual, that TF1-012; do you know him?

27 A. I don't know him and he himself do not know me.

28 Q. Did he identify you here in Court, as Moses Kallon?

29 A. Not absolutely, My Lords.

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1           PRESIDING JUDGE: Was that TF1-012?

2           MR TAKU: Yes, Your Honour.

3           PRESIDING JUDGE: Yes.

4           MR TAKU: Again, that particular witness, Your Honours,  
in

10:57:16 5           the same transcript, at page 31, lines 2 to 22, that witness  
6           stated here that Sesay sometimes accompanied -- that you at  
times

7           sometimes -- no, that Sesay was sometimes accompanied on his  
8           trips to the mines in Kono with a Moses Kallon.

9           Q.     Again, did you know any individual by the name Moses  
10:57:42 10          Kallon?

11          A.     Mr Taku, to be honest with you, RUF was a big  
organisation.

12          Maybe there were a Moses Kallon, but I don't know that Moses  
13          Kallon actually, that one we are talking about.

14          PRESIDING JUDGE: You should continue with your  
10:58:25 15          examination, please, unless you are interrupted by the Court.

16          MR TAKU: Thank you, Your Honour.

17          PRESIDING JUDGE: Yes.

18          MR TAKU:

19          Q.     Mr Kallon, witness TF1 -- Prosecution witness TF1-367  
10:58:40 20          testified on 22 June 2006, at pages 31 to 32, and said that  
you

21          were also known as Kalicable and Morrison Kallon. Did you  
ever

22          bear the names Kalicable and Morris Kallon?

23          A.     In the first place, no. My name is not Kalicable. Only

24 that day I heard that name from him in this Court, from that  
10:59:15 25 witness. I was never called that name in my life. Two, the  
name  
26 Morrison Kallon, actually, it is not my name because for the  
27 reason in fact, even the Prosecution themselves, if you look at  
28 their indictment, the name there is Morris Kallon. The only  
29 alias name they added there is Bilai Karim, but that name,

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1 Morrison Kallon, only in this courtroom I heard it. One day I  
2 was not called Morrison Kallon. As I told you, there were  
many  
3 Sierra Leoneans who bear that name, Morrison, Morris.  
Probably  
4 it was another Morrison Kallon they were referring to, but me,  
11:00:04 5 who facing this Tribunal, it's not my name.  
6 Q. Mr Kallon, Prosecution witness TF1-361 testified, on 18  
7 July 2005, at page 113, lines 19 to 20, and stated: "We only  
had  
8 one radio set that we operated and one was with Brigadier  
Kallon,  
9 Morrison Kallon." Under cross-examination by your counsel  
11:00:52 10 Charles Taku, witness confirmed that he made a statement to  
the



11 Prosecution in which he stated: "He, Kallon, did not have a  
12 radio set." "He did not have an area of responsibility during  
13 this time." Transcript, Your Honours, of 18 July 2005 at  
14 pages -- at page 115, line 14 to 15, page 114, line 5. Mr  
11:01:31 15 Kallon, you've listened to -- you listened to the testimony of  
16 this witness. You heard him talk about a Morrison Kallon who  
had  
17 a radio set, and a Morris Kallon who did not have. Which of  
the  
18 Kallons do you think apply to your situation at Kono during  
the  
19 time frame stated in the indictment?

11:01:56 20 A. With all due respect, Mr Taku, at that time frame that  
21 witness was testifying about, February to June 1998, I was not  
22 Brigadier Morris Kallon. The Brigadier Morrison Kallon that  
23 witness talk about it is not refer to me. At that time I was  
24 Major Morris Kallon.

11:02:29 25 Q. So the question is: Which of the situations applies to  
26 you? The Morrison who had the radio set or the Morris who did  
27 not have and did not have an area of responsibility?

28 A. It was me who do not have radio set. If I can recall  
your  
29 mind to Defence witness 163, DIS-163 in this courtroom, he was  
an

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a  
an  
a  
1 operator in Kono. He told this Tribunal that I was not having  
2 radio set. And also DIS, if I'm not mistaken 214, he also was  
3 operator in Kono. He told this Tribunal that I was not having  
4 radio set and I was not having area of responsibility.

11:03:22 5 PRESIDING JUDGE: DIS, the first DIS is what?

6 THE WITNESS: 163, My Lord.

7 PRESIDING JUDGE: And the other one?

It 8 THE WITNESS: If I'm not mistaken, My Lord, it's 214.

9 is true at that particular point in time I was not carrying no  
11:03:40 10 radio and I was not carrying any area of responsibility within  
11 the rank of RUF in Kono.

to 12 JUDGE BOUTET: And this is the time frame that you put  
13 be from February to June '98 in Kono?

time 14 THE WITNESS: Yes, sir. I'm directly referring to the  
11:03:56 15 frame of the indictment of that crime based in Kono, My Lord.

16 MR TAKU:

17 Q. Now on 30 June 2006, TF1-117 testified before this  
18 Honourable Trial Chamber, and at page 22 he --

19 PRESIDING JUDGE: 30 June, what?

School 11:04:23 20 MR TAKU: 30 June 2006, Your Honours. And at page 22 he  
21 stated that a certain CO Morris Kallon came to St Francis  
22 in Makeni and told soldiers that the manager of the school had

referred

23 threatened to lock up all the soldiers. Were you ever  
24 to as CO Morris Kallon?

11:04:46  
very

25 A. In regard of the name CO Morris Kallon, yes, some RUF  
26 combatant used to call me that name, but, in regard of that  
27 witness who testified before this Honourable trial here, that  
28 witness proved that the Morrison, the Morris Kallon he was  
29 referring to, was not me because he mis-identified me in this

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Morris

1 Tribunal, so he proved that maybe he just hear the name CO  
2 Kallon, that's why he thought I was the one before -- I am the  
3 only Morris Kallon appearing before this Tribunal. That's --

Trial

4 Q. Now, why do you say he mis-identified you before this

11:05:44

5 Chamber; can you explain further?

pointed

6 A. My Lord, that witness was asked by the Prosecution to  
7 identify the CO Morris Kallon he was referring to, and he

as

8 Mr -- the third accused as Morris Kallon. Then he pointed me

know

9 the third accused. So he proved that that witness doesn't

11:06:05 10

me because if I know about Chief Taku, if somebody asked me to

11 identify Chief Taku, I could surely say, look at him standing.  
12 He has little grey in his head. He wears so so so so colour  
of  
13 coat, something like that, My Lord.

14 Q. Mr Kallon, but listen carefully. TF1-035 testified,  
Your  
11:06:42 15 Honours, on 5 August 2005, 5 August 2005, and stated that he  
was

16 told that Mosquito had a deputy called Colonel Morris Kallon,  
who  
17 at moments deputised for him at several pits in Tongo Field in  
18 Kenema District from August 1997 to December 1997. You heard  
him  
19 give that testimony, Mr Kallon; did you hear?

11:07:17 20 A. Yes, My Lord. I was in Court when that witness came.

21 Q. Do you know, Mr Kallon, about the Colonel Morris Kallon  
who  
22 deputised for Mosquito at the Cyborg Pit in Tongo Field,  
Kenema  
23 during the period stated by that witness that is from August  
1997  
24 to December 1997; do you know him?

11:07:39 25 A. No, sir. I don't know that Colonel Morris Kallon TF-035  
26 was referring to.

27 PRESIDING JUDGE: What was the time frame again in  
Tongo?

28 MR TAKU: 1997, August 1997 to December 1997, Your  
Honours.

29 THE WITNESS: Because from August 1997 to February 1998  
I

1 was Major Morris Kallon based in Bo as RUF representative. I  
was

2 not within the eastern region. I was at the -- I was in the  
3 southern province.

4 PRESIDING JUDGE: And you were a major?

11:08:21 5 THE WITNESS: Yes, My Lord.

6 PRESIDING JUDGE: So you were deployed in Bo?

7 THE WITNESS: Yes, My Lord, between August '97 to  
8 February 1998, My Lords.

9 MR TAKU:

11:08:49 10 Q. Mr Kallon, again TF1 -- Prosecution witness TF1-041 at  
page

11 27 of the transcripts of 17 July 2006, lines 19 -- Your  
12 Honours -- to 29, and also at page 28, lines 1 to 2 and again

at  
13 page 122 said that the brigade commander of Lunsar, that area  
at

14 Mamusa was Miloskie Kallon. Mr Kallon, were you also known as  
11:09:30 15 Miloskie Kallon?

16 A. No, My Lord. The last exhibit you just tendered they  
bear  
17 the name Mr Miloskie M. Kallon. I did so. He was the brigade  
18 commander, as I told you, 5th Brigade commander in Lunsar.

19 Mamusa is fall within Lunsar. It is between Lunsar and Gberi  
11:09:56 20 junction where this Mamusa village it is. So really according  
to

commander 21 that witness it's true, Miloskie Kallon was the brigade  
22 there, not me.  
23 Q. Mr Kallon, TF-165 xxx xxx, on 28 March 2006.  
24 MR TAKU: 28 March 2006, Your Honours.  
11:10:22 25 PRESIDING JUDGE: TF what?  
26 MR TAKU: TF1-165 xxx xxx. Your Honours, at page  
27 121, lines 8 to 14, testified and said that he was informed --  
28 PRESIDING JUDGE: What date was this?  
29 MR TAKU: Your Honours, on 28 March 2006 he testified

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1 before the Honourable Court.  
2 MR TAKU:  
3 Q. Were you present in the courtroom when Brigadier Ngondi  
4 testified?  
11:11:03 5 A. Yes, My Lord, I was present.  
6 Q. Now, he testified in that occasion and said he was  
informed 7 or he received a report, a radio report, from a Major Maruwa  
that 8 a Brigadier Kallon came to the DDR centre at Makump. Makump,  
9 Your Honour, is M-A-K-U-M-P, and assaulted a major, a MILOBS,  
by

11:11:34 10 the name of Major Ganese, he bounded him into his car and sped  
11 off towards the direction of Makeni. Asked by learned counsel  
if  
12 after April 18 he saw Morris Kallon and his answer was no.  
Your  
13 counsel, the learned Mr Sheku Touray then suggested to him  
that  
14 with the many Kallons in the RUF, in particular, in Makeni, he  
11:12:05 15 and his informant were confused about the identity of Morris  
16 Kallon, and the Kallon about the identification applied within  
17 the time frame -- within the time frame of this indictment.  
Mr  
18 Kallon, you testified that you were in this courtroom when  
19 major -- when Brigadier General Ngondi testified. Did the  
11:12:28 20 Brigadier General take advantage of that suggestion by Mr  
Touray  
21 to identify you in the dock as the Morris Kallon he was -- he  
22 testified about?  
23 A. No, My Lord. He was challenged by Mr Touray, I believe,  
24 Your Honourable Judges see the argument between him and Mr  
Touray  
11:12:56 25 that day that he has got the identity of Morris Kallon he  
26 testified about, that it was not me who he represented in this  
27 Tribunal, and the Brigadier himself according to his testimony  
he  
28 interacted --  
29 PRESIDING JUDGE: Just wait, wait, wait. Yes Mr. --

1           MR WAGONA: My Lord, the Prosecution is concerned about  
the  
2           current line being taken which makes the witness's testimony  
3           appear to -- appear like submissions commenting on testimony  
of  
4           other witnesses. I would appreciate it if he can give his own  
11:13:36 5           testimony directly to refute whatever he wants to refute  
without  
6           having to analyse or evaluate testimony from other witnesses.  
7           MR TAKU: Your Honours, I will answer that very, very  
8           quickly. This is a clear case in which Mr Touray put at the  
9           question in issue; it's a factual issue. We're not addressing  
11:14:04 10          the law on identification and he came here -- witnesses came  
here  
11          and said somebody told us Kallon did this, Kallon did this.  
12          There are times he had been absent from the courtroom for  
reasons  
13          that are stated on the record, and Your Honours have admitted  
the  
14          correspondences. I just want to find out if he was here and  
11:14:24 15          listen to the -- it is an issue, a proper issue, to be raised  
at  
16          this time. I'm not asking to evaluate the evidence or comment  
on  
17          the quality of evidence, that's another issue. The question  
is  
18          for a very limited purpose. This individual said Kallon,  
Kallon,  
19          and somebody told me and I said, okay you were in the  
courtroom



11:14:42 20 when the [indiscernible] was there. Your lawyer challenged  
him.

Morris 21 He made it an issue repeatedly. Did he say is it this is

22 Kallon. That is all for that limited purpose. It is not the  
23 commentary or analysis, Your Honour.

24 JUDGE THOMPSON: I think you can phrase it -- rephrase  
it

11:15:01 25 in such a way that you were confined to the factual dimension  
of

26 it, the factual aspect of it, rather than embellish it with  
some

27 kind of argumentative or speculative or whatever. I think  
it's

28 the way it is framed, not that counsel is saying that it's  
29 impermissible for you to do it. I think it's how the issue is

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were 1 framed and put to the witness. I, myself, thought that you

2 getting into a kind of a law school debate sort of exercise.

3 MR TAKU: Okay. Let me just put the question -- let me  
4 rephrase the question.

11:15:42 5 JUDGE BOUTET: Before you do, so I understand what you  
are

6 saying here. You're saying that when Ngondi's evidence was  
that

7 he had been told that Major Ganese had been assaulted by one  
8 Brigadier Kallon.

9 MR TAKU: Yes, your Honour.

11:15:57 10 JUDGE BOUTET: His evidence was that he never saw that.  
He  
11 had been informed.

12 MR TAKU: Yes, Your Honour.

13 JUDGE BOUTET: So this is his evidence. And at that  
time

14 you say that counsel on record at the time put it to the  
witness

11:16:09 15 if he could identify themselves that Morris Kallon -- that  
16 Kallon -- that Brigadier Kallon.

17 MR TAKU: Exactly.

18 JUDGE BOUTET: Is it the nature -- I have not looked at  
the  
19 transcript, so I just want to make sure that I understand what  
11:16:22 20 you are putting to the witness now.

21 MR TAKU: No. Counsel suggested that there were other  
22 Kallons in the location. In fact, he even suggested AS Kallon  
23 and other Kallons.

24 JUDGE BOUTET: Yes, I remember that part.

11:16:34 25 MR TAKU: Yes and the question is and I said that Major  
26 Ngondi at that point say that: No, this is the Kallon I'm  
27 talking about. It is just for that limited purpose.

28 JUDGE THOMPSON: Limited purpose, limited factual  
purpose,  
29 because the Tribunal is not going to be assisted by any kind  
of

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1 narration or recollection of the kind of forensic encounter  
that  
2 may well have taken place between the witness and also  
counsel.  
3 It is just a question of tactic. In other words, if you want  
us  
4 to have a factual representation of the scenario, confine  
11:17:16 5 yourself to it because I, myself, was a little worried that  
you  
6 were trying to replay some kind of scenery where counsel  
engaged  
7 this particular witness.

8 MR TAKU: Thank you, Your Honour.

9 Q. Mr Kallon, prior to coming to testify in this courtroom,  
11:17:36 10 did Major Ngondi at any moment come to you to say, look you  
are  
11 the one or we're conducting some form of investigation. He  
was  
12 conducting some form of investigation to ascertain whether you  
13 were really the Morris Kallon that his subordinate had told  
you  
14 had assaulted Ganese. Did he do that or?

11:17:58 15 A. No, My Lord. From what I observed when Brigadier Ngondi  
16 testified before this Tribunal, Brigadier Ngondi did not point  
at  
17 Morris Kallon that this was Morris Kallon who I was informed  
that

18 assaulted Ganese. At the same time -- before Brigadier Ngondi  
19 left this courtroom, walking out, Brigadier Ngondi waived to  
we,  
11:18:29 20 the accused, sitting there.

21 Q. Yeah, let's not go there.

22 JUDGE BOUTET: What does it serve Mr -- I mean -- I'm --  
23 the evidence you referred to obviously Brigadier General  
Ngondi  
24 could not identify Morris Kallon. He was not there at the  
time.

11:18:44 25 Someone is reporting to him this is Brigadier Kallon. So, I  
26 mean, how could he even fairly identify Morris Kallon in Court  
27 because it's hearsay at that time. So I mean, why are we  
moving  
28 there? What are we achieving with this?

29 MR TAKU: Thank you, Your Honours. Let me just move on.

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1 Q. Mr Kallon, from the moment you were arrested by the  
2 Prosecutor until now that you are standing trial, did the  
3 Prosecutor ever confront you with an allegation of having  
4 arrested Ganese? Did he take any standards from you?

11:19:19 5 A. No, My Lord. And even if you look at the indictment  
6 itself, that was served on me, there is no allegation in there

7 particular say Morris Kallon arrested Ganese. If you look at  
8 count -- count 15 to 18, you will not see that type of  
allegation  
9 in that indictment. That Morris Kallon personally abducted or  
11:19:51 10 arrested Ganese and MILOBS. No.

11 Q. Now, Lieutenant LTF1, Your Honours, TF1-288  
12 Lieutenant-Colonel Kasoma he testified --

13 PRESIDING JUDGE: TF1.

14 MR TAKU: 288. He testified, in this case he said, on  
the  
11:20:26 15 transcript, Your Honours, of 22 and 23 March 2006 at pages 19  
--  
16 at 19.

17 PRESIDING JUDGE: 2006?

18 MR TAKU: Yes, Your Honours. He testified before this  
19 Court, Your Honours.

11:20:54 20 Q. And, of course, he said he came in to contact with  
Morris  
21 Kallon in the task force, RUF task office in Makeni. Were you  
22 the Morris Kallon he came in to contact with?

23 A. Actually, not the way directly Kasoma testified before  
this  
24 Tribunal. Kasoma, according to his testimony, what I can  
recall,

11:21:23 25 if the Chamber can allow me to explain my own part of the  
26 recollection. He said, on his way from Lunsar 12 kilometre  
from  
27 Lunsar, he came in contact with RUF roadblock and he was taken  
to  
28 a village called Murray, and in that village, the RUF  
commander  
29 there was Morris Kallon, and this Morris Kallon put him under

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1 gunpoint to write letter to his 2IC, to advance with the  
2 remaining troop but not at the --

3 Q. Thank you. Thank you for that correction. Now, my  
4 question, Mr Kallon, is: At any time, prior to coming into  
this

11:22:11 5 Court, from the moment you were arrested, indicted, up to the  
6 time of coming to this Court, up to the moment that you are  
7 testifying, had Lieutenant-Colonel Kasoma identified you as a  
8 Kallon he said abducted him?

9 A. No. Kasoma, testified in this Court, if I'm not  
mistaken,

11:22:37 10 two or three days. He do not identify me in dock, and even  
the

11 out-of-Court testimony he say he made on telephone with the  
12 Prosecution, he misidentify me, and that also was put to him  
by

13 Mr Touray, that he only talk about me prior he come, he want  
to

14 testify in this courtroom, in his out-of-court testimony.

11:23:03 15 Q. Now, TF1, Your Honours, 042, Major Ganese, testified on  
20

16 June 2006, at page 86, lines 26 to 29 --

17 PRESIDING JUDGE: What date is that?

26 18 MR TAKU: 20 June 2006, Your Honours, at page 86, lines  
19 to 29. And he said that it was a Major Maroa who told him  
that  
11:23:34 20 the person who abducted him was a Morris Kallon. At pages --  
at  
21 page 86, Your Honours, lines 8 to 27, he admitted that he had  
22 never seen Morris Kallon in Makeni or Magburaka. Again, Mr  
23 Kallon, the idea of identification was put in issue, a very  
big  
24 issue was questioned page after page about the identification.  
11:24:06 25 PRESIDING JUDGE: Are you submitting --  
26 MR TAKU: I'm just -- okay, I'm sorry.  
27 PRESIDING JUDGE: Mr Taku, are you submitting?  
28 MR TAKU: Okay, Your Honour, let me rephrase that. Let  
me  
29 rephrase. I'm sorry.

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1 Q. Mr Kallon, from the moment you were arrested by the  
2 Prosecutor, til this moment that you are testifying, had the  
3 Prosecution ever brought Major Ganese or in any other forum to  
4 identify you as the Morris Kallon who abducted him?  
11:24:32 5 A. No. And even during the testimony of Ganese himself  
before

6 this trial, he said he was told that the person who abducted  
him  
7 was Morris Kallon, Brigadier Morris Kallon who came in a pink  
8 Mercedes Benz. And at that time, actually, even though I was  
9 using Benz, but I was not using a pink Mercedes Benz; I was  
11:25:01 10 blue black Mercedes Benz.

11 Q. We will come to that when we are dealing later on in  
this  
12 case, towards the end of the case. We just want to deal with  
13 specific issues now.

14 A. All right.

11:25:09 15 MR TAKU: Yes, Your Honour.

16 JUDGE BOUTET: I'm still at a loss to understand that.  
I  
17 mean, Ganese was never asked in Court. I mean, the record  
speaks  
18 for itself on this. I mean, why are you asking this question?  
19 I'm at a loss. If Ganese have asked, been asked to identify  
that  
11:25:20 20 I had done so, or had failed to do so, would be an issue but  
he  
21 was never asked the question, so, I mean, you may raise that  
in  
22 your submission but asking that to the witness, I don't see  
how  
23 it serve s the purpose. I mean, we know from the record that  
he  
24 was -- he never identified the accused. So what does it  
serve?  
11:25:40 25 I'm trying to see -- I mean, what your client is saying is  
simply  
26 repeating what the record states. I mean, Ganese was never  
asked



record.

27 to identify him. Well, we know this. It's in the -- on

28 MR TAKU: Apart from that aspect --

that

29 JUDGE THOMPSON: Let me just come in here too and say

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a

1 it may well be that these kinds of questions are of the -- of

counsel

2 nature which partake of the -- a mixed factual and legal

3 dimension or complexity. I think, of course, it is for

aspects

4 to be able, so that the Tribunal will follow the factual

11:26:19  
you

5 of the testimony, to extricate. It may well be that the way

6 have methodologised your defence seem not to have made this

7 distinction between what are the factual issues.

8 I mean, the question of identification is essentially a

9 matter of law. All you need is a substratum of facts to argue

11:26:45  
seem

10 it. But, as my learned colleague is saying there, that you

11 to be diving into the legalistic dimension and merely glossing

12 over the factual aspects. I get that impression myself. It's

13 intensely a question of law, and what you seem to be doing is

14 perhaps trying to get your witness to draw some inferences  
from

11:27:13 15 which the Court will be able to guide itself, but I don't  
think

16 that is his domain.

17 MR TAKU: Thank you.

18 JUDGE BOUTET: If you were to ask your client if that  
was

19 your intent, I don't know what you have, you are trying to

11:27:25 20 achieve with this, if your client, who I don't know where he  
was

21 at the time, according to him, is whether or not at the time  
of

22 the allegation he did meet Major Ganese or not. If that was  
the

23 case, I don't know. I don't know what is behind your  
questions.

24 MR TAKU: Well, we'll be dealing extensively with the

11:27:45 25 UNAMSIL allegations. For this, we are bringing up this issue;  
26 this is for a limited purpose, but now that the issue has  
arisen,

27 let me put it to him.

28 Q. Did you meet Ganese in the context in which he  
testified,

29 that you assaulted Ganese following this [indiscernible] did  
you

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1 on that day?

2 A. No. No.

3 JUDGE BOUTET: This is the real issue. I mean,  
everything

4 else is not the issue. The issue is -- I mean, presumably  
that

11:28:13 5 is what we want to hear.

6 MR TAKU: Yeah. Yeah.

7 Q. Now on the transcript, that is on 27 June, Your Honours,  
8 2006, at page 6, TF1-044 Lieutenant-Colonel Joseph Mende, a  
9 military observer, testified and said that he came to the RUF  
11:28:49 10 task force office in Makeni, on 1 or 2 May 2000, and that he  
met

11 a Morris Kallon in the task force office to inquire about the  
12 whereabouts of his two colleagues and the Morris, that Morris  
13 Kallon said he had no idea and that take them to Teko Barracks  
to

14 see a Colonel Nejim. Mr Kallon, did Lieutenant-Colonel Mende  
and

11:29:33 15 a Major Knut, come meet you in the task force office in that  
16 location?

17 A. No. In the first place, if I can explain small. I was  
not

18 task force commander and at that time, me, my base was in  
19 Magburaka, and the task force office at that time in Makeni,  
they

11:29:58 20 were shared by Colonel AS Kallon, who was the military,  
overall

21 military adviser, and one Colonel Abraham Dugbe who was the  
task

22 force commander. I was not the Kallon he testified about in  
this

that

23 Court, because he did not see me on that day. I was not at  
24 office.

11:30:17

25 Q. By the way: Who is this Colonel Jimmy that you talked  
26 about?

from

27 A. Colonel Jimmy, the one I know, he was the CMC member  
28 the RUF. When the MILOBS went to the RUF territory, they went  
29 with representative of AFRC, CDF and RUF and at that time,

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Makeni.

1 Major -- I mean, Colonel Jimmy was the RUF representative who  
2 changed Colonel Sheriff. They were the one who holding CMC  
3 acting about Ceasefire Monitoring Committee and so on and so  
4 forth. He was representing the RUF on that committee in

11:31:10

5 And he was dealing directly with the MILOBS because this  
6 committee were shared by MILOBS.

disclosure,

7 Q. Now, Mr Kallon, the Prosecutor, in his Rule 68

with

8 disclosed his interview notes of TF1-058 in the Taylor case

9 a picture. Have a look at this. Is that what the Prosecutor

11:31:58 10  
unredacted?

disclosed, the unredacted copy, to an extent, partly

11 PRESIDING JUDGE: Interview notes of which witness?  
12 MR TAKU: 581, Your Honour. The Taylor case.  
13 PRESIDING JUDGE: Witness number 581?  
14 MR TAKU: Yes, Your Honour.  
11:32:18 15 THE WITNESS: Yes. My Lord, I saw this disclosure about  
16 that two or three months ago. This disclosure was served on, by  
17 showed time my lead counsel, Mr Sheku Touray. He was the one who  
18 me this disclosure.  
19 MR TAKU:  
11:32:37 20 Q. Now, first, that picture, do you recognise that picture?  
21 who A. Very well, sir. I recognise the picture and all those  
22 visuably seen; I recognise them very well.  
23 Q. Now, who are on that picture, please?  
24 is A. Like, the way I'm sitting, so on the left, extreme left,  
11:33:02 25 Mr Francis Kaikai, the former NCDDR chairman. Then next to  
him 26 is the former Trade and Industry Minister, Mr Mike Lamin.  
Next 27 to him is Honourable Sam Hinga Norman, former Deputy Defence  
28 Minister. Next to him is former Honourable -- he was the  
29 Ambassador to Liberia; I forgot his name. Then next to the

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on  
this  
picture  
was  
11:34:06

1 former ambassador it's Mr Sesay, Issa Sesay. Next to Mr Sesay  
2 the right, extreme right-hand, it is me, Morris Kallon. And  
3 picture was taken, if I can explain that small, sir, this  
4 was taken on the symbolic day arm-burning day in Lungi. That  
5 the day we took this picture.

you

6 JUDGE BOUTET: Mr Taku, I thought it was the practice in  
7 this Court, when you are tendering an exhibit as such, that  
8 have copies available at that time for the Bench and for other  
9 parties.

11:34:26 10 MR TAKU: We filed them, the copies.

but,

11 JUDGE BOUTET: No, no, I'm not talking about what you  
12 filed. I mean here in Court, when you are proceeding to deal  
13 with that, I mean, what you filed, it may have been filed,  
14 the practice has been that when you tender a document as such,  
11:34:35 15 you have copies available for all those in Court. I'm not

16 talking about what you filed. I know you have filed exhibits.  
17 This is different so --

18 MR TAKU: I'm sorry, Your Honour. I will --

of

19 JUDGE BOUTET: Because you, as an example, now you are  
11:34:46 20 trying to, speaking of this exhibit, I don't have it in front  
21 me, I cannot follow what he is saying, but we'll move ahead.  
But

producing

22 I'm just asking you, as you will be moving ahead with

to

23 more exhibits, to please bear in mind that it's of assistance

24 us to have this as well in Court.

11:35:11 25  
abide

MR TAKU: Thank you very much, Your Honours, we will

26 by that, and please make sure we comply. Your Honours, let me

Court

27 just show him this last page and ask him to read it to the

28 and then we can tender the exhibit.

29 Q. Can you read that to the Court, please?

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note

1 A. Yes, sir. Court Management number 00038357, interview

2 of Prosecution witness TF1-581. If I'm not mistaken date 20 -

-

3 20 --

4 Q. Just read what is there; just read what is there?

11:36:05 5

A. Okay. "The witness said that there was another Morris

to

6 Kallon, who at about that time had travelled from Sierra Leone

bullets

7 Banga, via Guinea. The purpose of this trip was to get

8 for the RUF. The witness met this Morris Kallon for the first  
9 time in Banga. The witness does not believe that this Morris  
11:36:38 10 Kallon actually returned to Sierra Leone. He had been led to  
11 arrested believe that this Morris Kallon was the one who had been  
12 by the Special Court. The witness was shown a photograph.  
13 ERN00029867 range 2895929870 that including the Morris Kallon  
14 who Kallon had been indicted, the witness stated that the two Morris  
11:37:12 15 to whom he had been referring were not in the photograph."  
16 Q. Thank you, Mr Kallon. Mr Kallon, in the light of the  
17 that answers that you have just given so far, are you concerned  
18 you might have been wrongly targeted by the Prosecutor on the  
19 basis of wrong identity?  
11:37:45 20 A. I mean, that's clear, Mr Taku. This can be one of the  
21 possible reasons, this document speaking about three Morris  
22 Kallons within the RUF which -- did -- their own witness is  
23 speaking about, and a photograph of me.  
24 you PRESIDING JUDGE: This is a matter of addressing. Are  
11:38:03 25 tendering -- are you tendering the document?  
26 document, MR TAKU: Yes, Your Honour, we are tendering the  
27 Your Honour, exactly, Your Honours.  
28 PRESIDING JUDGE: [Overlapping speakers] comments, you  
29 know, later on.



1 MR TAKU: We seek leave to tender the document, Your  
2 Honour.

3 PRESIDING JUDGE: Yes, any objections?

4 MR WAGONA: No objection, My Lord.

11:38:17 5 MR JORDASH: No objection.

6 MR CAMMEGH: No, thank you.

7 PRESIDING JUDGE: Okay. The document is admitted and  
8 marked as Exhibit 338.

9 [Exhibit No. 338 was admitted]

11:38:45 10 MR TAKU:

11 Q. Now, Mr Kallon, let's move to the second theme of this  
12 examination. Mr Kallon, let's move to the second theme. Now,  
13 can you tell the Court, where were you born, Mr Kallon?

14 A. I was born in a village called Ngolowuma, Mawende.

Wende

11:39:12 15 Chiefdom, Bo District, Republic of Sierra Leone.

16 PRESIDING JUDGE: The village is called what.

17 THE WITNESS: Ngolowuma Wende.

18 MR TAKU: Spell for the Judges, please.

19 THE WITNESS: Ngolowuma is N-G-O-L-W-U-M-A [sic]

11:39:33 20 PRESIDING JUDGE: O-L-W-U.

21 THE WITNESS: N-G-O-L-O-W-U-M-A, Ngolowuma.

22 MR TAKU:

23 Q. When were you born, Mr Kallon?  
24 A. I was born on 1 January, 1961.  
11:40:04 25 Q. Are you married?  
26 A. Yes, My Lord.  
27 Q. Do you have children?  
28 A. Yes, My Lord, I have nine children.  
29 Q. Can you provide the names of your parents to the  
Honourable

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1 Court?  
2 A. My father is called Mohamed Badaramani Kallon. My  
mother  
3 is called Fatmata Kallon.  
4 Q. Mr Kallon, very briefly, very briefly please, give your  
11:41:09 5 educational background to the Judges. Did you go to school?  
6 A. Yes, My Lord.  
7 Q. Yes, tell the Lordships, please?  
8 A. I attended Habib Sheriff, Arabic and English elementary  
and  
9 junior high school in Cacata, Republic of Liberia from first  
11:41:41 10 grade to eight grade. Then I was transferred to Sierra Leone  
11 then I attended Christ the King College, CKC, from form one to

12 form five.

13 Q. Now, tell the Court, from which part of Sierra Leone did  
14 you -- you hailed from which part of Sierra Leone, please?

11:42:10 15 A. As I told you, I'm from the Southern province, Bo  
District,

16 the Wende Chiefdom.

17 Q. And your, what ethnic group?

18 A. I am Mende by tribe.

19 Q. Now, the year 1991, Mr Kallon, where were you?

11:42:46 20 A. 1991, actually, partly I was in Liberia from January,  
21 February, to March 20 -- March 18, I was in Liberia at Camp  
22 Jackson, Lama.

23 Q. What were you doing there? What took you to Camp  
Jackson

24 Lama, Mr Kallon?

11:43:15 25 A. My Lords, it's somehow pathetic, but I can explain  
small.

26 On the -- if my memory served me well, sir, on 28 November  
1989,

27 I was on my way from Monrovia city to Abidjan, when I met with  
a

28 roadblock at a place called Division 45 junction, the road  
from

29 Monrovia to the Roberts International Airport. There, I was

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1 abducted, we were four in number.

2 Q. You were abducted by whom, please?

3 A. Those who were mining the roadblock actually they were  
NPLF

4 fighters, we were four West African national in that very  
vehicle

11:44:22 5 together with some Lebanese. When they break the vehicle they  
6 ask everybody to alight the vehicle. When we came down, I was  
7 the Sierra Leonean, then we have, I was with another two  
Ghanian,

8 and one Senegalese, make four. Immediately we came down from  
9 that vehicle. The two Ghanians, one Ghanian and one  
Senegalese

11:44:50 10 they were executed on the spot. Myself and the other  
Ghanians,

11 actually if you can look my hand, I was very tied with twine  
12 cable, they hit me with gun, you see the mark on my forehead  
and

13 when they asked for our passport they saw my passport was  
Sierra

14 Leonean. And they say, we the Sierra Leonean especially  
Salone,

11:45:23 15 we have hosted the ECOMOG our President, JS Momoh, and that  
the

16 ECOMOG are flying from Freetown bombing the people of Liberia,  
17 for this reason they are going to kill me. But on that very  
day,

18 very fortunately for me, one of their top commander came which  
I

19 cannot recall his name now, he said they are to take me at  
their

11:45:51 20 camp where they call Habba Hill. So they took me to Habba  
Hill.

21 Q. Spell the names if you know it. Spell the names for the

22 record and for the Lordships, please?  
23 A. I think Habba is H-A-B-B-A, hill H-I-L-L-S. I was taken  
24 there, I was detained together with this Ghanian. The next  
11:46:15 25 morning, they came and collect this Ghanian. I heard the  
26 gunshot. I never saw this Ghanian guy again. About in the  
27 evening time, I saw an old man has very nice white beard  
colour.  
28 He came at the detention. He introduce himself at that time  
29 called Pa Morlai, which I later came to know was Corporal  
Foday

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1 Sankoh. He spoke very nice Sierra Leone Krio to me. He was  
the  
2 one who give me confidence that I should not worry. He is  
going  
3 to plead on my behalf and I will be released. That very day  
he  
4 left. On the fourth day, a very slim looking guy, by that  
time I  
11:47:05 5 don't know his actually name, he came but he's speaking very  
6 fast. He said he came to collect me to take me to Sierra  
7 Leone border --

8 Q. Did you know whom this guy is, you say you know about  
him

9 subsequently whom he was?

11:47:21 10 A. Yes, later on I came to know him as one xxx xxx xxx.

11 He was the one he came, we were four Sierra Leonean in that  
12 detention but we were not together. Myself, a guy called  
13 xxx xxx, xxx xxx, and one xxx xxx, one  
14 xxx xxx, were all in that detention. So xxx took down our

11:47:52 15 names and book us in the truck, Toyota truck. We move from  
Habba

16 Hill to a city called Cacata. In Cacata police detention, he  
17 also removed few other Sierra Leoneans, which I really have  
18 forgotten their name. So, he took us to Banga that very day.  
19 Upon arrival at Banga, he took us to a place called Far East,

11:48:21 20 where you can stand at that time, you see the executive  
mansion

21 of former President Charles Ghangay Taylor. And this same old  
22 man Pa Morlai he came. He said now we are at safety, we

should

23 not worry. They are taking us to the border-line, so that we

can

24 cross to Kailahun District. So they drove us on sort of dusty

11:48:55 25 road from Banga. We drove about 40, 45-mile off. I saw  
myself,

26 the vehicle break at this military camp, which I came to know

day, I

27 later was called Camp Jackson. There we break. That very

gave

28 was given stick, then I was given a number. The number they

29 me that day was 118. 118. So we started undergoing some

1 horrible horrible life there, unless if you want, I can  
explain 2 some of this horrible life.  
3 Q. Yes, tell the Court please. Tell the Court.  
4 A. It was a life there in the morning they call fall-in by  
11:49:44 5 6.30. If you late for come that fall-in you have to walk with  
6 your bare knee from wheresoever they met you until you come to  
7 this fall-in. They have to -- we have to jog 12 miles every  
8 morning, gun guys aside. Gun guy aside front and back. After  
9 jogging, whole day you come they give you a peace of cassava.  
11:50:08 10 You sleep on a bare floor. We did this for some good month.  
11 Then the only thing I admire in that horrible life was the  
12 political ideology they introduced and this was lectured by  
both 13 this Major Mike Lamin and the late Corporal Foday Sabana  
Sankoh,  
14 which I came to know the name now. That it is people uprising  
11:50:41 15 coming to Sierra Leone to come and change the one party system  
to  
16 a democratic system. That the one party APC led by Major JS  
17 Saidu Momoh, was maltreating the people of Sierra Leone.  
There  
18 were no equal rights, no justice, no food no medication, no  
good  
19 roads. So some of these things started making some of us  
11:51:15 20 interested because of the language. So this were some of the

21 horrible thing man found at that point.

22 Q. Now, you said you underwent this ideological training.

They

23 Now, we want to dwell a bit on this ideological training.

The

24 talked about the hills, about what you are going to achieve.

11:51:48

25 deliberation was achieved?

point

26 A. Yes, sir. Let me have a drink. Yes, sir. The first

27 they show me in the RUF ideology was the three point of

28 attention. That was to speak politely to the masses of Sierra

29 Leone; to return all what borrow; to pay fairly what you buy.

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they

1 This were the first thing they showed me. Then, from there,

what

2 show eight code of conduct; obey, obey and obey; return all

3 you borrow; do not ill-treat captive. I forget that now. I

4 cannot able -- now, from there, they teach us the 11 general

11:53:08

5 order guiding the arm struggle and the 25 standing -- standing

But

6 order guiding the RUF operation when we enter Sierra Leone.

7 this was a continuous training. Even when we came to Sierra



-- 8 Leone that training continued also in the jungle at Camp Naama

9 I mean at Camp Naama -- Camp Lion in Koya base.

11:53:41 10 JUDGE BOUTET: You just said that there was eight code  
of

11 conduct, 11 general orders; is it what you've said?

12 THE WITNESS: Yes, sir, My Lords.

13 JUDGE BOUTET: And these general orders applied to what?

14 THE WITNESS: In terms of deployment within Sierra Leone  
I

11:53:59 15 really keep copy and I give that copy to my counsel so that --

16 and then the 11 general order, My Lords, I keep note on it for

17 long time.

18 JUDGE BOUTET: They were general orders for the conduct  
of

19 operations or conduct for the uprising? What was it all  
about?

11:54:23 20 MR TAKU:

21 Q. Explain to the Court what the general orders were about?

22 A. The 11 general order was -- if I can look in the  
booklet,

23 My Lord, I can able to give you -- I cannot --

24 PRESIDING JUDGE: You say you gave a booklet on this to

11:54:35 25 your lawyer?

26 THE WITNESS: Yes, My Lord.

27 PRESIDING JUDGE: Is that the booklet which was given to

28 you?

29 THE WITNESS: Yes, My Lord.

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attendant

1 MR TAKU: Your Honours, we are seeking the Court  
2 the booklet --

3 PRESIDING JUDGE: Can you talk about it first?

4 MR TAKU:

11:54:47 5 Q. Yeah, can you talk about that booklet. Under what  
6 circumstances did you keep the booklet, please?

--

7 A. My Lord, you know, I used to keep this so that it can be

rise

8 PRESIDING JUDGE: Mr Kallon, before we go into that  
9 booklet, we would like to take the tea break. So we would

11:55:08 10 and resume the session.

11 MR TAKU: Thank you, Your Honour.

12 PRESIDING JUDGE: In the next couple of minutes.

13 MR TAKU: Thank you, Your Honour.

14 PRESIDING JUDGE: The Chamber will recess, please.

11:55:21 15 [Break taken at 11.40 a.m.]

16 [RUF11APR08 BP - B]

17 [Upon resuming at 12.13 p.m.]

your

18 PRESIDING JUDGE: Yes, Mr Taku, you may proceed with  
19 examination-in-chief of your witness, please.

12:23:33 20 MR TAKU: Yes.

-  
21 Q. Mr Kallon, before the break we handed over to you your -  
22 copy of your book in which you handed the ideological studies.  
23 You said there were 11 points of -- 11 general orders and 25  
24 standing orders. Can you please look at the book. Is that --  
is

12:24:04 25 that where you kept those notes?

26 A. Yes, My Lord. Yes.

27 Q. Where? Where did you, in particular, did you keep these  
28 notes?

29 A. All on these notes were with me and because my intention

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book  
1 was to -- if not to my arrest was to make something like a  
2 like, so it was in my bag but when I see that it was necessary  
3 for me to testify before this Tribunal, that's why I send my  
wife  
4 to bring this book, so that I can call your attention on it.

12:24:41 5 Q. Yes. Now, can you see in that book the -- where it's  
6 stated the 11 general orders and the standing orders?

7 A. Yes, My Lord.

8 Q. Now can you explain to the Court what you mean by 11  
9 general orders?

12:25:01 10 A. My Lord, the 11 general order was an order given by  
11 Corporal Sankoh that this will be a guiding order for the  
12 military operation of the RUF for -- in whatsoever point RUF  
13 personnel you deploy, this will be your -- your guide point.  
I  
14 label it number 11.

12:25:34 15 Q. What about the 25 standing orders?

16 A. The 25 standing order, these were the order governing  
all  
17 RUF in terms of crimes; relationship between the combatant  
18 themselves, civilians and Sierra Leone as a whole.

19 MR TAKU: Your Honours, we're seeking the Court to  
tender  
12:26:05 20 that document.

21 PRESIDING JUDGE: Yes. Any objection?

22 MR WAGON: No objection, My Lords.

23 PRESIDING JUDGE: Yes. The other Defence teams are not  
24 here. The document is admitted and it is marked as Exhibit  
339.

12:26:21 25 [Exhibit No. 339 was admitted]

26 MR TAKU:

27 Q. Now, Mr Kallon, just leave with him. Can you tell the  
28 Court how this Exhibit -- 359, Your Honours?

29 PRESIDING JUDGE: 339.

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1 MR TAKU: 339.

2 Q. Can you tell the Court how, what influence these  
3 ideological training had had on your life as a combatant  
within

4 the RUF, in particular, from 25 May 1996 to January 2000? Can  
12:26:55 5 you tell the Court?

6 A. Yes, My Lord. Even though the exhibit is not with me --

7 Q. Yes, give him back the exhibit, please.

8 A. If I can just go through it. Please, sir, if you look  
at  
9 the 11 general order at page 25405, if I can just go briefly  
and

12:27:34 10 reading, say to take charge of this post and all government  
11 property in view. To work my post in a military manner  
keeping

12 always on alert and observe anything that take place within  
the

13 hearing or sight. Number 3, to report all violation of order  
14 that I am instructed to reinforce. Number 4, to respect all  
call

12:28:02 15 from my post more distant from the guard house than my own.

16 Number 5, to quit my post only when I am properly released.

17 Number 6, to receive and obey and pass on this certain of the

18 list name of all order from the commissioned officers. Number  
7,

19 to talk to no one in the line of duty. Number 8, to give  
alarm

12:28:33 20 in case of firing or disorder. Number 9, to call the corporal  
of

21 the guard in case cover -- in case not covered by my  
instruction.

22 Number 10, to salute all colour commissioned officers. Number  
23 11, to be -- to be watchful, especially at night, during the  
time  
24 of challenge. That is number -- that is 11 general order.  
Then  
12:29:13 25 the 25 point of --  
26 Q. Now, let's stop there.  
27 PRESIDING JUDGE: Let me go to --  
28 MR TAKU:  
29 Q. Let's stop there. Let's stop there first. Just tell  
Their

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1 Lordships how the 11 general orders affected or impacted on  
your  
2 behaviour during the time frame I'm talking about, which is of  
3 importance to this Court?  
4 A. My Lord, as I told you earlier, this 11 general order,  
they  
12:29:39 5 give me -- for example, if they say I am deployed here, I have  
no  
6 right to interfere to where I am not deployed, and I can only  
7 interfere by calling the attention of the appropriate  
authority  
8 in charge of that point. That's one thing about the general -  
-

9 11 general order that was guiding me.

12:30:10 10 Q. Now let me ask a concrete question. If you are deployed  
in  
11 Magburaka, for example, and you find yourself in Makeni, how  
does  
12 that apply in that concrete case?

13 A. As I told you earlier, once it is not a post of my  
guards,  
14 I have no authority there. I can only liaise with the  
authority  
12:30:35 15 in charge in times of any disorder or firing.

16 Q. Now, let me just put the question this way: If you are  
17 even -- let me say you were a brigadier, and the officer in  
18 charge of the location deployed there is a colonel, would that  
19 11 -- would that still apply, what you are saying?

12:30:59 20 A. Yes, My Lord. I believe any military personnel know of  
21 that.

22 PRESIDING JUDGE: I would ask the question the other way  
23 around.

24 MR TAKU: Yes.

12:31:13 25 PRESIDING JUDGE: He is a colonel. What if he were in  
26 Magburaka and the official there is a major.

27 MR TAKU: Exactly, Your Honours.

28 PRESIDING JUDGE: Yes. That's --

29 THE WITNESS: My Lord, there is this simple time in the

RUF

You  
is  
authority.  
12:31:48  
particular

1 military we were running that assignment to pursue the rank.  
2 can be colonel here, but if the major is the one in charge, he  
3 the one in charge. He is to report to the appropriate  
4 Even though if you, in your own way, you can give him any  
5 military advice, but he is the one in charge of that  
6 point.

7 MR TAKU:

8 Q. Okay. What about the 25 standing orders?

9 PRESIDING JUDGE: Don't read them, please.

12:32:03 10 MR TAKU:

11 Q. Don't read them.

12 A. Yes. The 25 standing order is the one more or less show  
13 the RUF and what we -- you are to deal with the civilians.

More

14 the crime like raping, because it be specific on raping;

killing

12:32:23 15 of innocent -- I mean civilians; taking away of civilian  
16 properties, you know. And then to be polite with the general  
17 masses, especially those within your controlled territory, the  
18 civilians. You are to be polite to them and you are to be in  
19 friendly manner with them.

12:32:48 20 Q. Why?

21 A. According to the ideology, we are fighting for the



22 repression of the people of Sierra Leone. That's why the  
23 leadership work on this standing order and give us, and this  
24 standing order were weapon governing all protracted RUF  
fighters

12:33:14 25 to make sure to obey, I implement everything properly.

26 Q. How did it impact on your conduct within this time frame  
27 that I ask?

28 A. Actually, sir, this standing order is one of the things  
29 make the abbreviation in the indictment Bilai Karim. There,  
this

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this 1 name Bilai Karim came from. Because all the point label in  
I 2 standing order, within my own area of operation, or whatsoever  
captain, 3 was at that time, once my rank -- that time I was major,  
these 4 whatsoever, once you corporal you go against the rules in  
12:34:00 5 things, I would take the appropriate action against you. That  
some 6 was the time when I used to swear on that way, Bilai Karim,  
7 RUF started saying: Oh, Bilai Karim is coming, Bilai Karim is  
8 coming, if those who used to violate the law and order.

9 Q. Mr Kallon, Prosecution witness TF1-078 testified on 22  
12:34:35 10 October 2004, 22 October 2004, Your Honours, at page 74, lines  
1  
26, 11 to 29, page 7, lines 1 to 29, again at page 74, lines 17 to  
12 that witness TF1- 078 was a Prosecution witness and a  
civilian.  
13 Listen to what he said. He testified, Your Honours, and said  
14 that you, Morris Kallon --  
12:35:09 15 PRESIDING JUDGE: This is TF what again?  
16 MR TAKU: TF1-078. 22 October 2004, Your Honours, page  
74,  
17 lines 1 to 29; page 7, line 1 to 29 --  
18 PRESIDING JUDGE: Yes, please go ahead.  
19 MR TAKU: Yes.  
12:35:27 20 Q. He testified, Mr Kallon, this -- this is a witness who  
was  
21 discovered in the bush when the RUF entered Kono. He fled  
with  
22 his family to the bush. While currently in the bush and he  
was  
23 brought to Rocky. He testified and said that -- that you,  
Morris  
24 Kallon, that -- that you Morris Kallon, you were sent -- you  
12:35:56 25 brought him -- they sent him to you and you took him to a  
house  
26 in a place called Kuyo. Kuyo, Your Honours, K-U-Y-O in Kono.  
27 That you received him at your house, you treated him well and  
28 even invited him to stay with you. Now, he remembers that  
once  
29 he overheard you advising CO Rocky to be friendly with  
civilians.

disarmament

1 Witness testified that from December 1998 until final  
2 you were based in Magburaka. Mr Kallon, question: Is it true  
3 this witness visited you in Kuyo, in Koidu Town?

4 A. My Lord, yes. Then can I explain something to you?

12:36:39 5 Q. Exactly. Go ahead, please.

base

6 A. When the RUF retreated to Kono, I happened to go and

from

7 at this outskirts of the town called Kuyo on the road leading

very

8 Koidu Town to Guinea. Why I do that because I was having a

9 large family, including children, suckling mother and old and

12:37:03 10 young. So I was at the outskirts of this -- this CO Rocky was

11 just a mile off from where I was. They called the village

12 Wendedu. So the troop found this old man in the bush. And

Liberian,

13 because the old man speaking Mende and CO Rocky was a

over

14 he send this old man to me. He says, "Oh, your Mende son is

12:37:39 15 there, Major Kallon." So when the old man came, he explained

16 himself to me in Mende language. I told him: "Okay, old man,

day I

17 you are welcome. You can stay here with me." But the very

around 18 was talking to him the Alpha jet came, started bombarding  
to 19 the area, so the old man say he has hypertension, he was going  
12:38:02 20 go back to Rocky village. Because of this old man  
relationship 21 now, friendly relationship, he and myself being, I went to  
that 22 village in one afternoon. I told Rocky that he should be  
23 friendly with the way he is taking care of the civilian there.  
24 That is true.  
12:38:19 25 Q. Who is this Rocky, by the way? Can you tell their  
26 Lordships who this Rocky is? You always say he was a Liberian  
27 but what position did he hold there?  
28 A. Rocky was a major in the rank of the RUF and he was a  
29 Vanguard like me. We all we were trained at Camp Jackson,  
Naama.

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the 1 And at that particular point in time he was the one Superman  
2 deployed at that end towards Guinea, in a village called Kuyo,  
3 between February 1998 to June, to some time July 1998, he was  
4 one posted at that point.  
12:39:03 5 Q. Did you have an area of deployment within this time?

6 A. No, My Lord. At that point in time I was not having any  
7 area of deployment and, in fact, the authority on the ground  
that

8 time Colonel Superman, who later became the battle group  
9 commander, he found out that I was idling because every  
morning I

12:39:29 10 used to take my family out of the town to the highway of the  
11 Guinea road and go keep them in the bush because of the jet  
raid.

12 So Superman found out that I was idling, so he give me a  
13 purported assignment that I should be in charge of creating  
14 obstacle on the highway between Koidu Town and Makeni at the  
12:39:57 15 specific point called Sewafe bridge and he said I should work  
16 under Colonel Isaac Mongor at that time.

17 Q. Did you take up the assignment?

18 A. Yes, sir, because it was an assignment given by my  
19 superior. I used to go leave my family in the bush in the  
12:40:14 20 morning, then I followed on the highway.

21 PRESIDING JUDGE: You said you were placed under whose  
22 authority?

23 THE WITNESS: Colonel Isaac Mongor.

24 MR TAKU:

12:40:36 25 Q. Can you tell the Court, let me just find out why you  
26 invited this witness to stay with you in your house?

27 A. My Lord, the way the witness came, I explained that the  
28 time --

29 PRESIDING JUDGE: He came as a Mende, didn't he? He was

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sure

1 brought by Colonel Rocky. CO Rocky rather, because he, I'm

him.

2 CO Rocky knew him as a Mende man, so CO Rocky brought him to

3 MR TAKU: Okay. Thank you, Your Honour.

time

4 Q. Now, was that the only case of a civilian within that

12:41:17  
said.

5 frame that you -- you assisted and protected this witness

6 If there were a few other cases, please tell the Court.

I

7 A. Mr Taku, as I earlier said, myself during that retreat,

age,

8 retreated with over 45 to 50 family members, including old

a

9 young age and children, women and men. Because of myself from

12:41:50  
them

10 large family, anywhere I used to see civilians, I considered

our

11 to be my family because, according to our ideology teach in

12 bases, we were fighting for these people. So that's why when

you

13 this old man came and met me, that was the time I say: Okay,

14 can stay with me.

12:42:14

15 Q. Now, you said you retreated with over 45 people, your

16 family members; from where?

17 A. From Bo. My mother, my sisters, my uncles, my younger

so 18 brothers, my wife mother, sister, younger brothers, so on and

19 forth.

12:42:34 20 Q. Now, this other civilian you said that came to you for  
21 assistance, that came to you because you tried to protect  
them,

22 did you at any time, Mr Kallon, use these civilians for forced  
23 labour, forced mining or any other menial jobs in your  
household?

24 A. My Lord, no. As I told you, I retreated with enough of  
my

12:42:57 25 own personal families, young, old, men and women and then in  
26 terms of this mining, as you put it, in Kono, if my memory can  
27 serve me well, in March 1998 I overheard Superman giving  
28 instruction in written form to all officers in Kono to hand  
over

29 all civilians to the G5 for the purpose of mining and that was

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family 1 one of the place Superman and myself got problem that my

2 will not be handed over to anybody. Myself will look after my

3 family. If I recall, Prosecution itself disclosed that very

4 letter to this Tribunal.

12:44:00 5 MR TAKU: One minute, Your Honour. We're looking for  
the

6 exhibits. Sorry, sir.

7 PRESIDING JUDGE:

8 MR TAKU: I'm very sorry, Your Honour.

9 PRESIDING JUDGE: Just continue. Come back to what you  
are

12:45:29 10 looking for later. Let's continue with the witness.

11 MR TAKU:

12 Q. Mr Kallon, we are going back to that exhibit quickly.  
Now,

13 Mr Kallon, [indiscernible] the statement of actual facts we'll  
14 come back to that -- and this exhibit from Colonel Superman  
when

12:46:13 15 we start dealing with the crime base of Kono, okay?

16 A. All right.

17 Q. Now, I just want to ask you a question. At paragraph 25  
of

18 the indictment, in that paragraph the Prosecutor alleges that  
19 between May 1996 and April 1998 you, Morris Kallon, were  
deputy

12:46:41 20 area commander and that in that position you were subordinate  
21 only to the area battle-group commander, area battlefield  
22 commander, the leader of RUF, Foday Sankoh, and the leader of  
the

23 AFRC, Colonel Paul Koroma; what do you say about that?

24 A. My Lord, from 25 May 1996 to April 1998 I was not deputy  
12:47:10 25 commander. And to prove me right -- to prove me right --

26 PRESIDING JUDGE: Deputy commander of what really?

27 THE WITNESS: I was not deputy area commander.

28 PRESIDING JUDGE: Of what area?

29 THE WITNESS: It is not specified in the indictment  
which



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you  
not  
1996  
12:48:11  
Sankoh  
plead

1 area the Prosecution actually were talking about, My Lord, if  
2 look at the paragraph. And I was -- at that time the RUF was  
3 even in any marriage form with -- with the AFRC from 25 May  
4 until 28 May 1997. And then also, My Lord, there's an exhibit  
5 before this Tribunal, Exhibit 35, if my memory serves me well,  
6 the salute report of Major General Sam Bockarie to Foday  
7 in his absence as field commander of the RUF. He did not  
8 any of that alleged position for Morris Kallon within the RUF  
9 deputy area commander, My Lord.

12:48:43 10

MR TAKU:

11 Q. Show him this Exhibit 35 -- Prosecution Exhibit 35.

12 PRESIDING JUDGE: Is this Prosecution Exhibit 35, or  
Court

13 Exhibit 35?

14 MR TAKU: Court -- I'm sorry, Your Honour, Court Exhibit

12:48:57 15

35. Here is a copy for the Judges, please.

referred 16 THE WITNESS: Yes, Mr Taku, this is the exhibit I  
17 to. This was the salute report of Sam Bockarie.  
18 Q. When is it dated?  
19 PRESIDING JUDGE: You can lead him on the date.  
12:50:12 20 WITNESS: 26 September 1999.  
21 PRESIDING JUDGE: It is already a Court exhibit.  
22 MR TAKU: Thank you.  
23 Q. Now, what is that salute report about?  
24 A. This salute report is about the situation in the absence  
of  
12:50:28 25 Foday Sankoh from the time he went to Abidjan peace accord  
until  
26 the time he returned from Lome Peace Accord, all activities  
27 happen within the RUF. The appointment made by Sam Bockarie  
in  
28 Foday Sankoh's absence, and so on and so forth. And nothing  
29 pleaded in this very salute report of the alleged position of

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1 deputy area commander to any of the area RUF were controlling.  
2 Also to add to that there is nothing pleaded there also of the  
3 alleged battlefield inspector the Prosecution put in the  
4 indictment against me.

12:51:25 5 Q. Now, now that -- following from that answer, Mr Kallon -  
-  
6 JUDGE BOUTET: Before you move from there, are you  
saying  
7 Mr Kallon that there was deputy area commander did not exist  
at  
8 that time, I'm not talking of you, but as -- in the structure,  
he  
9 did not exist at the time?

12:51:43 10 THE WITNESS: My Lord, the area I was when this  
indictment  
11 started Kangari Hills not at jungle, the area was not  
operating  
12 with area commander and deputy, but there were a ground  
commander  
13 called Staff Captain Georgie. He was the next commander to  
14 Colonel Isaac Mongor, but it was not called per se deputy area  
12:52:11 15 commander as Colonel Isaac was pronounced as area commander,  
16 My Lord.

17 JUDGE BOUTET: So you had there at the time, an area  
18 commander and a ground commander?

19 WITNESS: Yes, My Lord.

12:52:21 20 JUDGE BOUTET: But the word, or the position or  
assignment  
21 of deputy commander did not exist.

22 THE WITNESS: At all, My Lord.

23 JUDGE BOUTET: And that's what you are saying in this  
24 salute report, it does not refer anywhere --

12:52:30 25 THE WITNESS: At all.

26 JUDGE BOUTET: -- to the position or assignment or  
27 appointment of a deputy area commander.

28 WITNESS: Yes, My Lord, especially held by Morris  
Kallon,

29 My Lord.

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more

1 JUDGE BOUTET: Yes, but in general there was none but  
2 so to say that you did not have any such appointment.

jungle

3 WITNESS: My Lord, during that time we were in the  
4 there were no movement between Kangari Hills to Western Area.  
12:52:54 5 Especially from --

you

6 JUDGE BOUTET: This time, when you say this time, the  
7 salute report as you've said is 26 September 1999. So when  
8 say at this time I am, or we are in the Northern Jungle --

9 WITNESS: Yes, sir.

12:53:09 10

JUDGE BOUTET: -- what's the time you say it was?

11 WITNESS: According to the indictment, 25 May 1996 --

12 JUDGE BOUTET: Yeah, but you say in 1999 you are in the  
13 Northern Jungle.

is

14 WITNESS: No, not 1999. The date of this salute report  
12:53:22 15 dated 1999 --

16 JUDGE BOUTET: Yes.

report

17 WITNESS: -- September, but this -- the activities

18 in this salute report is started from -- from the absence of  
19 Foday Sankoh when he went to Abidjan peace accord.

12:53:39 20 JUDGE BOUTET: Which is when?

21 THE WITNESS: That was actually the -- during the time  
22 frame Sam Bockarie came into High Command position of the RUF,  
23 was early April 1997, until Foday Sankoh returned from the May  
24 Lome Accord, that was the -- this report covers, sir.

12:54:00 25 JUDGE BOUTET: Thank you.

26 MR TAKU:

27 Q. Now that you touched on this issue, we would not want to  
28 offend and talk about it for days but I just put one question  
to  
29 you. You've just talked about Foday Sankoh and the Abidjan  
peace

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1 accord. Now, let's just deal with that very briefly. Now,  
2 Mr Kallon, did you in any way jeopardise the implementation of  
3 the Abidjan peace accord in Sierra Leone within the period  
from  
4 25 May 1996 to January 2002?

12:54:40 5 A. No, My Lord. In the first place, when Sankoh signed  
this

6 Abidjan accord, the ceasefire agreement in the first place, if  
my  
7 memory serves me well, that was some time around October --  
8 either June or July 1996. But I've forgotten the actual date  
or  
9 time. We were on complete ceasefire, we were only  
consolidating  
10 12:55:11 our position not going on any offensive. It was the  
government  
11 were soldiers and the civil militia, they called Kamajors, that  
12 Zogoda, attacking the various position of the RUF, including Camp  
13 Bo jungle, Koribundu Jungle even Kangari Hill, Western Jungle.  
14 Whatsoever RUF were occupying they were on -- they were on  
very  
15 12:55:37 aggressive offensive on RUF position at that time.  
16 if Q. Now, do you know, Mr Kallon -- if you do, please say --  
17 Foday Sankoh himself in any document give the reasons for the  
18 violations of this accord, for the collapse of this accord?  
19 Amara A. Yes, in November, when Foday Sankoh returned with Mr  
20 12:56:07 SA who were the foreign affair minister, Abidjan, they came in  
21 that all the violation Kangari Hill, he told Colonel Isaac Mongor  
22 of the ceasefire agreement between the RUF and the Government  
23 he Sierra Leone, he has reported that to the ECOWAS chairman and  
24 is waiting for the action.  
25 12:56:34 Q. Now --  
26 that A. So the RUF should not go on any offensive until he get  
27 action.

28 Q. Now, have a look at that letter dated 5 -- I think 7 May  
29 1997. Look at it. Can you tell the Court exactly who is the

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1 author of that letter?

was

2 A. I think this is a letter I'm trying to refer to. This

3 sent by Corporal Foday Sankoh.

4 PRESIDING JUDGE: What was the date again? 7 May.

12:57:06  
President

5 WITNESS: 10/05/1997, sir. It was addressed to

6 Alhaji -- it was addressed to His Excellency President Henry

Secretary

7 Konan Bedie and copied President Alhaji Tejan Kabbah,

8 General also of the United Nation, OAU Commonwealth and

9 International Alert.

12:57:42 10

MR TAKU:

11 Q. So what is it about, please?

signatory

12 A. The subject of this was emergency meeting of the

Foday

13 to the Abidjan accord, and the letter is signed by Corporal

14 Saybana Sankoh leader and commander-in-chief of the RUF/SLA.

12:57:55 15

Q. Yes, from that letter, what reason did he give for the

16 violations for the collapse of the peace accord?  
17 A. Actually, sir, the content even though it is not  
readably  
18 well, but it is a complain, Corporal Sankoh was complaining to  
19 President Konare at that time and he was also reporting to  
12:58:24 20 commonwealth and International Alert and the United Nations  
that  
21 the Government of Sierra Leone are attacking the RUF  
positions.  
22 They have break the Abidjan ceasefire agreement.  
23 MR TAKU: Your Honours, we're seeking leave of Court to  
24 tender that letter dated 10 May 1997 from Foday Sankoh to His  
12:58:50 25 Excellency President Konan Bedie.  
26 PRESIDING JUDGE: Any objections?  
27 MR WAGONA: My Lords, may I know whether it's among the  
28 exhibits filed, because the Court Management number was not  
29 mentioned. I was trying to trace for it in mine.

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1 MR TAKU: Court Management's number 0009644.  
2 MR WAGONA: The one written by hand will be the Court  
3 Management one.  
4 MR TAKU: No, no. No, sir, it's one of the documents



12:59:27 5 disclosed by the Prosecutor. One of their recent documents  
and  
6 disclosed by the Prosecutor.  
7 PRESIDING JUDGE: Show that to Mr Wagona.  
8 MR WAGONA: No objection, My Lords.  
9 MR JORDASH: No objection.  
12:59:50 10 MR CAMMEGH: Nor from me.  
340. 11 PRESIDING JUDGE: It is admitted and marked as Exhibit  
12 [Exhibit No. 340 was admitted]  
13 MR TAKU:  
14 Q. As the Court pleases. Thank you, sir. Mr Kallon, 25  
May  
13:00:18 15 1996, where were you?  
16 A. On that particular day, 25 May 1996, I was at a place  
17 called Bo jungle and one of the RUF target that were facing Bo  
18 Town in the forest.  
19 Q. Who was the commanding officer of that jungle?  
13:00:45 20 A. The commanding officer at that time in that jungle was  
21 Staff Captain Augustine Kargbo and deputy battalion commander  
was  
22 Captain Buster Flomo aka Rambo.  
23 PRESIDING JUDGE: Was Buster.  
24 THE WITNESS: Flomo was the deputy battalion commander,  
13:01:24 25 My Lord.  
26 PRESIDING JUDGE: Also known as Rambo, right?  
27 WITNESS: Yes, My Lord.  
28 MR TAKU:  
29 Q. Now, Mr Kallon, Prosecution witness TF1-360 testified on

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1 July 2005 at page 99, lines 19 to 24 and was asked the  
following  
2 question: "Do you know who was based in Bo. Which senior RUF  
3 officer was based in Bo?" He responded: "Well, the man I  
know  
4 was based there by then till the intervention, was Morris  
13:02:08 5 Kallon." What do you say about that, please?  
6 A. No, My Lord. That very witness 360 say Morris Kallon  
and  
7 other came from Bo jungle in August after --  
8 PRESIDING JUDGE: Read the transcript. What does it say  
9 about Morris Kallon there? The evidence -- the testimony  
which  
13:02:38 10 you've just -- of TF --  
11 MR TAKU: He say he was a senior man, he say he was a  
12 senior man in Bo jungle. That's what I'm asking him.  
13 PRESIDING JUDGE: Yes.  
14 MR TAKU: I'm talking about, that's what he says. So  
what  
13:02:50 15 do you say to that, Mr Kallon?  
16 THE WITNESS: Yes, sir. In terms of the rank, yes, I  
was  
17 major. But the commanding officer on the ground at that time  
was  
18 staff captain.

this 19 JUDGE BOUTET: So what are you trying to contradict in  
13:03:14 20 evidence, Mr Taku? I'm just trying to follow.  
I 21 MR TAKU: I'm just trying to say that the impression --  
22 mean it will clear any doubt as to what he meant by senior  
23 officer there, if he knew the person was senior officer there.  
24 He doesn't really say commanding officer but I just want to  
clear 13:03:33 25 if there's any doubt with that, with regard to that statement  
26 only, Your Honour.  
Morris 27 JUDGE BOUTET: Yeah, that statement only said that  
28 Kallon was a senior officer in the Bo jungle.  
29 MR TAKU: Yes.

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1 JUDGE BOUTET: That's what it is.  
2 MR TAKU: Yes, Your Honour.  
3 JUDGE BOUTET: Were you a major then, Mr Kallon.  
4 WITNESS: Yes, sir in the rank I was the major.  
13:03:53 5 PRESIDING JUDGE: But the commanding officer was a  
6 sergeant, the staff Sergeant.

7 WITNESS: Staff captain.

8 PRESIDING JUDGE: Staff captain, I'm sorry.

9 WITNESS: Staff captain, Augustine Kargbo, My Lord.

13:04:06 10 JUDGE BOUTET: But would the major be considered a  
senior

11 officer?

12 WITNESS: Yes, My Lord, in the -- in terms of the  
military

13 rank.

14 PRESIDING JUDGE: Yes, the assignment.

13:04:14 15 WITNESS: No, not the assignment.

16 PRESIDING JUDGE: No, I know, it's a military rank, but  
you

17 didn't have the assignment, that's what you are saying.

18 WITNESS: Yes, sir.

19 JUDGE BOUTET: That's why I'm asking you, Mr Taku, what  
is

13:04:22 20 it you are challenging there?

21 MR TAKU: Just clarifying not challenging as such. The  
22 impression that he could give at all, and it could be created  
23 just that -- not that --

24 JUDGE BOUTET: The witness says that he was major and he  
13:04:39 25 was in the Bo jungle at the time and the major is a senior  
26 officer so there's certainly no confusion there.

27 MR TAKU: Okay, Your Honours.

28 JUDGE BOUTET: At least from my perspective I --

29 MR TAKU:

1 Q. Now, when did you leave the Bo jungle? Or you remained  
2 there until?

3 A. Really, please, sir, we attack sometimes in August 199 -  
4 1996 and we could not withstand the forces that attack us.

13:05:13 5 Q. Who attacked you? Which forces?

Kamajors,  
6 A. Both the Sierra Leone Army and the civil militia,  
7 they attack us day and night, day and night, until we ran out  
of  
8 material. So we ran to Kangari Hill and sought refuge at a  
place  
9 where we met them by then it was called Blackwater in Kangari  
13:05:44 10 Hill.

11 Q. Mr Kallon, Prosecution witness TF1-071 testified on 20  
12 January 2005, page 35, lines -- line 22 testified and said  
that  
13 Isaac -- a certain Isaac Mongor was the area commander at  
Kangari  
14 Hills; do you agree with that testimony?

13:06:16 15 A. Yes, this is what I say just now. I said Colonel Isaac  
16 Mongor was an area commander for Kangari Hills, Northern  
Jungle.

17 Q. Do you know who appointed Isaac Mongor to that command  
18 position in that area?

19 A. Yes, My Lord. It was Foday Sankoh who appointed him.  
If

13:06:38 20 I'm not mistaken, April -- end of March to early April, Foday

and 21 Sankoh was in detention in Nigeria. He issued out promotions  
and 22 assignments to Sam Bockarie for the various RUF commanders,  
restate 23 Isaac Mongor happened to be one of them promoted, and he  
13:07:04 24 [indiscernible] as a area commander for Kangari Hill, Northern  
25 Jungle.  
26 Q. Prosecution witness TF1-361 on 11 July 2005 at page 48,  
27 lines 12 to 29, testified that you went to Kangari Hills and  
28 "Took over from Isaac Mongor, who was area commander there."  
29 What do you say to that, please?

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Foday 1 A. Not so, My Lord. Isaac Mongor had been appointed by  
Isaac 2 Sankoh. There was no way for me to go and take over from  
just 3 Mongor, and he was a full colonel in the RUF rank and I was  
different 4 a major. It's one step different between -- two step  
13:07:52 5 between he and myself in rank. So that witness was wrong.  
6 Q. You've told the Court that Foday Sankoh appointed Isaac

promoted 7 Mongor while in prison -- while in prison in Nigeria, he  
8 and appointed XXX XXXX into this position. Can you tell the  
in 9 Court if you know if he made other appointment or promotions  
13:08:30 10 that instance?  
you 11 A. Yes. He made a lot of promotions and appointments. If  
12 want the one I can remember now, I can recall.  
13 Q. Yes, go ahead, please, sir.  
14 A. Foday Sankoh promoted Sam Bockarie to the rank of full  
13:08:47 15 colonel to the position of RUF battlefield commander. Then he  
16 promoted xxx xxx to the rank of full colonel to the position  
rank 17 of military advisor. Then he promoted Isaac Mongor to the  
18 of full colonel, stay as area commander for Northern Jungle,  
19 Kangari Hills. He promoted Denis Mingo to the rank of full  
13:09:20 20 colonel, area commander for Western Jungle --  
21 PRESIDING JUDGE: Yes, that's okay. That's all right.  
22 WITNESS: All right.  
23 PRESIDING JUDGE: I don't want that list.  
24 MR TAKU: Thank you.  
13:09:30 25 PRESIDING JUDGE: At least, the whole of it. Were you  
26 promoted?  
was 27 THE WITNESS: No, My Lord, I was not promoted, neither  
28 appointed to any position.  
29 MR TAKU:

1 Q. Within this time frame --

2 PRESIDING JUDGE: Please, please. Well, at this stage,  
3 learned counsel, the Chamber will recess for lunch and we will  
4 resume the session at 2.30. Please don't rise before I say we  
13:10:19 5 are rising [Indiscernible].

6 [Luncheon recess taken at 1.01 p.m.]

7 [RUF11APR08C - DG]

8 [Upon resuming at 2.46 p.m.]

9 PRESIDING JUDGE: Yes, good afternoon, learned counsel.

14:56:18 10 We're resuming our session. Mr Taku, you may proceed please.  
A

11 certain Judge did not have a pen with which to write, so  
another

12 Judge came to his rescue. Thank you. Court Management has  
come

13 to my rescue now, so I have two pens.

14 MR TAKU: Good afternoon, Your Honours.

14:56:42 15 PRESIDING JUDGE: Yes, good afternoon, Mr Taku. You may  
16 proceed.

17 MR TAKU: Yes, Your Honours. Just out of curiosity let  
me

18 just clarify one point.

19 PRESIDING JUDGE: Yes.

14:56:53 20 MR TAKU:

21 Q. Mr Kallon, in this, when you talk about the 25 standing



just 22 orders, I heard you talking about salute. Salute. Can you  
23 show us how this salute, how is it this salute in the RUF?  
24 A. Salute?  
14:57:11 25 Q. Yes, in the RUF. How did you --  
26 JUDGE BOUTET: I am not sure what it means by this.  
27 MR TAKU: No, how, how the RUF salute. How they were --  
28 JUDGE BOUTET: You are not talking salute report, you  
mean 29 how they were saluting each other, if they were?

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1 MR TAKU: Each other, Your Honour. Thank you.  
2 JUDGE BOUTET: I don't know whether they saluted or not.  
3 PRESIDING JUDGE: Did he talk about that today?  
4 MR TAKU: When he talked about it in the five standing  
14:57:31 5 orders, one of them, when he started reading.  
6 Q. Yes. Can you demonstrate that? Let me see, because I'm  
7 just curious.  
8 PRESIDING JUDGE: Is it different from the military?  
9 MR TAKU:  
14:57:40 10 Q. Is it different from the military?

like 11 A. I mean, yeah, actually, the RUF, we are not saluting  
12 regular army. They, if I can demonstrate that the RUF used to  
13 salute this way, sir. Good morning, sir, good afternoon, sir,  
14 something like that.

14:58:00 15 PRESIDING JUDGE: I see. I see.

16 MR TAKU:

from 17 Q. Did you know why they would salute that way, different  
18 what we know?

19 A. Actually, what I knew these, according to Mr Sankoh, the  
14:58:19 20 normal African traditional way of greeting, how you shake your  
21 comrade hand, you have to rest it at your chest that prove  
that 22 you welcome this, or you are welcome, or sign of clear heart.  
23 It's sign of good faith or sign of good mind or clear heart to  
24 your comrades, something like that, but actually, I cannot go  
14:58:48 25 further than that, I mean.

26 PRESIDING JUDGE: Yes.

27 MR TAKU: Okay.

28 JUDGE BOUTET: So we know for the record what the salute  
29 is, you were saluting with your hand moving to your heart.

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1 That's basically what it is. Saluting with your right hand?

2 THE WITNESS: Yes, My Lord.

3 JUDGE BOUTET: And pointing with your thumb to your  
heart;

4 that's basically the way it was.

14:59:10 5 THE WITNESS: Yes, My Lord.

6 JUDGE BOUTET: All right.

7 MR TAKU:

8 Q. Mr Kallon, sometime earlier on in these proceedings this  
9 morning, you talked about a letter from Colonel Superman about  
14:59:26 10 the civilians and something about mining; do you remember  
that?

11 A. Yes, My Lord.

12 Q. Will Court Management please give this to him and to the  
13 Judges and to the learned Prosecutor and my colleagues. Just  
14 show the Prosecutor one. Now, Mr Kallon, look at the letter.

15:00:45 15 What's the date on that letter?

16 A. The copy I'm seeing here is dated 13 March 1998.

17 Q. It's from whom?

18 A. This letter from Colonel Denis Mingo to all officers and  
19 commanders.

15:01:11 20 Q. What's the subject?

21 A. Actually my copy --

22 Q. Instructions. Instructions. I can help you, yes. Now,  
23 Your Honours, let me ask him to read it if he can and then  
after

24 I can ask the question. It's very short, indeed?

15:01:29 25 PRESIDING JUDGE: Yes, he may read it.

26 MR TAKU:

27 Q. Yes. Can you read this to the Court, please?  
28 A. Unless, please sir, you give me legible copy, this not  
all  
29 clear to me.

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1 Q. Just try, try please, because these copies came from the  
2 Prosecutor office. Just try.  
3 A. Letter from Colonel Denis Mingo to all officers in  
charge.  
4 "Subject: Instruction dated 30 March 1998. Sir, kindly take  
15:01:57 5 note of the following: 1. All civilian under the control of  
6 the" --  
7 Q. "Fall under the control of G5"?  
8 A. "All civilian fall under the control of G5." Please,  
sir,  
9 my copy are not too clear.  
15:02:19 10 MR TAKU: Okay. Your Honours, with your permission, if  
I  
11 may read, try to read that out, so that I can move faster.  
Now,  
12 2 --  
13 JUDGE BOUTET: Well, do you need to read it if you want  
to  
14 produce it?

15:02:28 15 MR TAKU: Okay. We want to produce it, Your Honour.  
16 PRESIDING JUDGE: Yes.  
17 MR TAKU: Okay. "2. You are to turn over all civilians  
in  
18 your care to G5. Mining activities are to commence today. It  
is  
19 30 March '98 and the cooperation of all civilians. Failure to  
15:02:47 20 submit all able-body non-civilians" is not very clear "be  
21 treated" -- well --  
22 PRESIDING JUDGE: "To the G5, will be treated as  
technical  
23 sabotage and those responsible will be dealt with militarily."  
24 MR TAKU: By order, yes.  
15:03:06 25 PRESIDING JUDGE: Are you tendering the letter?  
26 MR TAKU: We are tendering it, Your Honour.  
27 MR JORDASH: I'm sorry to interrupt, but can we get a  
28 number for this, please?  
29 JUDGE BOUTET: You mean as an exhibit, Mr Jordash?

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1 MR JORDASH: Yes. Can I --  
2 JUDGE BOUTET: We're not there yet.  
3 MR JORDASH: No. I mean, a Defence -- some way in which  
I

4 can work out what we're looking at.

15:03:32 5 MR TAKU: Okay. I don't have it here now. We just make  
6 copies during the break but, Mr Jordash, I'll let you have our

--

7 my file to enable you to inspect my file and get whatever you  
8 want, please. Just bear with me.

9 PRESIDING JUDGE: So you're tendering the letter. Yes,  
Mr

15:03:56 10 Wagona. Any objection?

11 MR WAGONA: My Lord, may I get some further information  
12 about this because I'm not sure actually if it's coming from  
the  
13 Prosecution, and it's not among those that were filed with  
Court  
14 Management.

15:04:14 15 MR TAKU: Well, this document has been with us for a  
very,  
16 very long time. Well, very, very long time indeed, when this  
17 case started, and Mr -- it was turned over by the Prosecutor  
at  
18 that early stage to Mr Sheku Touray and I found it in the file  
19 among other letters. So that's how I came about this letter.

15:04:38 20 And I think we filed it among -- earlier, during the 93ter was  
21 filed at that point in time among the Kallon exhibits by Mr  
22 Touray at the time. So that is how I came into possession of  
23 this correspondence.

24 PRESIDING JUDGE: Does that satisfy -- is that  
explanation

15:05:04 25 satisfactory or does that enlighten you, Mr Wagona?

26 MR WAGONA: It does, My Lord, but I don't think that  
this

27 is one of the exhibits that was filed and if it's coming just

been 28 now, then I would object on the basis that no good cause has  
29 shown for it to be presented at this stage.

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1 PRESIDING JUDGE: Just a minute. Mr Jordash, I thought  
2 I -- did you want to say something about this exhibit?

3 MR JORDASH: No. I was simply trying to seek  
clarification  
4 as to whether it was a Prosecution exhibit or a Defence. It's  
15:05:48 5 our understanding it's not a Prosecution exhibit. I've never  
6 seen this before. On that basis, we assume it's not a  
7 Prosecution exhibit.

8 JUDGE BOUTET: By Prosecution exhibit, Mr Jordash, in  
your  
9 language for that purpose, you mean an exhibit, documents that  
10 have been tendered as exhibits, not disclosed by the  
15:06:05 Prosecution?

11 MR JORDASH: Sorry, I'll make myself clearer. It  
doesn't  
12 emanate from the Prosecution file at all.

13 JUDGE BOUTET: At all.

14 MR JORDASH: At all.

15:06:19 15 PRESIDING JUDGE: I see. Yes.

the  
16 MR TAKU: I can assure Your Honours I may not have all  
17 facts here now, but Mr Touray filed this when we filed, I  
18 remember the number 90ter filings, which was indicated whether  
19 the Prosecutor would object at that point in time or not,  
that's  
15:06:35 20 when he filed it, I can assure you, and he gave this to me and  
21 that's how I find it. That's why I am finding it now. It is  
--  
22 I'm not in the position to say --  
23 PRESIDING JUDGE: What did he tell you was the source of  
24 the document?  
15:06:48 25 MR TAKU: Well, he merely told me there was a document  
from  
26 Colonel Superman and at the time he had a series of documents  
27 that came from the Prosecutor at that time, and he gave them  
to  
28 me, and I believe that Mr Touray is a man of very high  
integrity,  
29 and I have had no cause anyway, I have no cause that Mr Touray

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1 would make any misrepresentation.  
2 JUDGE BOUTET: No, but he may have made a mistake. I  
mean,



3 nobody is suggesting misrepresentation here.

4 MR TAKU: Yes, Your Honour.

15:07:18 5 JUDGE BOUTET: There's so many documents that it's easy  
to  
6 make a mistake about one particular document or another.

7 PRESIDING JUDGE: Anyway, there is this document which  
is  
8 supposed to have been signed by Denis Mingo who, from the  
9 evidence, is alleged to have been or is alleged to be no more.

15:07:45 10 He is alleged to have been killed. So, this has to do with  
the  
11 handing over of civilians for purposes of mining to the G5s.  
Mr  
12 Wagona, would you -- what's the basis of your objection to  
this  
13 document, please.

14 MR WAGONA: My Lord, I believe this document did not  
come  
15:08:11 15 from the Prosecution because usually the documents --

16 PRESIDING JUDGE: Must it come from the Prosecution  
before  
17 it's admitted in evidence or we are still guided by the rule  
of  
18 relevance in terms of the admissibility of documents?

19 MR WAGONA: That is correct, My Lord, but I'm saying  
that

15:08:31 20 the document has not been disclosed before, and it has not  
been  
21 filed before, and it's coming just now, and I'm saying no good  
22 cause has been shown as to why it was not disclosed before.

23 PRESIDING JUDGE: Maybe Mr Wagona has not finished yet,  
Mr  
24 Taku. May Mr Wagona finish, please.

15:09:02 25 MR WAGONA: My Lords, I'm finished. I was objecting on  
26 that basis.

27 PRESIDING JUDGE: You're finished. All right. Yes, Mr  
28 Taku.

29 MR TAKU: Your Honours, I think tendering this document

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I'm  
Prosecutor, a  
15:09:28  
don't  
1 does not cause any prejudice to the Prosecutor. It's about a  
2 fact, a very very important fact in issue and I believe, if  
3 not mistaken, that in a meeting which I invited the  
4 meeting, to see if there were issues about exhibits and other  
5 issues which we could resolve at that point in time, so we  
6 come here and face with motions and we held a meeting. I did  
7 show him some of the exhibits we were going to file before  
8 filing, prior to filing and in fact --

that  
15:09:43 10  
11  
12  
PRESIDING JUDGE: If you showed him, it doesn't mean  
he accepted them necessarily.

MR TAKU: Yes.

PRESIDING JUDGE: It would, in showing him, did not

in 13 necessarily give you the attitude he might -- he might put up  
14 Court.

15:09:56 15 MR TAKU: Yes, Your Honour.

16 PRESIDING JUDGE: Yes.

of 17 MR TAKU: Whatever the case, Your Honour, the interest  
18 justice demands that this is brought to your attention. It  
19 doesn't cause any prejudice to the Prosecutor. It is about an  
15:10:12 20 issue that Your Honours will determine.

21 PRESIDING JUDGE: He's now objecting on the basis that  
22 there was no disclosure of the document. I mean, assuming it  
23 came from you and not from the Prosecutor into your  
predecessor's  
24 documentation. I mean, it's a floating situation.

15:10:34 25 MR TAKU: As the Honourable Judge Boutet has rightly  
said,  
26 maybe my predecessor might not have actually told me that, the  
27 source, but I got this exhibit from him. He told me this was  
a  
28 Kallon exhibit, and that the exhibit came from the  
Prosecution.  
29 Maybe that particular document, I cannot vouch for him. I  
would

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1 have sought clarification from him if he would have been here  
2 today, but he's appearing before Parliament for confirmation  
of  
3 his appointment. That's why he's not here today. At least in  
4 solidarity to assist me to clarify issues like this. But I  
crave  
15:11:07 5 your indulgence, Your Honours, and that of the Prosecutor that  
we  
6 admit it because it is about -- it is in the interests of  
7 to do so.  
justice

8 JUDGE BOUTET: But, Mr Taku, you said that either you or  
Mr  
9 Touray had filed this particular document under a 93 motion,  
or  
15:11:27 10 93ter.

11 MR TAKU: Yes, Your Honour. He did that, Your Honour.

12 JUDGE BOUTET: And so if it is filed, why don't you just  
13 postpone that and see if it has been filed? Then there would  
be  
14 no problem about notification. If it has been filed,  
obviously

15:11:37 15 the Prosecution cannot complain that they have never been  
16 informed of that. So you say you think it has been filed but  
if  
17 you could refer to it that would simplify the whole issue.

18 MR TAKU: Okay, Your Honours. No problem. I'll meet Mr  
19 Touray this evening, and I will also check on my records and  
I'll  
15:11:52 20 address you on Monday, if you want, but in the interests of  
21 justice --

22 PRESIDING JUDGE: Mr Wagona's objection is overruled.  
This

23 document is admitted in evidence under the provisions of Rule

24 89(C) of the Rules of Procedure and Evidence and it is  
15:12:38 25 accordingly marked as Exhibit 241.

26 MS KAMUZORA: My Lord, it's 341.

27 PRESIDING JUDGE: I'm sorry, it's 341.

28 [Exhibit No. 341 was admitted]

29 MR TAKU: Now, please, can you give Mr Kallon Exhibit  
341,

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1 please. He has one.

2 Q. Now, Mr Kallon, just to clarify this issue: What was  
the

3 position of Denis Mingo at that point in time? What command

4 position did he hold?

15:13:08 5 A. If you look at the scenario, Mingo was having two  
authority

6 at that time. He was the overall commander in Kono District.

At

7 the same time he was the RUF battle group commander, at that

same

8 time.

9 Q. Is there any other name by which this Denis Mingo is  
known

15:13:42 10 within that area?

11 A. The common alias name was Colonel Superman. Then, other  
12 ones, some of the code name I knew for him was Tommy Boy,  
13 Superman, and so on and so forth.

14 PRESIDING JUDGE: You say he was a battlefield commander  
as  
15:14:04 15 well?

16 THE WITNESS: Battle-group commander.

17 PRESIDING JUDGE: Battle-group commander.

18 THE WITNESS: Yes, My Lord.

19 MR TAKU:

15:14:10 20 Q. Now, this G5, that you should hand over the civilians to  
21 the G5, can you tell Court what the G5 position was?

22 A. At that particular time, March 1998, the G5 Kono was  
headed  
23 by one Prosecution witness who testified before this Tribunal  
--

24 Q. Okay, yes. Do not say anything to reveal the identity  
of  
15:14:43 25 the witness.

26 A. I can call his pseudonym, if you want. TF-041. He was  
in  
27 charge of all civilian affair together with one Mr Moriba  
Koroma.

28 PRESIDING JUDGE: He was TF what?

29 THE WITNESS: 041, My Lord. With one Mr Moriba Koroma  
and

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Emmanuel 1 one former Prosecution witness TF-071. Then with one Mr  
2 Bobor Soguna. They were the one in charge of civilian as G5  
3 worker in Kono at that time.

4 MR TAKU:

15:15:32 5 Q. What position, if any, did you hold in -- in Kono at  
that 6 time?

7 A. Chief Taku, as I told you, I was major by that time in  
8 March. I told you only Superman, who found out that I was  
idling 9 around, he gave me the assignment to work under Colonel Isaac  
to

15:16:01 10 create obstacle on the road between Sewafe and Kono. I was  
not 11 having any specific command position at that time.

12 Q. Did you have any civilians in your custody that required  
13 you to hand over a person to the order of Superman?

14 A. My Lord, I was having civilians, but they were my  
personal

15:16:30 15 relative. That's why I told Superman that I cannot hand over  
my 16 mom and others to G5.

17 Q. Now, let's clear very quickly another issue that arose  
this 18 morning. And I have to express my thanks to the collaboration  
of 19 the learned Prosecutor, that is about annex AH. We filed  
annex

15:17:22 20 H, that was agreed statement of facts between second accused  
and 21 the Prosecution in compliance with order 3 of the scheduling

22 order, concerning the preparation and [indiscernible] of the  
23 Defence case. [Indiscernible] three filing number is 26720.  
24 Now, show him this. That is it. Then we can tender it.  
There  
15:17:49 25 were up to 14 agreed facts between --  
26 PRESIDING JUDGE: Please, may I, for purposes of  
tendering  
27 this, I wouldn't want this to be labelled 22. Let it just be  
28 page 2. Page 2. Not 22 as it is down here, as it creates  
some  
29 controversy. If you have to tender it, let's know that we are

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1 moving from page 1 to page 2.  
2 MR TAKU: Yes, Your Honours. Thank you.  
3 PRESIDING JUDGE: Yes, yes.  
4 MR TAKU: Now for the purpose of tendering it, Your  
15:19:25 5 Honours, this would read pages 1 and 2, not 22.  
6 PRESIDING JUDGE: Yes. What do you want to do with the  
7 document?  
8 MR TAKU: We want to tender it.  
9 PRESIDING JUDGE: The witness has it.  
15:19:48 10 MR TAKU: Yes, Your Honour. We want to tender it in



11 evidence, Your Honour.

12 PRESIDING JUDGE: Mr Wagona?

13 MR WAGONA: No objection, My Lords.

14 MR JORDASH: No objection, Your Honour.

15:20:06 15 MR CAMMEGH: No objection.

16 PRESIDING JUDGE: Thank you. It is admitted and marked  
as

17 Exhibit 342.

18 Exhibit No. 342 was admitted.

19 MR TAKU:

15:20:29 20 Q. Now, Mr Kallon, you remember before we went on the  
break,

21 we were in on Kangari Hill, not in jungle; do you remember  
that?

22 A. Yes, My Lord.

23 Q. Now, while at the Northern Jungle, did you have the  
24 possibility to see TF1-360 -- that's Prosecution witness --  
was

15:20:51 25 he there with you?

26 A. Chief, I came to Kangari Hill not on jungle. I met TF1-  
360

27 there as a radio operator to the area commander Colonel Isaac  
28 Mongor.

29 Q. What about TF1-361?

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the  
days  
at

1 A. My Lord, TF1-361, we all came in Kangari Hill almost at  
2 same time. The only thing I arrived there ahead of them two  
3 before they could come and meet me. We all were in Bo Jungle  
4 that time.

15:22:05 5 Q. Now, paragraph 13 of the exhibit that was just admitted,  
6 agreed facts, says that --

7 PRESIDING JUDGE: That's Exhibit 342.

8 MR TAKU: 342, Your Honour.

9 PRESIDING JUDGE: Yes.

15:22:19 10 MR TAKU:

11 Q. Exhibit 342 states that there existed a system of  
12 communication with --

13 PRESIDING JUDGE: Paragraph what is that?

14 MR TAKU: Thirteen, Your Honours.

15:22:44 15 Q. You have it before you?

16 A. Yes, My Lord.

17 Q. Now, in other words how -- let me rephrase the question.

exhibits 18 You also have -- or I do not have my own copy here it is

19 32, 33 and 34 that was tendered in this Court, the radio log  
15:23:12 20 books, you were here when they were tendered?

21 A. Yes, My Lord.

22 Q. We have them here. So there's no need to waste a lot of  
23 time on that especially that this fact is admitted? Now --

24 PRESIDING JUDGE: What is the question?

15:23:33 25 MR TAKU:

26 Q. The question is: Throughout you had a possibility of  
27 reviewing that exhibit when we were preparing you for this  
28 testimony, did you find in those exhibits the radio logbooks,  
29 exhibits 32, 33 and 34, did you find any reference in which

you

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inspector? 1 were described as deputy area commander or battlefield

2 A. No, My Lord. Exhibit 32, 33, 34, none, not bear me that  
3 title.

4 Q. Now, also have a look as Prosecution Exhibit 7 --

15:24:21 5 PRESIDING JUDGE: As deputy what, area commander?

6 MR TAKU: Yes, My Lord, or battle field commander.

bear 7 THE WITNESS: Battlefield Inspector sir, but none not

8 me that title, sir.

9 MR TAKU:

15:24:46 10 Q. Now, have a look at Exhibit 7, 9 and 35?

11 PRESIDING JUDGE: Show him one after the other. Let's

12 finish with one.

13 MR TAKU: Exhibit 7. Give a copy to the Court.

14 PRESIDING JUDGE: This is Court exhibit is it.

15:25:30 15 MR TAKU: Yes, Court exhibit.

16 PRESIDING JUDGE: In order to locate you know, the Court  
17 it's good to refer to -- -

18 MR TAKU: Court exhibit.

19 PRESIDING JUDGE: Yes, those which are -- which already  
15:25:43 20 have been tendered and have been -- different numbers.

21 JUDGE BOUTET: Did you say what seven?

22 MR TAKU: Yes, sir.

23 JUDGE BOUTET: Court Exhibit 7.

24 MR TAKU: Yes, sir.

15:25:55 25 JUDGE BOUTET: Okay.

26 MR TAKU:

27 Q. Mr Kallon, that is Court Exhibit 7, what is it about?

28 A. The heading I'm seeing here, My Lord, is table of top  
level

29 and mid-level commander named by witness TF1-167 in the course  
of

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1 his testimony.

2 Q. Does your name appear in that exhibit?

3 A. Just one second, My Lord. Nine pages are not there, My  
4 Lord.

15:26:51 5 Q. Okay do you see -- your name is not there but do you see  
6 any position of deputy area commander or Battlefield Inspector  
on  
7 that list?

8 A. No. They -- this exhibit, it is not about one crime  
base.

9 It's about different, different crime base. If we're talking  
15:27:25 10 about the crime base of Kono, there is none position of me  
deputy  
11 commander not that Battlefield Inspector in this. Because  
they  
12 talk about Kono crime base, they talk about Masofiniya crime  
13 base, they talk about Rosos crime base, they talk about Newton  
14 crime base and Freetown and none bear my name under any of  
that

15:27:51 15 crime base in that position of deputy area commander or that  
of  
16 Battlefield Inspector.

17 Q. Is your name there in any capacity whatsoever?

18 A. In any way throughout the ten [speaks Krio]-- nine pages  
or  
19 eight pages, there is nothing bearing my name there.

15:28:13 20 PRESIDING JUDGE: We would like to observe these matters  
21 which can be raised in submissions.

22 MR TAKU: Okay, Your Honour, thank you.

23 PRESIDING JUDGE: Yes. Yes.

24 MR TAKU: In any case, if in the course of his testimony  
he

15:28:29 25 relies on any page of Prosecution evidence or any evidence  
that

is 26 have been tendered in this Court, in order not to waste time,  
27 to say I rely on this and we'll move on.  
Taku. 28 PRESIDING JUDGE: I'm just -- it just a comment, Mr  
in 29 It's not suppose to fetter your arms or your hands, you know,

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wanted 1 the way you are conducting Mr Kallons Defence. So, I just  
2 to say that even if this were not raised here in evidence, you  
3 know, in submissions it is legitimate for you to raise the  
you 4 content of Exhibit 7 and to make whatever comments, you know,

15:29:14 5 may wish to make in relation to the mention of his name as  
6 occupying any of the two positions that have been attributed  
to 7 him. Deputy area commander or a Battlefield Inspector.

8 MR TAKU: Okay, Your Honour, then we could move on.

9 JUDGE BOUTET: Before you do, Mr Taku, I just want to  
15:29:39 10 clarify an issue with Mr Kallon. Mr Kallon, you mentioned  
11 something about they say these are crime based other than  
Kono.

you 12 Is it something like that, that you mentioned, you know when  
13 looked at it and there's no reference to the Kono crime base.  
14 THE WITNESS: My Lord, I said -- I said this is not a  
one 15 crime base document.  
16 JUDGE BOUTET: It covers many crime bases.  
17 THE WITNESS: Yes, sir, Kono, Masofiniya, Rosos --  
18 JUDGE BOUTET: But it does cover Kono as well on that,  
19 according to you.  
15:29:57 20 THE WITNESS: Yes, My Lord. Yes, My Lord. If you look  
in 21 the columns you will see the different, different people who  
head 22 position within Kono crime base and different, different crime  
23 base, My Lord.  
24 JUDGE BOUTET: Thank you.  
15:30:24 25 MR TAKU:  
you 26 Q. Now, Mr Kallon, was TF1 -- or for TF1-045 was he with  
27 at Kangari hill?  
28 A. No, My Lord, TF1-045, he was a bodyguard to TF1-371.  
for 29 Q. Well, we call him Mr A, please, use Mr A, in that area,

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1 these proceedings. If the other one is a witness --

2 JUDGE BOUTET: If he refers to the witness by his  
3 pseudonym, it's not a problem to me.

4 MR TAKU: Okay, Your Honours, yes proceed.

15:31:08 5 THE WITNESS: He was a bodyguard to him from Camp Zogoda  
--

6 PRESIDING JUDGE: To TF who.

7 THE WITNESS: TF1-371, My Lord, and to my understanding  
on

8 to the time they retreated but they were pushed out by  
Kamajors

9 from Zogoda, Pujehun, and sought refuge in Liberia. And he  
came

15:31:33 10 back with TF1-371, when the AFRC invited the RUF in Freetown  
in

11 June something like that or July. And he was within  
throughout.

12 I never saw him at Kangari Hill. Only one time he -- 045 and  
371

13 were carrying one barrel anti-aircraft gun from Freetown they  
met

14 me in Bo somewhere around September or October, if I'm not  
15:32:13 15 mistaken, 1997. That was the time I knew that he has back in

16 Sierra Leone.

17 MR TAKU:

18 Q. Now, TF1-045, testified before this Honourable Trial  
19 Chamber on the 25 November 2005, page 5, lines 10 to 17 and  
15:32:41 20 stated that you were a deputy area commander at Kangari Hills.

21 What do you say to that please?

22 A. My Lord, I say no. One, as I expressed TF1-045 was not  
in



23 Kangari Hills. Others -- others who were there, they have  
24 testified before this Tribunal. If I was deputy, they should  
15:33:12 25 have come up with that because they really testify some things  
26 against me. If they knew also I was deputy area commander or  
any  
27 of the other position, they should have bring it up before  
this  
28 Tribunal like 06, TF1-0360, he was radio operator in that  
jungle.  
29 Q. Yes, in effect TF1-360, he testified indeed from what

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1 you're saying he testified on 20 July 2005, at page 3 lines 26  
to  
2 28, at lines 6 to 9 he stated, when I went to Kangari Hill  
3 1966 -- 1996, sorry, 1996, I met one commander by the name of  
4 George but as I arrive I went there together with another  
senior  
15:34:15 5 officer who was Colonel Isaac Mongor, who was a Liberian. He  
was  
6 overall commander. Was he right in that respect?  
7 A. Exactly, My Lord. That's CO Georgie that witness refer  
to  
8 was the one I talk about, he was the Ground commander I met  
under  
9 Isaac there.

15:34:44 10 Q. Now, were you also at Kangari Hill with TF1-366?  
11 A. No, My Lord. Even from TF3-666 his own testimony before  
12 this Tribunal he was in Kailahun when the AFRC overthrow take  
13 place. He was not there. He just came and made up something,  
14 but he was not in --

15:35:08 15 PRESIDING JUDGE: TF what?  
16 THE WITNESS: 366, My Lord.  
17 MR TAKU:

18 Q. Can you tell this Court the nature of the relations  
between  
19 you and TF1-366 within the time frame in the indictment that  
is  
20 May 1996 to January 2000. Can you tell Court?  
21 A. Yeah, I have a little bit of history let me just  
summarise  
22 it. From May 25, 1996 to late August or September -- early  
23 September 1997, I do not even see eyes to eyes with TF1-366,  
he  
24 was in Kailahun District, I was in the northern -- northern  
15:36:03 25 region at Tonkolili District, Kangari Hill. And when the AFRC  
26 overthrow when they call us to town, I met this witness at  
27 Benguema. From there, that witness and myself did not get  
into  
28 any contact until when we retreated in February 1998 in Kono.  
He  
29 was in Kono, one time Superman called a meeting at Tankoro  
Police

1 Station. In that meeting, I think that's the first or second  
2 meeting, when information came to Superman that there were a  
SLA  
3 commander in Tombodo who were killing civilian and amputating  
4 civilian. Superman appointed this officer as task force to  
make  
15:37:11 5 sure to be arresting anybody he found committing crime within  
6 Kono, and who do not want to go by he, Superman, instruction.  
7 From there, the time again the Commercial Bank in Koidu Town  
was  
8 also robbed. He was also again appointed as task force to  
arrest  
9 all the culprits who carried on the robbery and from that time  
15:37:45 10 that was the way I know TF1-366 until 2001, until December  
1999  
11 when Sam Bockarie said he was not going to disarm and a radio  
12 operator monitor Sam Bockarie and 366 communicating that he,  
366,  
13 should start mobilising men in Magburaka as is to not take  
order  
14 for carry on any disarmament. That information leaked to us.  
15:38:28 15 When I mean to us, myself and Mr Sesay. 366 was arrested and  
16 placed in detention. So myself and Mr Sesay and others will  
join  
17 force together to go and make sure to put Sam Bockarie under  
18 control, so that he can adhere to disarmament and peace  
process  
19 in this country. But by then getting to Kailahun, Sam  
Bockarie

15:38:53 20 fled to Liberia. That was, that is one problem between myself  
21 and 366. The next problem was in 2000 -- either 2001 or 2000  
--  
22 early -- late 2000. He was sent to Tongo to supersee mining  
23 there. Civilians brought a lot of complaint against him that  
he  
24 was harassing, intimidating, and even to the extent undressing  
15:39:22 25 civilians, to work in the mines for him. He was calling  
himself  
26 minister of mines. So when this report came to Mr Sesay that  
27 time he was now an interim leader. I was a battle-group  
28 commander. So he sent me there to go and have him arrested.  
29 Myself, when I get in there, I call general meeting, both

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proved  
his  
15:40:10  
between  
1 civilian and the RUF fighter there. The civilian really  
2 that he was harassing them. So myself, on that spot, I order  
3 arrest. He was undressed and I seized all property he had at  
4 that time. I give to some of the civilian who say: Oh, that  
5 belongs to me. This belongs to me. That belongs to me. I  
6 return to the owners. So these were some of the problem  
7 myself and 366, to cut it short.

at 8 Q. Yes. Mr Kallon, TF1-366 testified on 9 November 2005,  
and 9 page 45 lines 9 to 29, and stated as follows: That Mr Sesay  
15:40:46 10 you arrested and detained him at the MP and that you and Mr  
Sesay  
11 went thereafter with 400 armed men to Kailahun to arrest Sam  
12 Bockarie. At page 47, Your Honours, lines 9 to 22 of the  
13 transcript of 9 November 2005, the same witness, TF1-366, said  
14 that there was a time Mr Sesay and you, you said that you  
didn't  
15:41:14 15 trust him, and that on the orders of Mr Sesay you arrest him  
from  
16 Tongo Field and detain him in Makeni. Does that confirm  
exactly  
17 what you are saying?  
18 A. Exactly, My Lord.  
19 Q. Now, let's move forward a day to see what he says about  
15:41:31 20 Kangari Hills. The witness TF1-366 testified on 15 November  
21 2005, at page 8 lines 2 to 25 of the transcript, and alleged  
that  
22 you were the commanding officer in Kangari Hill and Isaac  
Mongor  
23 was your subordinate and that you gave instructions to Isaac  
24 Mongor; what do you say to that?  
15:42:01 25 A. My Lord, it's not true. As I still repeated to --  
26 repeating it, 366, who were the radio operator on Isaac, he  
27 testified before this Court, and he give a version that he was  
28 present in that very Kangari Hill, My Lord, and that is the  
29 truth, what he said to it.

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nature

15:42:47

a

hospital.

the

the

15:43:25

he

371,

15:43:55

1 Q. Now, TF1-371, you've testified that he left the country  
2 went to Liberia; that's the evidence you've given in respect  
3 his relations with 045. Now, can you tell the Court the  
4 of the relations between you and TF1-371?

5 A. TF1-371 and myself, I can say we all move from the same  
6 village nearby -- the same village because where his uncle has  
7 hospital, myself, my aunt has a house very close to the  
8 Only fence sharing us there. But this 371 and myself, during  
9 struggle there were problem. In 1997, when the AFRC called

10 RUF, 371 was wanted to become xxx xxx xxx xxx xxx.

11 And I was one of the man who do not support him because I said  
12 ran away from Sierra Leone and sought refugee in Liberia; for  
13 this reason, he should not get that post. I recommended  
14 Lieutenant Eldred Collins, me and some other officers. So

15 from that time, he go against me. He say, I don't like his  
16 progress. Two, when May 8th problem happened in Sierra Leone,  
17 when Foday Sankoh was arrested, they asked the West African

18 leader asked for us to appoint a new leader, an interim  
leader.  
19 Many, many people appointed 371. I was one of the guy didn't  
15:44:23 20 oppose. I said, no, because 371, his behavior and the way I  
used  
21 to see what he was doing, he was not up for peace in this  
22 country, so I say he cannot be the interim leader. Instead,  
we  
23 all have to join foot and hand with the West African leaders  
for  
24 Mr Sesay to become the interim leader for the RUF. So that is  
15:44:49 25 the second problem between 371 and myself. So he definitely  
go  
26 against me. In fact, the first time to come Freetown on the  
27 symbolic arm burning on 18 January 2002, 371 was very, very  
28 adamant say to Mr Sesay that I should not come to Freetown.  
It  
29 was Mr Sesay and Colonel Oladipo and others who prevailed that

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1 no, Morris Kallon is one of the authority who adhere to peace.  
2 He's supposed to monitor that ceremony. So I came along with  
the  
3 interim leader at that time.  
4 Q. So what was his attitude when he saw you in Freetown?

15:45:41 5 A. He was not pleased, but I was not working to please him.  
I

6 was working to please the people of Sierra Leone, to end the  
7 struggle and peace.

8 Q. But you say you opposed him because you saw his  
behavior,

9 and you didn't want him to be the leader you supported at one

15:46:01 10 moment Eldred Collins and another time you supported Mr Sesay  
as

11 interim leader. What behavior are you talking about that  
12 displeased you about him?

13 A. Chief Taku, 371 was a guy -- I saw him firing somebody  
for

14 alcohol to drink because the fighter wasted his drink, so he

15:46:23 15 fired the boy. So I say: Oh this type of man, if they give  
him

16 authority, he's going to definitely going to kill -- if he can

17 kill his fighter on that type of basis, how much more the

18 ordinary civilians? So, for this reason, I do not able to

19 support him in any way for him to be in any authority.

15:46:43 20 Q. You made mention of the peace process, that Mr Sesay  
said

21 that you were one of the persons who supported the peace  
process,

22 so you should come. What was the attitude of 371 on the peace

23 process?

24 A. My Lord, okay, you were not here in this Court. 371, he

15:47:03 25 was arrested along with Mr Sankoh and many others on 8 May  
2000.

26 He was one of the officer, the interim leader, and the rest of

27 the RUF advocate for their release. Immediately he got  
released,

28 where he met, the peace process have stop. He immediately put



29 hot stop to that, that the RUF should not continue disarming.

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1 PRESIDING JUDGE: What day was he arrested?

2 MR TAKU:

3 Q. When he was arrested?

4 A. Well, My Lord, if I'm not mistaken, on 8 May 2000 in  
15:47:42 5 Freetown here. He said the disarmament should stop until  
6 Mr Sankoh be released. Mr Sesay told him: No, you have met.  
We  
7 have confer with the peace process. We are going to disarm  
and  
8 make sure that we can advocate for Mr Sankoh release. So he  
was  
9 one of the man in fact stop the tripartite meeting in  
Magburaka  
15:48:11 10 or Makeni. Let no RUF not to attend that, himself and Gibril  
11 Massaquoi and some others. So this were some of his action I  
saw  
12 that this -- he's not fit to be a leader. This problem will  
13 continue in this country.

14 Q. Now, Mr Kallon, TF1-371 testified on 31 July 2006, at  
page  
15:48:40 15 107, lines 15 to 29; and at page 108, lines 18; page 109,  
lines

moved

16 18 to 29, and said that when the Bo Jungle collapsed, you  
17 to the Northern Jungle, and there was a power struggle between  
18 you and Colonel Isaac, that you didn't want to submit yourself  
19 his authority. There was a power struggle, you wanted to take  
15:49:12 20 over as a commander there; what do you say about that?

Jungle

21 A. My Lord, that's not true. In August 1996, when Bo  
22 fell in the hands of Kamajor and the Sierra Leone government  
23 soldiers, we came immediately arriving at Blackwater. We only  
24 spent three or four days. The former field commander, late  
15:49:38 25 Mohamed Tarawallie, gave instruction for Staff Captain  
Augustine

up

26 Kargbo to move with all the combatants from Bo Jungle to join  
27 with Colonel Denis Mingo. I met Isaac Mongor as a commanding  
28 officer at that ground designated by Foday Sankoh. There was  
no  
29 way for me to fight him for any power there. I came to search

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I

1 refuge until I was waiting for me to get command where I was  
2 supposed to go, and I was not given command to go anywhere, so  
3 just have to stay under him.

4 Q. Now, let's move to, quickly, to 25 May 1997. Mr Kallon,  
15:50:28 5 where were you on 25 May 1997?  
6 A. On 25 May 1997 I was in the Kangari Hills. That was on  
7 Sunday, if I'm not mistaken. Around 3 o'clock in the  
afternoon  
8 we heard over BBC that the government of Tejan Kabbah had been  
9 overthrown by the National Army.

15:51:06 10 Q. Now, that very day, 25 May 1997, is there anything that  
11 happened -- anything dramatic, significant that happened in  
12 Kangari Hill that you want to tell the Court?  
13 A. Yeah. Before the -- this afternoon, early morning  
around  
14 6, 6.45 in the morning, we were under serious attack from  
15:51:28 15 Kamajors and the government soldiers. In that attack, we lost  
16 more than 50 fighters because we were not having material. We  
17 are just trying to consolidate our position that we came under  
18 that serious attack. Then around 3.05 we heard that the  
19 government of Sierra Leone had been overthrown, on that  
Sunday.

15:51:58 20 Q. Now, that very day, 25 M, 1997, you say you came under  
21 heavy attack by the Kamajors and the government soldiers.  
When  
22 later on in the day you heard that these very soldiers had  
23 overthrown the government of Sierra Leone what was your  
reaction?  
24 A. Really, to be honest, these people were government  
15:52:26 25 soldiers, be Kamajor, be the SLA, they were government  
soldier,  
26 and they were the one who came and attack our own position. I  
27 use simple words. I say from -- from the frying pot to the  
fire,

28 because my mind strike me back to 1993 when the NPRC, or 1992,  
29 when the NPRC overthrew the APC government. Foday Sankoh sent

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1 olive branch ceasefire or whatsoever one of you. He said they  
2 carry -- jet carrier dropping leaflet that they were going to  
3 catch Foday Sankoh and cage him. So when I got this news  
again,  
4 I just thought that, oh, we are going to face another tension  
war  
15:53:25 5 because if soldier have taken over again, probably the tension  
6 will more than the civilian government who organised civil  
7 militia, so that was my feeling, actually.  
8 Q. Now, on that very day -- now, did you at some point in  
time  
9 leave Kangari Hill for some destination. If yes, when and  
where  
15:53:49 10 did you move to?  
11 A. If I'm not mistaken, My Lord, on 28 May 1997, we hear  
the  
12 voice -- the broadcast request -- recorded voice of Corporal  
13 Sankoh on SLBS radio ordering the RUF that the soldier in  
14 Freetown are no longer enemy, but the politician are now the  
15:54:17 15 enemy of the struggle. So he was giving instruction to his  
field

16 commander. Then Sam Bockarie, for him to instruct all RUF to  
17 join the AFRC. On that very day, on 28 May, the area I was,  
the  
18 commander, the commanding officer Colonel Isaac Mongor was  
19 instructed to move with his force and join up with the Sierra  
15:54:52 20 Leone soldier at Makeni. When Colonel Isaac Mongor was moving  
he  
21 asked for all, every one of us to go. I declined that, no, we  
22 have a lot of wounded soldier, and this guy who have made this  
23 invitation, even though it is an instruction from Corporal  
24 Sankoh, but they were the one who came and attack us and we  
got  
15:55:17 25 this lot of casualty. So I am not going. I'm going to stay  
with  
26 this wounded soldier. So he moved that very day. I left  
there  
27 with the wounded soldiers. I was in the jungle until 1  
28 June 1997. I left the jungle together with the wounded  
soldier  
29 as office at Mile Five between Makali and Matotoka. From Mile

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1 Five I went to Matotoka. On 3 June the same CDF again  
launched

all  
left.  
2 very serious attack on us at Matotoka. There in fact almost  
3 the wounded soldier who came from the bush with, there they  
4 They were killed by these Kamajors. Then on that very 3rd, I  
15:56:09 5 went to Teko Barracks. There now I was staying until 2 August  
6 1997.

7 Q. When you got to Teko Barracks, where was Colonel Isaac  
8 Mongor?

9 A. On that very day I got to Teko Barracks, I was told that  
15:56:27 10 Colonel Isaac has proceeded to Freetown. Benguema, to be  
11 specific.

12 Q. Yes. When he proceeded to Freetown. What about you?  
13 Where did you go to? Did you move or you remained in Teko  
14 Barracks?

15:56:45 15 A. My Lord, as I told you from 3 June 1997 until August, 2  
16 August 1997, I was throughout in Makeni Teko Barracks.

page  
of  
17 Q. Now, Mr Kallon, TF1-174 testified on 20 March 2006, at  
18 100, lines 10 to 28 and said: Question: Were there any area

time  
19 commanders at Teko Barracks at that time? Answer: At that

15:57:27 20 on entered Makeni who received there were but the one who was  
the  
21 highest commander at that time on entering Makeni, the one the  
22 populace received, they even clapped for him for coming at  
that  
23 time was Colonel Isaac."

24 Now, who is this Isaac that this witness was talking  
about?

15:57:50 25 A. My Lord, as I told you, it was Isaac Mongor, Colonel  
Isaac

26 Mongor, the area commander for Northern Jungle.

27 Q. Now, when he left for Freetown, in whose -- to whom did  
he  
28 leave the commander of his men that he brought to Teko  
Barracks?  
29 Did he take them to Freetown or he left them there?

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1 A. He left them there because the RUF that were in Teko  
2 Barracks -- I mean in Kangari Hill -- their target of fighting  
3 were for the north, so everybody left in Teko Barracks. While  
4 going, he left his adjutant and the former task force  
commander  
15:58:33 5 in the jungle, Major -- at that time he was a major in rank,  
6 Abraham Dugbe, in charge.

7 Q. Now, in respect of this, the same witness, TF1-174, on  
20  
8 March 2006, at page 100, lines 10 to 28 was asked: Thank you.  
9 Apart from Colonel Isaac, were there other RUF commanders at  
Teko  
15:59:06 10 Barracks? Answer: We went to Teko Barracks to ask for  
11 permission to talk to children. We were directed to him, that  
is  
12 Colonel Isaac. Located him and paid homage. He talked to us  
for

to 13 us to see the need to come together. He then handed us over  
14 two of his men John Karimu and Digbe at the time. John Karimu  
15:59:27 15 was adjutant at the time."

16 Can you tell the Court who was John Karimu?

17 A. Tamba T, this was the man called Tamba Karimu. I don't  
18 know John -- his name that John but I know him as Tamba, T

Tamba

19 Karimu. He was adjutant to Colonel Isaac Mongor. He was the  
15:59:51 20 general adjutant for Kangari Hill under Isaac Mongor. Then  
21 they -- Major Dugbe, he referred to, was the task force  
22 commander. That is Abraham Dugbe.

23 Q. Now, let's move very quickly, Mr Kallon. While we are  
24 waiting for the motion we'll file respect of Mr Sesay's  
evidence,

16:00:16 25 but before Their Lordships make a ruling, let me try to lead  
you  
26 through some areas while waiting for the ruling on that.

27 PRESIDING JUDGE: I hope you are not running to stormy  
28 waters there. Depending on the stand of the Prosecution, it  
is  
29 yet to respond. It is known.

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continue 1 MR TAKU: Okay, Your Honours. We'll wait. Let's  
2 with the evidence as it is.  
3 PRESIDING JUDGE: I thought so.  
4 MR TAKU: Yes, and see exactly what happens.  
16:00:47 5 Q. Mr Kallon, the Prosecutor alleges in the indictment that  
6 you were in Bo between May 1997 and June 30 1997. What do you  
7 say to that allegation?  
8 A. No, My Lord. I have told you I came from the bush on 1  
9 June 1997. Then I finally arrived at Teko Barracks on 3 June.  
16:01:18 10 As I said, I remained in the barracks until 2 August 1997  
before  
11 ever I could go to Bo, even though Bo was my home.  
12 Q. Why did you not go to Freetown with Major Isaac when  
people  
13 were asked to go? Why? Why do you remain in Makeni?  
14 A. My Lord, as I told you from the beginning, those who  
16:01:42 15 invited us were the same people who attacked our position  
before  
16 inviting us. To be honest with you, just because I was not  
17 having my own way, but I was not having trust that it is a  
18 genuine something. I thought they were just trying to lure us  
to  
19 certain way to go and capture we all together. Then two, RUF,  
16:02:09 20 you cannot just move from one point to another, if you are not  
21 given authority. And when I came to Teko Barracks, the  
22 commanding officer who brought the RUF to that barracks, do  
not  
23 instruct me to go anywhere. That's why myself, as a  
reasonable  
24 man, I just take within myself to stay calm with my own  
family.

16:02:35 25 Q. Now, you said that you didn't go to Bo. Nevertheless,  
26 nevertheless, the Prosecution says that you were in Bo between  
27 May and 30 June, and they brought a witness TF1-054 here. He  
28 testified on 30 November 2005, at page 23, line 1 to 3, about  
a  
29 peace delegation that was allegedly sent by the RUF to Bo to  
say

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1 that peace deal with the Kamajor at Gerihun, and that Morris  
2 Kallon was introduced to them as a member of that peace  
3 delegation. What do you say to that, sir?

4 A. Sir, that was not me. As I told you, there were many --  
16:03:30 5 there are many people bear the name Morris Kallon. At that  
6 particular point in time June, July, I was not --

7 PRESIDING JUDGE: I'm aware from the state of the  
evidence

8 that there are many Kallons, Morrison Kallon, so many Kallons,  
9 but I'm not aware that there were many Morris Kallons.

16:03:54 10 THE WITNESS: Yes, sir, there is. The last disclosure  
11 Prosecution gave, from Mr Taylor trial, he introduced about  
three  
12 Morris Kallon within the RUF, according to that state of that  
13 evidence this morning, My Lord. So it could be one of that

14 Morris Kallon but me personally, sir, I was at Teko Barracks  
16:04:15 15 within June, July.

16 PRESIDING JUDGE: Was -- did he call him Moses Kallon or  
17 Morris Kallon, the one of the disclosure?

18 THE WITNESS: In that exhibit, sir, it is Morris Kallon.

19 PRESIDING JUDGE: Morris; okay. All right. I thought  
it  
16:04:31 20 was Moses Kallon.

21 MR TAKU:

22 Q. Now, did you know -- you saw -- were you here, were you  
23 present when TF1-054 testified here?

24 A. Yes.

16:04:39 25 Q. Do you know him?

26 A. No, sir. Only that day, when he was testifying, he  
claimed  
27 to be one of the [REDACTED] of the late paramount chief.

28 Q. Now, let's talk about the late paramount chief.

29 JUDGE BOUTET: [Indiscernible] TF1-135.

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1 MR TAKU: No, 054.

2 JUDGE BOUTET: 054?

3 MR TAKU: Yes, Your Honour.

4 Q. Mr Kallon, did you know Chief Demby?

16:05:20 5 A. Yes, My Lord. I used to know him very well before the  
war.

6 Q. What opinion did you hold of him?

7 PRESIDING JUDGE: Chief who?

8 MR TAKU: Demby.

9 Q. Of Gerihun?

16:05:38 10 A. As I told you, I'm a man from Bo District. Chief Demby  
is

11 one of the traditional ruler within that district in one of  
the

12 Chiefdom Gerihun, very close to the district headquarter Bo.  
And

13 he was one of the easiest paramount chief to see because I can

14 remember 1981, 82, 83, he was the only paramount chief within

16:06:06 15 that axis has horses riding in Bo Town. You see him with

16 different colour houses. Today, you can see him on top white.

17 Sometime you see him on top black. You know, he was very  
famous

18 and admirable paramount chief by that time, so I knew him  
before

19 the war.

16:06:29 20 Q. This witness testified that, at pages 18 and 20, that  
21 soldiers led by Boysie Palmer, AF Kamara and ABK, SLA  
soldiers.

22 Killed the paramount chief, with AF Kamara saying: Shoot him  
and

23 Boysie Palmer saying that: Stop him, stay alive. You heard  
that

24 evidence?

16:06:56 25 A. Yes, My Lord.

paramount  
zone?  
that

26 Q. How did you feel on hearing what happened to this  
27 chief, who you say was admirable and respectable from your  
28 A. My Lord, I feel very bad and, really, even though at  
29 particular point in time I went to Bo, August '97, I could not

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killed

1 understand directly whether these people or the chief were  
2 by Boysie Palmer, AF Kamara, ABK, but later in this courtroom  
3 now, when I heard that, I did not please and even now I'm not  
4 pleased of the death of Chief Demby.

16:07:55 5 PRESIDING JUDGE: Is it Boysie, Kamara, who and who?

Boysie 6 THE WITNESS: Boysie Palmer and AF Kamara and ABK.

7 Palmer was the brigade commander for south; AF Kamara was the  
8 Secretary of State south; ABK was the OC Secretariat south,  
9 during AFRC junta period. And chief, if I can just say  
16:08:31 10 something. You know, if you look at our 25 standing order,  
11 killing of innocent civilian was one of the great law within  
the  
12 RUF, you know, so even though I was not having sufficient

13 manpower with me, but if I be know at that time, these three  
guys  
14 them, I can myself, we should have challenged them because of  
the  
16:09:02 15 death of the paramount chief. And three of them -- none of  
them  
16 hailed from that region, so I just -- I thought it was a very  
--  
17 just mere wicked act they did.

18 MR TAKU:

19 Q. Mr Kallon, this witness --

16:09:34 20 PRESIDING JUDGE: Yes, Mr Wagona is on his feet. Yes,  
Mr  
21 Wagona.

22 MR WAGONA: My Lords, a few minutes back a reference was  
23 made to the relationship between the witness and the chiefdom,  
24 and there was a certain about that in regard to his identity.  
I  
16:09:50 25 would request that it be redacted.

26 MR TAKU: No objection, Your Honour. Mr Kallon, you  
make  
27 sure if you get to anything that can reveal the identity of  
28 witness, please, you'll -- well, about the death of Chief  
29 Demby --

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1 PRESIDING JUDGE: Well, let it be redacted.

2 MR TAKU: Thank you, Your Honours.

3 PRESIDING JUDGE: Let's proceed.

4 MR TAKU: Yeah.

16:10:18 5 Q. So what do we say about this cowardly act by these  
paramount 6 individuals killing an 80-year old, blind charismatic  
7 chief, that you spoken so very well. What was your feeling?

8 PRESIDING JUDGE: His feeling as he said, he said he  
felt 9 bad. What else? He felt bad that a man of that reputation  
was 10 killed by people who were not from that area.

16:10:40 10

11 MR TAKU: Yes, exactly.

12 PRESIDING JUDGE: Maybe if they were from that area they  
13 should have not killed such a nice man; an allegedly nice man.

14 MR TAKU: Exactly sir. Well, I think he was.

16:10:55 15 PRESIDING JUDGE: You were not there.

16 MR TAKU: As an individual, I mean, just listening to  
the 17 evidence I felt -- well, let me not bring my feelings here.  
I'm

18 sorry, Your Honour. I'm sorry, Your Honour.

19 PRESIDING JUDGE: Let's proceed, please.

16:11:08 20 MR TAKU:

21 Q. Mr Kallon, now this witness under cross-examination was  
not 22 able to give the time frame of when. That is at pages 36 to  
37,  
23 lines 8 to 10, and line 14, he was thinking about when this  
event

you: 24 took place, he could not. But I want to put the question to  
16:11:28 25 That fact notwithstanding, that he could not establish a time  
26 frame, did you at any time, Mr Kallon, before August 1997, set  
27 foot in Bo for any reason whatsoever?  
28 A. No. Before August, as I told you, from June to August,  
I 29 was -- to 2 August I was in Makeni and those that were in Bo  
at

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AFRC 1 that time, the brigade commander south, the Secretary of State  
2 south, the OC Secretariat, these were the top, top ranking  
3 decision body of the southern region under the AF -- I mean  
4 regime or period, so I was not there and they were not -- I  
don't  
16:12:21 5 even know them by that time.  
6 Q. Now did you know when these people were appointed to  
that  
7 position by the AFRC regime?  
8 A. My Lord, by then, I came from the bush. I met brigade  
9 commander in Makeni. I met Secretary of State there. I met  
OC  
16:12:44 10 Secretariat there on 3 June. I met this body there already.



11 Q. In Makeni?

12 A. In Makeni. So, maybe, immediately the overthrow, that  
was  
13 the time they organize this their body into this different,  
14 different, different position.

16:12:58 15 Q. So, let me just ask you: So, you took no, you played no  
16 role in appointing these people. That AFRC appointed these  
17 people to this position, Boysie Palmer, AF Kamara, you played  
no  
18 role in the appointment at that point in time?

19 A. No, My Lord. I met these people already in their  
position,  
16:13:18 20 who even I'm sure my boss, Sam Bockarie, do not take no part  
in  
21 that, even though I'm not speaking for him. But who am I at  
that  
22 time to go and sit in the appointment of minister, interim  
23 brigade commander. Even though if you are not a militant, but  
24 when they talk about brigade, I hope Your Honourable Justice  
16:13:40 25 Boutet know, when you talk about brigade, it's a big big big  
26 force, a force country, a whole region.

27 PRESIDING JUDGE: Who tells you that the other Judges  
don't  
28 know?

29 THE WITNESS: Sorry, sir. I thought --

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1 PRESIDING JUDGE: Stop personalalising your comments on  
2 Judges; you understand?

3 MR TAKU: We're sorry about that, sir. We are sorry  
about  
4 that. Indeed, I'm aware that the other Judges know; there's  
no  
16:14:06 5 doubt about that. I know as a fact that the other Judges  
know.

6 Now --

7 PRESIDING JUDGE: No, all I wanted -- all I was driving  
at  
8 was that comments should not be personalised.

9 MR TAKU: Yes.

16:14:19 10 PRESIDING JUDGE: We are not sitting here in our  
respective  
11 backgrounds or capacities, so --

12 MR TAKU: Sorry about that, Your Honours.

13 PRESIDING JUDGE: Yes.

14 MR TAKU: He is just being human. At times it happens  
16:14:35 15 that, well, that happens to us at times.

16 PRESIDING JUDGE: That's okay.

17 MR TAKU: We're not intending to undermine or to --

18 PRESIDING JUDGE: No, no, it's okay. I just made a  
19 comment.

16:14:44 20 MR TAKU: Yes, Your Honour.

21 Q. Now on 2 August 1997, you've told the Court that you  
were  
22 deployed to Bo, Mr Kallon. Now, can you tell the Court  
exactly  
23 who deployed you to Bo on that date?

24 A. On 2 August the down commander by then, Colonel Isaac  
16:15:12 25 Mongor brought me a radio message from Colonel Sam Bockarie  
that  
30 26 he is to give me a -- two squad. I mean, two squad in RUF was  
27 manpower, to take them from Makeni to Bo, on 2 August. And  
that  
28 very day he ordered me to leave and I leave that day to Bo.  
29 Q. Now when you left with 30, two squad, that's 30 men to  
Bo,

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1 when did you arrive Bo?  
2 A. That very day. I pass through Masiaka, Mile 91, then to  
3 Bo. I said, not even they drive.  
4 Q. Now, apart from the deployment to Bo were -- now, this  
16:16:14 5 contingent, this squad that they sent you to Bo with, what  
were  
6 you going to do in Bo? Were you in control? Were you asked  
to  
7 command -- I am sorry, My Lord, let me rephrase it. What were  
8 you going to do in Bo on that day?  
9 A. According to the contents of that message that time, I  
was  
16:16:33 10 to go and represent the presence of RUF in Bo among the SLA  
11 soldiers, the brigade SLA soldiers.

12 Q. So, apart from Bo, did your command extend to any other  
13 town outside Bo?

14 A. My Lord, even within the Bo town itself, as I told you,

I

16:17:05 15 only went there with two squad, 30 men. These 30 men were not  
16 even enough to deploy in one section in the town. Let me not  
17 cover the whole district now. So we were only at the brigade,  
18 the reservation area they give us lodge; that was the area we  
19 occupy. We were not on any military duty.

16:17:33 20  
Your

20 Q. Now TF-360 testified that on 7 November 2005, page 72,  
21 Honours, lines 1 to 6 and said that Kailondo or yourself were

in

22 control Bo, Makeni and Kono in 1997. What do you say about

that?

23 A. The pseudonym of that witness just now --

24 Q. 360?

16:17:58 25

25 A. 366.

26 Q. 366, yes. Sorry, please, 366.

27 A. You know, as I explained the history between myself and  
28 366, before coming to this Tribunal, he was just a man trying

to

29 box me in every crime base the Prosecution asked him about.

He

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military 1 was not in Makeni; he was not in Bo. And even in normal  
believe 2 second, I mean duty or even military normal civil duty, I  
3 south, east and north, these are the three region he's talking  
4 about. Makeni is the Northern Region; Bo is the Southern  
Region;

16:18:38 5 Kono is Eastern Region. How can I, one, be in control of  
these 6 three regions together? And which, of course, each of these  
7 regions has it's minister, it has its brigade commander. With  
8 me, who's controlling just 30 men, how can I be in control of  
all 9 those areas? I was not. He say lies, sir.

16:19:09 10 Q. Now, TF1-360 this time I think I got him correct,  
testified 11 before this Court that when he came to Freetown -- no, 366  
again, 12 that when he came to Freetown he met the fighting with  
Superman?

I 13 A. 366, sir, as I told you earlier, he came from Kailahun.  
Freetown. 14 came from Makeni way. It's lie. He did not meet me in

16:19:43 15 Many witnesses testified before this Tribunal. Superman was  
the 16 only sole body Sam Bockarie instruct to move with his team  
from 17 Western Jungle to Freetown, and all deployment within Freetown  
18 was under Superman and his men. So it's lie.

30 19 Q. Now, within the time you were in Bo with this squad of  
16:20:08 20 men, did you integrate this squad 30 men with the SLAs? In  
other

the  
top  
them?  
RUF  
16:20:36  
on

21 words, did you integrate them with the forces that were under  
22 command of Boysie Palmer, AF Kamara, ABK, and all the other  
23 AFRC officials who were in the town, did you integrate into  
24 A. No, My Lord, and for me in Bo, no. And even generally  
25 was never integrated into AFRC, either army or civil  
26 administration, no. They did not agree. There were -- if I'm  
27 not mistaken there's an exhibit before this Tribunal, it was  
28 proposed suggestion to the leader of AFRC for RUF to integrate  
29 into the army and that proposal was not agreed upon. I mean,

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came,  
16:21:30  
military  
given

1 it, you see, so we were never integrated into any. When we  
2 when they invited us, we met them in their full military  
3 structure from the army CDS, Army Chief of Staff, colonel of  
4 operation, brigades commanders and so on and so forth. From  
5 deputy defence minister clean down to the last rank of  
6 deployment. It was like that. No battalion commander was

not  
7 to RUF, neither company commander, even a squad position was  
8 given to RUF as a sign of reintegration into the national  
army.

of  
9 JUDGE BOUTET: I'm not sure I understood the beginning  
16:21:53 10 that answer, Mr Kallon. Did you say that at the top echelon  
11 there was some integration but at the bottom, the battalion  
level  
12 and lower, there was no integration but more at the top or  
this  
13 is not what you said? I'm just trying to understand.

14 THE WITNESS: My Lord, from up to down, there were no  
16:22:14 15 integration.

16 JUDGE BOUTET: At any level?

17 THE WITNESS: At any level. The brigade commander,  
18 battalion commander, company commander, platoon commander,  
squad  
19 team, everything was headed by the military.

16:22:29 20 JUDGE BOUTET: But above brigade commander?

21 THE WITNESS: Please, sir, the deputy defence minister  
was  
22 the Sierra Leone Army, SLA. The Army Chief of Staff was SLA.  
23 The Army Chief of Defence Staff was SLA. The colonel of  
24 operation was SLA. The Navy's wing was SLA. The Air Force  
wing

16:22:54 25 was SLA. All structure within the military was headed by  
them.

26 They do not agree to give none to RUF and did not integrate  
none.

27 Even the proposal Sam Bockarie proposed, they did not adhere  
to  
28 it.

29 MR TAKU:

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attention.

1 Q. Yes, very soon we'll bring that proposal to your

Let

2 One minute, Your Honours. Your Honours, we'll come to that.

you

3 me just proceed. We'll attend that in due course. Now, can

did

4 explain to the Court why you took the decision not -- why you

16:23:49

5 integrate you were in Bo with AFRC?

at

6 A. My Lord, one, the leader of the RUF at that time Sam

7 Bockarie, even the proposed position say Foday Sankoh was the

8 deputy chairman for the AFRC did not allow him to even stand

Foday

9 the door of that office they proposed for Sam Bockarie and

16:24:18  
him

10 Sankoh. It was acted by Solomon SAJ Musa, who they appointed

11 as chief of Secretary of State. He was the chief for all the

12 ministry under the AFRC. So and this proposition which Sam

cannot

13 Bockarie wrote to the AFRC, they did not approve it, and I

that

14 go above Sam Bockarie then I go integrate myself with SLA,



16:24:50 15 was not the purpose he send me there for. He said I should go  
16 and make sure the presence of RUF be in Bo, My Lord.

17 Q. Your Honours, we are trying to locate that exhibit. We  
18 will tender it in due course. It's an exhibit dated, one  
minute,  
19 Your Honour. Your Honours, we'll come to that, Your Honours.

16:25:55 20 Let me just proceed, Your Honour. Mr Kallon, we'll tender the  
21 exhibit thereafter, it's somewhere among the so many exhibits  
22 here. In fact, it had been tendered already. It's a  
Prosecution  
23 exhibit?

24 MR WAGONA: It's a Court exhibit.

16:26:07 25 MR TAKU: It's a Court exhibit. Sorry, Your Honour, I'm  
26 very sorry. It's a Court exhibit. We would refer to it, let  
me  
27 just see if I have the mark here. The number here. We'll  
tender  
28 it later, Your Honour, we'll draw his attention to it that  
it's  
29 already tendered.

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1 Q. Now, Mr Kallon, let's move quickly. We'll come back to  
it

2 and we'll bring it to the attention of the Court. The day --  
3 now, let's move to another area very quickly. Paragraph 26 of  
4 the indictment alleges that you were -- that during the junta  
16:27:27 5 regime you were a member of the junta governing body, junta  
6 governing body. What do you say about that?  
7 A. Please, sir, Mr Taku, that paragraph in that indictment  
is  
8 not true. And even up to now, I'm sitting before you I have  
not  
9 get the clear understanding what they mean by the junta  
governing  
16:28:00 10 body, because I was not in any of that position but if you can  
11 look at Court Exhibit 6, I will rely on that exhibit to prove  
12 that I was not a member of junta governing body. The  
membership  
13 ahead, during the junta period was open-door membership, both  
14 civilians, RUF, SLA, were in that membership which they called  
16:28:35 15 armed forces revolutionary counsel. I was a member of that  
16 counsel. I don't know if that is it they referring to that  
17 paragraph as governing body. And in that exhibit, if you look  
at  
18 the gazette of Sierra Leone, you will see number nine, my name  
19 Major Morris Kallon.  
16:29:11 20 Q. Yes, look at this. It's that -- Court exhibit number 9?  
21 PRESIDING JUDGE: He has already referred to it, I mean,  
we  
22 don't need to go into that.  
23 MR TAKU: Now, that is Exhibit 6, not 9.  
24 PRESIDING JUDGE: Exhibit 6.  
16:29:30 25 THE WITNESS: The Gazette of Sierra Leone, sir.  
26 MR TAKU:

proposal

27 Q. Now, this proposal that you're talking about, the  
28 from Sam Bockarie to AFRC which was rejected could that be  
29 Exhibit 39?

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1 A. Really, I don't get that exhibit number in my head but I  
2 sure -- I don't know unless you verify from the exhibit list.

3 Q. Yes, look at this Exhibit 39?

4 PRESIDING JUDGE: Court Exhibit 39.

16:30:28 5 MR TAKU: Yes, sir. That's the proposal for integration  
6 that was made by Sam Bockarie but rejected by the AFRC.

7 Q. Now, can you, look at it please and tell the Court the  
8 names of the proposal that were made and rejected.

9 A. Yes, this is the very exhibit I'm talking about.

16:30:47 10 Q. What were the proposals please?

of 11 A. The proposal was Colonel Sam Bockarie, field commander  
12 the people's army to be the second in command to the chief of  
13 Defence Staff, CDS. That was not agreed. Then B,  
14 Lieutenant-Colonel Issa Sesay battle-group commander of the  
16:31:12 15 people's army to be second in command to the chief of army  
staff.

rejected, 16 That was rejected. The only two on this that were not  
It 17 they were in that appointment, I knew of but not integration.  
joint 18 was appointment was the C, Colonel Isaac Mongor, he was the  
19 security for anti-looting in Freetown, here, after he left  
16:31:44 20 Makeni.

21 Q. How was he?

22 A. Then if you look at the next page, no, that number 3,  
you 23 will see propose Supreme Council and Colonel Mike Lamin was  
the 24 one who supposed to be in that council. As I see it the name  
16:32:06 25 here.

26 Q. What's the date on that exhibit?

27 A. The date of this was 13 August, 1997, but Colonel Mike  
28 Lamin because he name fall under the Supreme Council but what  
I 29 see he was doing here, he was NSA director something like  
that.

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1 I don't know about this propose if it was agreed upon, but the  
2 appointment I knew he was here for -- he was doing here it  
was,

3 NAC Director.

4 JUDGE THOMPSON: Now, what was the question?

16:32:46 5 MR TAKU: The question was: What was the date and who  
were

6 the members of the -- of the RUF proposed for the integration.

7 JUDGE THOMPSON: From Exhibit 39?

8 MR TAKU: 39, yes, sir.

9 JUDGE THOMPSON: In other words, you want him to tell  
the

16:32:59 10 Court --

11 MR TAKU: Yes, sir.

12 JUDGE THOMPSON: Who the members were.

13 MR TAKU: Yes, sir.

14 JUDGE THOMPSON: I see.

16:33:05 15 THE WITNESS: The two members I read out, the one and  
two

16 were rejected.

17 JUDGE BOUTET: Yeah, but Mr Kallon, isn't it your  
evidence

18 that none of that was accepted as integration?

19 THE WITNESS: Yes, sir.

16:33:19 20 JUDGE BOUTET: Some of them were given appointment.

21 THE WITNESS: Yes, sir.

22 JUDGE BOUTET: And which in fact you did mention that  
only

23 two of them --

24 THE WITNESS: Yes, sir.

16:33:25 25 JUDGE BOUTET: -- were appointed but there was no  
26 integration. In other words, that list that you have in your  
27 hands that was forwarded by Bockarie --

28 THE WITNESS: Yes, sir.

29 JUDGE BOUTET: -- was not accepted.

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1 THE WITNESS: At all no.

2 JUDGE BOUTET: That's your evidence.

3 THE WITNESS: At all no, sir.

4 JUDGE BOUTET: Okay.

16:33:39 5 MR TAKU:

6 Q. All right. Now --

7 PRESIDING JUDGE: So what is the point?

8 MR TAKU: That date.

9 PRESIDING JUDGE: What is the point that you want to  
16:33:45 10 establish?

11 MR TAKU: By that time --

12 JUDGE THOMPSON: Yes, that is the point. I think the  
13 reason --

14 JUDGE BOUTET: [Overlapping speakers].

15 JUDGE THOMPSON: I raise the issue, because I did not  
know  
16 what you were trying to elicit

17 MR TAKU: Yes, Your Honour.

18 JUDGE THOMPSON: Or whether you wanted just a general

19 commentary on Exhibit 39 because --  
16:34:02 20 MR TAKU: No. No. I wanted also --  
21 JUDGE THOMPSON: -- which would be unacceptable -- -  
22 MR TAKU: Yes --  
23 JUDGE THOMPSON: -- because it's already in evidence.  
24 MR TAKU: Yeah. I just wanted to find out if, as of  
that  
16:34:09 25 date that that proposal was made, whether he was a member of  
any  
26 RUF, any AFRC structure.  
27 JUDGE THOMPSON: We've got carried away in a sea of  
28 peripheral matters.  
29 MR TAKU: Exactly, Your Honours.

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1 JUDGE THOMPSON: All right. Thank you.  
2 JUDGE BOUTET: When you say "he," you mean he the  
witness?  
3 MR TAKU: No, no, he Kallon.  
4 JUDGE BOUTET: Well, if you had asked that question, I  
16:34:29 5 missed it completely, so, I'm glad you -- you refreshed my  
memory  
6 of this because I did not hear that question, Mr Taku, but it  
may

7 have clarified the issue for me.

8 MR TAKU:

9 Q. Now, as of that date that that proposal was made, what -

16:34:43 10 did you hold any position whatsoever, did you have anything to  
do

11 whatsoever with AFRC?

12 A. No. Even the names on this list I told you they were  
not

13 accepted. Myself were not integrated into any body of the  
AFRC.

14 PRESIDING JUDGE: When you're talking of the names,  
you're

16:35:08 15 at the same time talking of an exception of two, who may have

16 been accepted, so you better be very focused on what you are

17 saying on Exhibit 39. Are you saying that the totality of the

18 names, you know --

19 MR TAKU: Yeah.

16:35:16 20 PRESIDING JUDGE: -- you know, were rejected.

21 THE WITNESS: Your Honours, the titles given on this

22 exhibit, I do not see no RUF hold that titles in the AFRC.

23 The -- but the two name Isaac Mongor, I upheld him later  
around

24 September, October, that he was in the anti-looting squad but

the

16:35:52 25 proposal here was supposed to be security, second in command  
to

26 chairman of joint security.

27 PRESIDING JUDGE: And then the second name.

28 THE WITNESS: The second name, Mike Lamin, he was to be

29 Supreme Council member but I did not see that, what I heard of



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1 him in September was Director of NAC.

counsel's

2 JUDGE THOMPSON: There, I thought all along that

or

3 question was focused on whether he, the witness, was a member

4 not.

16:36:18

5 MR TAKU: Yes, at the time, yes.

got

6 PRESIDING JUDGE: That I thought was the train and we

if

7 carried away in so many directions. Now we are coming back as

8 we're trying to gather the threads all over again.

9 MR TAKU: Yes.

16:36:37 10  
any

Q. At that point in time, Mr Kallon, did -- were you given

11 function, did you play any role in AFRC, whatsoever?

12 A. No, My Lord. My only function during the AFRC was to

13 represent the RUF in Bo.

14 JUDGE BOUTET: But --

16:36:53

15 THE WITNESS: -- from August.

me

16 JUDGE BOUTET: But, maybe you can clarify something for

is,

17 then. You did mention that on, I'm not sure what the exhibit

18 no, I think it was Exhibit 6, that your name appeared in the

Kallon 19 gazette under number nine in the gazette, saying: "Morris  
16:37:12 20 is a member of the Armed Forces Revolutionary Council. Am I  
21 right or not?  
22 THE WITNESS: Yes, sir.  
23 JUDGE BOUTET: This is what you said.  
24 THE WITNESS: Yes, sir.  
16:37:22 25 JUDGE BOUTET: So were you or were you not a member of  
that  
26 council.  
27 THE WITNESS: My Lord, that's why before I answer that  
28 question I said it was open door council member, civilian,  
RUF.  
29 PRESIDING JUDGE: Were you or were you not a --

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1 THE WITNESS: Yes, I was a member of that Armed Forces  
2 Revolutionary Council.  
3 JUDGE BOUTET: As of when?  
4 THE WITNESS: From if I'm not mistaken from September  
1997.  
16:37:50 5 PRESIDING JUDGE: And that document was gazette.  
6 THE WITNESS: Yes, sir.  
7 PRESIDING JUDGE: Yes.

8 MR TAKU:

9 Q. Well, we are going to come back to that in due course.

16:38:01 10 Let's move to something else. As we progress towards Kono,  
we'll

11 come back to that.

12 PRESIDING JUDGE: Mr Taku, before you progress, I just

13 wanted to remind you that the Tribunal and I'm sure you  
yourself

14 are entitled to a tea break at this point in time. So, we'll

16:38:31 15 be --

16 MR TAKU: Thank you, Your Honour.

17 PRESIDING JUDGE: We'll be recessing for the tea break  
and

18 we'll resume in the next couple of minutes.

19 MR TAKU: Thank you, Your Honour.

16:38:53 20 PRESIDING JUDGE: The Chamber will recess please.

21 [Break taken at 4.38 p.m.]

22 [Upon resumption at 5.00 p.m.]

23 PRESIDING JUDGE: Yes, we're resuming the session, Mr  
Taku.

24 MR TAKU:

17:08:50 25 Q. Mr Kallon -- Mr Kallon?

26 A. Yeah.

27 Q. Okay. We're talking about this Exhibit 6. I will come

28 back to it as we move to Kono and other areas.

29 A. Yes.

will  
1997,

1 Q. Not to repeat the questions, but to ask questions that  
2 affect this exhibit. Now, let me -- prior to 18 September  
3 the date on which this, apparently in fact it is dated-3  
4 September 1997, that's when the appointment was made.

17:09:29 5 PRESIDING JUDGE: His appointment to the AFRC?

6 MR TAKU: Yes, sir.

are

7 Q. Prior to that date, had anybody informed you where you  
8 from that you are a member of the AFRC?

I

9 A. No. It was in September, I don't just know the day now,  
10 receive copy of letter. As Sam Bockarie was driving from  
11 Freetown to Kenema, he make a break in Bo and give me a letter  
12 that I should come in Freetown to attend AFRC meeting.

13 Q. Did you know, did he tell you why you were appointed to  
14 AFRC?

17:10:21 15 A. Actually, he did not give me any specific reason. The  
only  
16 thing he said, he is not -- he is not trusting. He is not  
trust  
17 the AFRC coup maker. That's why he is going to Kenema, and  
the  
18 way they are behaving now in Freetown, he, as the leader of  
the

19 RUF, he is going to send himself far off from them, and make  
sure

17:10:57 20 he should be back to former RUF headquarters, which was  
Kailahun.

21 That's why he said he was going to make himself base in  
Kenema,

22 according to what he told me.

23 PRESIDING JUDGE: What -- what was in the letter that he

24 gave you? What was in that letter?

17:11:12 25 THE WITNESS: The letter he gave me --

26 PRESIDING JUDGE: Who signed the letter?

27 THE WITNESS: It was he, Sam Bockarie. That I should  
come

28 in Freetown and be attending weekly AFRC meeting. My name has

29 fall in that membership.

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1 MR TAKU:

2 Q. Did you -- did you know why you're appointed?

3 A. Chief Taku, as I told you, I was having only 30 men in  
Bo.

4 Probably he thought I was idling, that's why, to keep me busy,

17:11:53 5 and because of maybe he is absent in Freetown in that meeting,

6 maybe that was the reason. But he did not show me any  
specific

I

7 reason. Even up to now, only this reason I've shown you, but

8 cannot go further than that.

9 Q. Did you move to Freetown to attend the meeting?

17:12:12 10 PRESIDING JUDGE: Did he tell you he was the one who  
11 proposed you to the council?

12 THE WITNESS: Sam Bockarie, sir?

13 PRESIDING JUDGE: Yes.

14 THE WITNESS: Yes, sir. Yes, sir. He was the leader of  
17:12:21 15 the RUF by that time.

16 MR TAKU:

the

17 Q. His Lordship is asking whether he told you that he was

18 one who had given your name, proposed you?

19 A. Yes. Now, his signature was on the appointment letter,  
17:12:29 20 sir. He signed the letter.

how

21 PRESIDING JUDGE: He was not the head of the AFRC, so

meetings

22 could he sign a letter appointing YOU to the AFRC? Anyway, in  
23 his letter he just said you should be attending weekly  
24 of the AFRC.

17:12:44 25 THE WITNESS: Yes, sir.

26 PRESIDING JUDGE: Did the letter say, you know, he was  
27 appointing you as member of the AFRC?

28 THE WITNESS: No, sir.

29 PRESIDING JUDGE: Anyway, let's continue, please.

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1 MR TAKU:

2 Q. Did you -- yes. And from there did you go to Freetown  
to  
3 attend the weekly meetings?

4 A. Yeah. If I recall well, yes, I attended two or three of  
17:13:05 5 that type of meeting.

6 Q. You attended two or three meetings --

7 A. Yes.

8 Q. -- in Freetown?

9 A. Yes.

17:13:10 10 Q. From what time?

11 A. From the very September to October. But I was not based  
in  
12 Freetown. I only used to go, especially if helicopter  
available,  
13 because at that time the Kamajors used to block the road.

14 was the time they were preparing what they call Operation  
Black

17:13:33 15 December, so they used to block the road from Bo to Mile --  
91.

16 So if they -- this week if I don't get the helicopter, I no  
17 privilege to get helicopter to come Freetown, I cannot come.

18 Q. Yes. You say you attended about two or three meetings.

19 Now, when you attended the meeting, where did the meeting take

17:13:59 20 place -- the two or three meetings that you say you attended?  
21 A. All the meeting I attended, it was at Johnny Paul Koroma  
22 resident in Spur Road.  
23 Q. So what was discussed in the meeting?  
24 A. Not meeting per se with agenda. In that meeting when it  
17:14:31 25 was myself and few other RUF and civilians through their  
union,  
26 drivers' union, just, you know, all those members who were in  
27 there, it was only Johnny Paul Koroma and the secretary of  
AFRC  
28 came and read out, say there are 21 soldier who caught  
committing  
29 crime in Freetown, looting and so on and so forth, so this

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1 soldier, he is going to set example so that all the SLA will  
2 deviate from that act and that they were going to execute  
them.

3 That was the first meeting.

4 Q. Did he execute them?

17:15:21 5 A. Yeah, I heard of them being executed, even though I do  
not

6 see them caught. Then the second meeting was also at his



7 resident. He just -- they just came out with blackboards --  
8 something like blackboard. He say he is going to reshuffle  
9 ministry, especially they say he is going to change this  
minister  
17:16:09 10 who were on energy and power should go to trade and industry;  
the  
11 one from trade and industry to come to energy and power. As  
he  
12 explained that on blackboard, everybody go back to their  
various  
13 places. This was the sort of the meeting we were having, not  
14 meeting with agenda.

17:16:27 15 Q. Now, when you came to those meetings, how were you  
treated?

16 How were you and the other RUF people treated in Freetown when  
17 you came for that meeting?

18 A. Treated in what sense, My Lord? How --

19 Q. In the meeting --

17:16:40 20 A. -- in the meeting?

21 Q. Yes.

22 A. In the meeting hall?

23 Q. Yes.

24 A. My Lord, this meeting hall I'm talking about is a big  
hall  
17:16:49 25 in Johnny Paul Koroma compound wherein all those civilian  
26 membership, RUF membership, you go first enter, you will get  
27 seat -- just long, long bench -- benches just like classroom.  
28 They have long, long benches. So everybody come and sit down.  
29 He just come and explain. But, like, I was sitting, so -- so  
the

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Johnny  
General,  
Their  
17:17:34  
public  
and  
17:17:43  
out  
go.

1 meeting used to be with the floor member used to sit so.  
2 Paul Koroma, the PLO1, Sergeant Musa, the AFRC Secretary-  
3 Colonel AK Sesay, they used to sit like, for example, how  
4 Lordships sitting over there.  
5 PRESIDING JUDGE: PLO -- PLO, give me -- stands for what  
6 again?  
7 THE WITNESS: I think public relationship no. 1 or  
8 officer no. 1.  
9 PRESIDING JUDGE: Public Liaison Officer?  
10 THE WITNESS: Yes, sir, something like that. PLO1.  
11 PRESIDING JUDGE: Yes, Mr Cammegh, do you contend that  
12 Mr Jordash? Is it Public Liaison Officer?  
13 MR CAMMEGH: Yes, Your Honour.  
14 PRESIDING JUDGE: Public Liaison Officer.  
15 MR CAMMEGH: Yes. As far as I'm aware, yes.  
16 PRESIDING JUDGE: Yes, okay.  
17 THE WITNESS: So they used to sit, and they just read  
18 what they've come to say to -- to -- to the body; then they

19 Then we all go back where our respective places.

17:18:14 20 MR TAKU:

21 Q. Now, I can see here on this Exhibit 6 other government  
22 notice 220 Public Holiday Act, minister of defence, government  
23 notice number 221, substantive promotion, officer armed  
forces,

24 Republic of Sierra Leone. Now, on the same gazette were you  
ever

17:18:43 25 consulted in any way before those appointments were made, that  
is

26 the same gazette?

27 A. No. No, and the few -- the three meeting I talk about I  
28 attended, I was not in any of that meeting ever promotion were  
29 discussed, no.

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ask 1 Q. Was any -- were your opinions ever sought? Did anybody  
you 2 you to take the floor to say something about -- or you said

3 just read. You just came and read what they had decided --

4 PRESIDING JUDGE: Ask the question, Mr Taku,

17:19:21 5 MR TAKU: Yeah.

6 PRESIDING JUDGE: Ask the question.

7 MR TAKU: Yeah. Okay.

8 Q. Now, tell us; When the chairman came in, how -- how were  
9 the deliberations carried out in that meeting? What -- what  
10 happened when you got into the meeting?

11 PRESIDING JUDGE: Did you participate in the debate --

12 MR TAKU:

13 Q. Did you participate in the debate --

14 PRESIDING JUDGE: -- in those meetings?

15 THE WITNESS: No, My Lord. As I already told the  
16 Chamber,

17 sir, the hall was like this, the big table in front of  
18 everybody.

19 The chairman, Sarj Musa, PL01, Secretary Of State and maybe  
20 Secretary or Secretary-General AFRC, they come and sit in  
21 front

22 of the crowd. Whatever the secretary read out is what they  
23 have

24 done. Then they start going, then everybody go. No one so  
25 far

26 attended the three meeting. No one ever asked to make any

27 comment or any contribution so far. What they brought is what  
28 everybody going by.

29 MR TAKU:

30 Q. Okay. Now, did you ever attend any meeting at the  
31 Wilberforce Barracks officers' mess?

32 A. No, My Lord. Wilberforce Barracks officers' mess was no  
33 place meant for meeting. It was a general, I mean, area for  
34 all

35 officer from the rank of second-lieutenant to brigadier.  
36 There

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even

1 everybody, like, even now -- like this now, if you go there,  
2 now as I'm speaking, you will see lot of military officers get  
3 back there. There they got their fine drinks and other  
things.

82,

17:21:23  
Barracks,

and

the

heard

4 Q. Now, TF1-045 testified on 18 November 2005, pages 81 to  
5 testified that the Supreme Council met in Wilberforce  
6 the officers' mess, and he was present, that you were present  
7 that Mike Lamin was present in that meeting, and displayed on  
8 wall was the command structure and things like that. You  
9 him testifying that. What do you say to that?

17:21:47  
Lord,

council, I

of

17:22:21

will

10 A. I heard him testify that before this trial. But, My  
11 then TF-045 was not member of that council -- the AFRC  
12 was, yes. So that one officer mess he was lieutenant. He is  
13 supposed to be in that mess because it's the officer mess, but  
14 that was not a meeting. The AFRC council meeting I was member  
15 the one day, I do not see 045 there.

16 Q. Now, let's leave that for a while. As we progress, I

17 ask you a few more questions just for clarification on certain  
18 issues and certain decisions that were made subsequently. But  
--  
19 now, you said throughout this period you were in Bo. Now,  
when  
17:22:43 20 you came to Freetown where did you stay for those meetings?  
21 A. When I used to come on that period, I used to lodge at  
22 number 40A Wilkinson Road.  
23 Q. You earlier stated that Mike Lamin was a member of the  
24 council --  
17:23:05 25 PRESIDING JUDGE: Which lodging?  
26 THE WITNESS: Number 40A Wilkinson Road, My Lord.  
27 MR TAKU:  
28 Q. Earlier on you testified Mike Lamin was a member of the  
29 council. Where did he used to lodge while he in Freetown?

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1 A. In the first place Mike Lamin was based in town here, he  
2 was staying at OU Villa, Hill Station. There the AFRC give  
him  
3 government quarter. I mean, one of the villa there to lodge  
in.  
4 Mike Lamin, Isaac Mongor.

17:23:43 5 Q. Do you know why they gave them that?

6 A. As I told you earlier, Mike Lamin was made director of  
7 AN -- ANC, so maybe it was that reason, and Isaac Mongor was  
8 member of anti-looting squad, so maybe it's for that. And  
these  
9 were the top ranking RUF officials.

17:24:16 10 Q. Can you tell us why you attended only three meetings  
only?

11 A. My Lord -- My Lord, I told you I was in Bo. At that  
time  
12 from September to the time the intervention take place, the  
13 Kamajor activity was very tense between Bo and Mile 91.  
Before  
14 ever vehicle leave Bo, unless they prepare escort convoy from  
Bo,  
17:24:42 15 then from Mile 91 receiving convoy to receive the one from Bo.  
16 So in that location, unless if the military helicopter go Bo,  
I  
17 privilege to sit there. I can go on board to come on that  
time,  
18 or else I cannot, there were no way for me to just come. To  
19 attend a mere meeting, I cannot risk myself to just jump on  
20 vehicle to come out, just to come hear what Johnny Paul going  
17:25:10 20 to  
21 say, no.

22 Q. Now, this 045, TF-045 he already testified, you  
remember,  
23 that he was in Liberia. He came back with TF-371. Do you  
know  
24 when they came back from Liberia to -- back to Sierra Leone?

17:25:31 25 A. Really, as I told you, I saw them physically in  
September  
26 in Bo, when they went with anti-aircraft gun that they were

--  
27 taking it to Sam Bockarie, that was the time I physically see  
or  
28 saw him. Now, I don't -- I don't really know when the first  
that.  
29 second batch of them came from Liberia, no. I've forgotten

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1 Q. Now, let's return to Bo quickly. Is there a time,  
2 Mr Kallon, that you left Bo --  
3 A. Yes.  
4 Q. -- to another location? When is that, please?  
17:26:13 5 A. I left Bo the very first -- I left Bo in February 1998  
when  
6 Bo Town was attacked by -- were attacked by the Kamajors.  
7 Q. When in 1998?  
8 A. February 1998. If I'm not mistaken, the day was on 15  
9 February.  
17:26:38 10 Q. Did you ever hear from Bo that Freetown had been  
attacked?  
11 A. Yeah, the information reach us through the SLA soldiers  
12 that Freetown were under attack on 12 February 1998, and  
finally  
13 they think they were pulling out from Freetown towards the



14 provinces.

17:27:18 15 Q. So on 12 and 13 February, were you in Freetown?

16 A. I was in Bo, sir.

17 PRESIDING JUDGE: 12 and 13 February 1998?

18 MR TAKU: Yes, My Lord.

19 Q. Now, you've testified that on 15 February 1998 you came  
17:27:58 20 under attack from the Kamajors in Bo. Can you please tell  
Their

21 Lordships how and what did you do?

22 A. From around 6, or from 4 in the morning, all the routes  
23 entering Bo attack were launched on. The highway from Kenema,  
24 the highway from Freetown, the highway from Pujehun, the  
highway

17:28:28 25 from Gilleh, and then the highway from Bonthe, all this route  
26 enter into Bo were attacked at the same time when you hear  
27 launching from this point; boom, boom, boom, simultaneously.

28 Q. So what did you do, Mr Kallon?

29 A. As I told you, I was having my family in Bo and I knew,

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1 because of my presence, I used to pay visit to my family  
member.

2 My -- all my attention at that time was to collect my family,  
so

3 that I cannot leave them behind. So I collected them all to  
4 where I was.

17:29:08 5 Q. You collected them to where you were?

6 A. Yes, at Bo Government Reservation, because that was the  
7 area we were given lodging.

8 Q. So what did you do on collecting them there?

9 A. After I collected them, I saw the military brigade  
organise

17:29:24 10 convoy leaving Bo to bulldoze the Kamajors that were attacking  
11 the Freetown Highway in Bo. They bulldoze and we all follow  
the  
12 convey to Mile 91.

13 Q. Now, when you followed the convoy to Mile 91, can you  
tell

14 their Lordships which towns you passed through on the way to  
17:29:45 15 Mile 91?

16 A. I can only remember a few, the one -- two major towns.  
17 From Bo to Taiama, from Taiama to Moyamba Junction, then Mile  
91.

18 There are some villages on the way, but I cannot recall their  
19 names.

17:30:09 20 PRESIDING JUDGE: Bo to Taiama?

21 WITNESS: From Bo, Taiama, Moyamba Junction, then Mile  
91,

22 My Lords.

23 MR TAKU:

24 Q. Now when you got to Mile 91, what happened? Did you  
remain

17:30:27 25 there, or you left?

26 A. When I got to Mile 91, I slept there, I'm sure. The  
27 following morning I saw a convoy from the RUF side. I saw  
28 Lieutenant-Colonel Issa Sesay. I saw Lieutenant-Colonel Peter

soldiers I 29 Vandri with their securities. Then from the government

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1 saw the Brigade Commander Bo -- Colonel Boysie Palmer, the SOS  
2 south, Major AF Kamara, and many SLA soldier come from Masiaka  
3 and to Mile 91. They came and when they arrive, I was told by  
4 Lieutenant-Colonel Sesay that we are to go to Bo so that we

can

17:31:24 5 find way to Kenema and Kailahun. So the convoy move -- well,  
he

6 brought with his family. Where my family were stay, there we  
7 left his own family, who all went back to Bo.

8 Q. Went back to Bo to do what?

9 A. To reattack Bo so that we can found our way to Kailahun.

17:31:48 10 Q. What day was that?

11 A. I'm quite sure it was either the 16, even to the 17  
12 morning. Immediately we got to Bo, around 7 to 8 o'clock,  
13 Mr Sesay were hit on his back by the bullet while he was

trying

14 to stop some SLA who were looting a Lebanese shop. I don't  
know

17:32:16 15 it was one of the SLA or it was a stray bullet. Actually, I  
16 cannot tell now, but while he tried to stop those looter, that

17 was the time bullet hit him at his back.

18 Q. So what did you do?

19 A. Immediately bullet hit him, he could not walk. I ran to  
17:32:37 20 the Government Hospital, but there were no doctor to be able  
come

21 and give him first aid. What I did myself, I left

22 Lieutenant-Colonel Peter Vandi, who put him back in his car,  
the

23 Land Rover. He carry. Then we brought him back to Mile 91.

24 When we came to Mile 91, I left him there with Lieutenant-  
Colonel

17:33:03 25 Peter Vandi. I returned back to Bo that very day. When I

26 returned to Bo, I meet the situation extra tense. The Kamajor

27 have almost again recaptured the whole town, so the full group  
--

28 the following morning on the 7 --that same 17 evening we pull  
out

29 to Mile 91 back. Upon my arrival to Mile 91, I ask my family.

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1 They say Mr Sesay's wound was serious, so he has proceed ahead  
to

2 Masiaka. When I was trying to take Masiaka route, I was told  
by

3 civilians that the ECOMOG has already blocked Masiaka and they

my 4 are arresting junta or RUF personnel. So I have to negotiate  
17:33:55 5 way through one of the Gbinti who said he was the commander  
for 6 the Gbinti in Mile 91 Magburaka axis, so he can able to allow  
me 7 to pass through Magburaka Road to Magburaka, that I was not  
going 8 to fight them, I want to pass peacefully, and they grant me  
that 9 passage. I pass through on the 18 morning, if my memory serve  
me 10 well. I arrive at Magburaka Miarro checkpoint. I was about  
17:34:25 11 take the road to Makeni. I saw Mr Sesay, Eldred Collins, TF-  
371, 12 and others. I cannot recall now. They met me in that  
junction. 13 They say, "oh, Superman has already captured Kono." So we all  
14 drove together from Magburaka to Koidu Town.

17:34:58 15 Q. Yes. Now, Mr Kallon, TF1-361, he testified on 18 July  
2005

16 and --

17 PRESIDING JUDGE: TF1?

18 MR TAKU: 361.

19 Q. Testified on 18 July 2005 that during the junta period,  
17:35:29 20 radio communication was not effective because there was no  
21 confidence in Sierra Leone -- I mean Freetown -- at the time.  
22 But he goes further at pages 87 to 91, page 50, and says that  
--  
23 testified that -- no, page 123, Your Honour, and says that  
Morris  
24 Kallon was not present during the retreat from Freetown to  
Kono

17:35:53 25 in February 1998 because he was in Bo. You heard him  
testifying  
26 that -- saying that. What do you -- what do you say about  
that?  
27 A. I think it does support what I just said, My Lord, that  
I  
28 retreated from Bo to Mile 91 via Magburaka, Mile 91 route.  
29 Indeed, I do not retreat from Freetown.

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while  
and  
that?  
17:36:46 5 A. Yeah, Mike Lamin himself say that even though I was not  
6 there to see him physically. But Mike Lamin himself we met at  
7 Magburaka on the way to Kono. I heard that from him.  
8 Q. The witness also testified at page 26, lines 2 to 8,  
that  
9 Superman ordered Operation Pay Yourself at Masiaka; I  
instructed,  
17:37:09 10 witness and others to move to Makeni. Did you ever hear about  
11 that?

12 A. My Lord --

13 PRESIDING JUDGE: Mr Taku, you will not embrace a new  
14 episode.

17:37:22 15 MR TAKU: Okay. I'm sorry, sir.

16 PRESIDING JUDGE: No, no, no. I'm not saying you are.

17 MR TAKU: Okay.

18 PRESIDING JUDGE: Don't go into a new episode.

19 MR TAKU: Okay.

17:37:29 20 PRESIDING JUDGE: Because we are counting down the  
minutes.

21 MR TAKU: Okay, sir.

22 PRESIDING JUDGE: Yes. So if you realise that you are  
23 through with what you are doing and you are moving to a new  
24 episode --

17:37:37 25 MR TAKU: Okay.

26 PRESIDING JUDGE: -- you are advised, you know, to --

27 MR TAKU: Okay. Maybe we -- we can start -- I was just  
28 reading --

29 PRESIDING JUDGE: No, go ahead.

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1 MR TAKU: Yes.

2 PRESIDING JUDGE: Go ahead.

3 MR TAKU:

4 Q. Now -- now, TF1-366 that you've testified about several  
17:37:58 5 times today, he testified on 11 November 2005, page -- pages  
59  
6 to 60 and said that when they came to Mile Four, Issa told him  
to  
7 divide the people with some going to Songo to receive JPK and  
he  
8 was among those that he sent to go to Songo, pages 59 to 60.  
So  
9 he was sent again to Songo, outskirts, but that he later on  
heard  
17:38:31 10 that you, Mr Kallon, came from Bo and went to Masiaka. What  
do  
11 you say about that?

12 A. Okay. My Lord, it is not true. I was not there when he  
13 say Mr Sesay give him that instruction to go to Songo. He's  
lied  
14 when he say he saw me in Masiaka. To prove your question -  
your  
17:39:04 15 first question you asked 071 he was one of the RUF in Masiaka,  
16 and he names those officers of the RUF that were presence. He  
17 did not make any mention about me. It is true I do not go to  
18 Masiaka, My Lord.

19 Q. TF --

17:39:26 20 A. [Overlapping speakers] retreat.

21 Q. TF1-366 also alleged that a meeting took place in Makeni  
at  
22 the Government Hospital and this was in his absence in a way,  
but  
23 that you briefed him about what transpired at that meeting.  
Were



24 you in a meeting in the Government Hospital in Makeni on the  
17:39:47 25 retreat?  
26 A. No, My Lord. As I told you, I do not go to Makeni. I  
stop  
27 at Miarro checkpoint. My Lord, who is TF-366 I should  
briefing  
28 in terms of meeting? He was working with specific commander.  
29 That commander was the one supposed to tell him any  
instruction.

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1 Q. Who was that commander?  
2 A. He was working in the Western Area. He was deployed  
under  
3 Superman, my command. So far I know Benguema was under  
command  
4 of Superman, even though he came from Kailahun. But also all  
17:40:30 5 soldiers who fell in that area were under the command of  
6 Superman.  
7 Q. With that answer let me not make further citations about  
8 him, because at that very page he was saying that that meeting  
at  
9 the hospital was discussing about -- that the meeting was in  
17:40:47 10 relation to some of the SLA went through Kurubonla area where

11 there were SAJ Musa. So for that answer let me not waste the  
12 Court's time in reviewing what he said about that meeting that  
13 day you allegedly told him. Let me go to another area.

14 PRESIDING JUDGE: You cannot go to another area, Mr --

17:41:06 15 MR TAKU: Okay. Well, it's the same area. I want to  
cite

16 what he says again, the very witness, because --

17 PRESIDING JUDGE: Wrap up. Wrap up, please.

18 MR TAKU: Okay.

19 Q. Mr Kallon, TF1-360 again says that there was looting  
going

17:41:21 20 on in Makeni because they said we were going to Kono, so  
21 everybody was fighting to get his -- in fact we call it  
Operation

22 Pay Yourself, and this witness says that you were present and  
you

23 and Superman, you were the ones who gave the orders for  
Operation

24 Pay Yourself in Makeni. That is his testimony on 7 May 2005,  
17:41:49 25 pages 108, lines 14 to 16, and 11 November 2005, 73, lines 5  
to

26 8, 15 to 18. Now, what do you say? He said you gave him an  
27 account of a meeting in Makeni. Now he says that in fact you  
and

28 others appeared in Makeni. What do you say about that?

29 A. My Lord, this witness lying on me in the first place. I  
no

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Makeni 1 dispute that looting do not take place. But I was not in  
me. 2 when this alleged looting take place. So that witness lie on  
Yourself, 3 I do not give no order for what they call Operation Pay  
4 My Lord.

17:42:53 5 MR TAKU: Your Honours, let me now go to -- Your Honour,  
6 maybe we stop here. When we start on Monday I will -- this  
7 witness makes some serious allegations. Maybe more than ten  
8 allegations. I do not want to go through all of them with the  
9 witness, but --

17:43:06 10 PRESIDING JUDGE: Why not if they are necessary for your  
11 defence.

12 MR TAKU: Okay, Your Honour. I shall do that.

aren't 13 PRESIDING JUDGE: You are presenting your defence,  
14 you?

17:43:13 15 MR TAKU: I'm doing so, Your Honour, yes. So maybe  
we'll 16 continue with 366 on Monday.

no 17 PRESIDING JUDGE: So the witness is saying that he gave  
18 order in relation to Operation Pay Yourself?

19 MR TAKU: Yes, Your Honour.

17:43:39 20 Q. Did -- did -- you say he was with Superman. Did you  
even 21 see him at all on the retreat, this witness?

very 22 A. No, sir. I met Superman in Koidu Town and I met that  
23 witness in Koidu Town.

Monday. 24 MR TAKU: That's all for today, so we can continue

17:44:28 25 PRESIDING JUDGE: Well, learned counsel, I think the  
Have 26 Chamber will rise and resume our session on Monday at 9.30.  
27 a nice weekend.

p.m. 28 [Whereupon the hearing adjourned at 5.36

29 to be reconvened on Monday, the 14th day of

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OPEN SESSION

1 April 2008 at 9.30 a.m.]

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EXHIBITS:

26 Exhibit No. 336

30 Exhibit No. 337

49 Exhibit No. 338

56 exhibit No. 339

70 Exhibit No. 340

83 Exhibit No. 341

86 Exhibit No. 342

WITNESSES FOR THE DEFENCE:

WITNESS: ACCUSED MORRIS KALLON

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16 EXAMINED BY MR TAKU