

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

FRIDAY, 04 MAY 2007
9.40 A.M.
TRIAL
Amended Copy

TRIAL CHAMBER I

Before the Judges:	Bankole Thompson, Presiding Pierre Boutet Benjamin Mutanga Itoe
For Chambers:	Ms Erica Bussey Mr Matteo Crippa
For the Registry:	Mr Thomas George
For the Prosecution:	Mr Peter Harrison Ms Penelope-Ann Mamattah Ms Shyamala Alagenda
For the accused Issa Sesay:	Mr Wayne Jordash Ms Sareta Ashraph Mr Jared Kneitel
For the accused Morris Kallon:	Mr Shekou Touray Mr Charles Taku Mr Melron Nicol-Wilson
For the accused Augustine Gbao:	Mr Andreas O'Shea Mr John Cammegh

1 [RUF04MAY07A - SM]

2 Friday, 4 May 2007

3 [The accused present]

4 [The witness entered court]

5 [Open session]

6 [Upon commencing at 9.40 a.m.]

7 PRESIDING JUDGE: The trial is resumed. Mr Jordash,
please
8 continue with your case.

9 MR JORDASH: Thank you, Your Honour.

10 WITNESS: ACCUSED ISSA HASSAN SESAY
[Continued]

11 [The witness answered through interpreter]

12 EXAMINED BY MR JORDASH: [Continued]

13 Q. Good morning, Mr Sesay.

14 A. Good morning.

15 Q. Now, before we move, as we will, to events in Peyama, I
16 just want to deal quickly with where you were from July 1994
17 until May 1997. So just remind us, when did you --

18 JUDGE ITOE: July 1994 to?

19 MR JORDASH: May 1997, the coup.

20 JUDGE ITOE: Thank you.

21 MR JORDASH:

22 Q. Just remind us, when did you become area commander of

23 Kailahun?

24 A. I became area commander in Kailahun from July 1994 to
25 November 1995.

26 Q. And, during that time, you were based --

27 A. Yes, during that time, I was based at Giema.

28 Q. In November 1995, where did you go?

29 A. Well, before November 1995, I was ill. So, at that
time,

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1 Foday Sankoh had a base at Danane in Ivory Coast. So he had
to
2 send me to Danane in Ivory Coast for medical treatment. So,
when
3 I left -- before I left, November 1995, Foday Sankoh said my
4 deputy, who was Peter Vandi, he was then the area commander.
So
5 Peter Vandi replaced me.

6 Q. So Peter Vandi replaced you as area commander in what
7 month?

8 A. Peter Vandi, he was the one who took my place as area
9 commander, from November 1995 to May 1997. He was the area
10 commander in Kailahun.

11 Q. And you went to where?

12 A. May, I went to Ivory Coast. I stayed in Ivory Coast for
13 medical treatment.

14 Q. Sorry, which month was that did you go to the Ivory
Coast?

15 A. It was November 1995.

16 Q. What was the treatment, just briefly?

17 A. Well, it was a medical operation, so it's something
18 private.

19 Q. How long did you stay there?

20 A. Well, from November 1995 I was there, up to April 1996,
21 before I returned.

22 Q. And where did you return to?

Foday 23 A. Well, when I had gone to Ivory Coast in January 1996,

24 Sankoh had a big meeting at Zogoda, and he heard a complaint
25 inquiry. against me. And, when I went, I had to face a board of

26 before So when I returned to Giema, Foday Sankoh set up the board

27 he went to Abidjan.

28 Q. Right. I'll come to the details of why and what
happened,

29 but just give this Court an indication of where you were, and

it

1 we'll come to what happened in the various places in the order

2 happened. From Ivory Coast, you returned to where?

3 A. From Ivory Coast, I came back to Giema where I spent two

4 weeks. Then they ordered the board to transfer to Zogoda.

That

5 was the first time that I went to Zogoda, in April 1996,

during

6 the ceasefire.

7 Q. That was the first time you ever went?

8 A. Yes, that was my first time of going to Zogoda.

9 Q. So you arrived in Zogoda in what month?

10 A. April 1996.

11 Q. And how long did you stay at Zogoda?

12 A. Well, I was at Zogoda until October 1996.

13 Q. Where did you go in October 1996?

14 A. From October 1996, Mohamed Tarawallie had to instruct me

had

15 that I should return to Giema without any assignment, and I

16 been demoted to Captain, from Major to Captain.

17 Q. Did you return to Giema?

18 A. Yes. I returned to Giema, and I was there as Captain,

19 without any assignment.

20 Q. And how long did you stay there?

21 A. Well, I stayed at Giema from October 1996 to May 1997.

When

22 Q. You've mentioned this demotion, let's deal with that.

23 did you hear about this investigation that was going to take
24 place?

25 A. Well, I was in Abidjan when I was admitted at Hospital
26 Pisam at Cocody. So when I was discharged I came to Danane.

27 Q. The hospital was called what?

28 A. Hospital Pisam, at Cocody.

29 Q. Can you spell that?

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1 A. No. I am not a Frenchman, so I cannot spell it, because
2 it's a French word.

cannot

3 JUDGE BOUTET: I don't know that word either, so I
4 spell it for you.

5 MR JORDASH: I'm not a Frenchman either.

Jordash

6 JUDGE ITOE: But he's French-speaking. I'm sure Mr
7 can try with his British French.

England.

8 MR JORDASH: I'm English; we only speak English in

9 JUDGE BOUTET: But can you spell it out, even though you
10 may not know how to pronounce it?

11 JUDGE ITOE: Did you say it's Pisam.

12 THE WITNESS: Pisam, yes, My Lord.

13 JUDGE ITOE: Pisam.

14 THE WITNESS: Pisam.

15 MR JORDASH:

16 Q. Is that with an "M" for "mother"?

17 JUDGE ITOE: Pisam.

18 THE WITNESS: Hospital Pisam. P.

19 MR JORDASH: P-I-Z-A-N [sic].

20 THE WITNESS: Hospital Pisam. P.

21 MR JORDASH: [Microphone not activated] is the spelling,

22 think.

23 JUDGE ITOE: Isn't it likely to be N-N-E-F-N.

24 MR JORDASH: Yes.

25 JUDGE ITOE: Very likely.

26 MR JORDASH:

27 Q. That was the name of the hospital?

28 A. Yes. Yes, yes.

29 Q. Is that the name of a town?

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1 A. No, no. It's Abidjan city, but the place where the
2 hospital was, was called Cocody.

Abidjan.

3 JUDGE ITOE: Cocody is a very popular quarter in
4 Cocody, it's one of the big --

spell

5 MR JORDASH: Well, I'll rely upon Your Honour then to
6 it.

7 JUDGE ITOE: Cocody?

8 MR JORDASH: Yes, please.

Yes.

9 JUDGE ITOE: I think it is C-O-C-O-D-I, Cocodi [sic].

10 MR JORDASH: Thank you. Thanks very much.

11 Q. So you're at the hospital. Go on.

12 JUDGE ITOE: I do not guarantee the spelling, but that's
13 what I know it to be.

14 MR JORDASH:

15 Q. Okay. So, you're at the hospital.

of

16 A. Yes. I was in the hospital for -- I was admitted for a
17 week plus, and I was discharged. Dr Barrie, he was a member

18 the RUF delegation. He returned with me to Danane.

19 Q. So how did you hear about the investigation?

20 A. Well, the external delegation, which was in Ivory Coast,

21 Danane, they had an arrangement with the government of the

by

22 Ivorians, including the government of Sierra Leone, the NPRC,
23 then, Maada Bio. So they negotiated a peace arrangement and
24 Foday Sankoh had to leave Zogoda with a foreign ambassador,
25 Amara --

26 THE INTERPRETER: Your Honours, would the witness go a
27 little bit slow?

Thanks.

28 PRESIDING JUDGE: Mr Jordash, please control him.

Krio,

29 JUDGE ITOE: Even when I tuned and listened to him in

1 he was very fast.

2 MR JORDASH: I know. It's entirely my fault.

3 JUDGE ITOE: It was very fast. It's not your fault.

It's

4 the way -- you can't take responsibility for that; it's the

way

5 he speaks. All he needs to do is control himself, that's all.

6 MR JORDASH: Okay.

7 Q. So, Mr Sesay, let's break it down. Try to answer the

8 question --

9 A. Yes.

10 Q. Wait a minute.

11 A. Yes.

12 Q. Wait a minute. Try and answer the question first, and

13 then, if there is an explanation, I'll ask you for the

14 explanation. So tell this Court, first, when did you find out

15 about the investigation? When?

16 A. Well, I heard about the investigation in February 1996

at

17 Danane.

18 Q. Who did you hear about the investigation from?

19 A. Well, when Foday Sankoh arrived and his delegation at

20 Yamoussoukro, it was Peter Vandi that first told me. And,

later,

21 Foday Sankoh himself told me, and he said that I was to face a

22 board of inquiry.

in

23 Q. Now, just hold the thought you have and come back to it

24 a minute. Now, Foday Sankoh was coming for what reason?

that's

25 A. Foday Sankoh went to Yamaussoukro for peace talks;

26 the Abidjan peace talks, the first peace talks between him and

27 Maada Bio, NPRC.

28 Q. Now, what did Foday Sankoh explain to you about the

29 investigation?

in

they

to

why

1 A. Well, Foday Sankoh told me that the then area commander
2 Kailahun, by then, Peter Vandi, and a few other people, said
3 complained to him that the money which he had been sending to
4 Giema to me to buy rice for the civilians, and including salt,
5 buy rice and the other condiments and medicines for the use of
6 civilians in Kailahun, I have spent the money.

7 Q. Who spent the money?

8 A. Well, they said that I had spent the money. That was
9 the board of inquiry was set against me.

10 Q. So were you investigated?

11 A. Yes. I was thoroughly investigated.

12 Q. Where did the investigation take place?

13 A. The investigation took place at Zogoda.

14 Q. What did the investigation involve? What was the
15 procedure?

16 A. Well, you had a chairman for the board, who was the IDU,
17 who was PS Binda.

18 Q. PS Bienda is B-I-E-N-D-A [sic]; is that correct?

19 A. Yes, it's correct.

20 Q. Chairman was PS Binda?

21 A. Yes.

22 Q. Were witnesses called to give testimony?

23 A. Yes. There are people who complained and they,
themselves,

24 came and they said that -- and they said that I had not used
the

25 money in the best interest of the civilians, and I too had my
own

26 witnesses, too.

27 Q. What was the result of the investigation?

28 A. Well, the result, they found out that I did not spend
the

29 money. But they charged me for failing to do a follow-up, and

1 they proved that I distributed the money. But since I did not
2 make a follow-up to see how the food was distributed, because
of
3 that reason, Foday Sankoh demoted me to the position of
Captain
4 from Major.

5 Q. So what is it you hadn't done, specifically?

6 A. Well, they said that I did not follow-up -- make a
7 follow-up of the distribution of the rice and the other
8 condiments to the civilians.

9 JUDGE BOUTET: What does that mean, not doing follow-up?

10 THE WITNESS: What they were trying to say was that when
11 the food was being shared, I did not follow up; I did not
check
12 if the civilians received all the food that I bought from
Guinea.

13 MR JORDASH:

14 Q. Was it true? Had you not followed that up?

15 A. Well, I had a G5 who was responsible for the area and
the
16 rice was not enough for the population that was there, at
Giema,
17 during that time.

18 Q. I don't think it's still clear what it was you hadn't
done,
19 if there was something?

the
20 A. Well, they were saying that I was to be present where
21 rice was being distributed and I was not present. I just gave
22 the rice to the chiefs and the G5 for distribution to the
where
23 civilians. They said why didn't I go to the various areas
24 the civilians were, to be present where the food was being
25 distributed. That was what I was held responsible for.
26 Q. And do you know why you hadn't gone to where the food
was
27 to be distributed?
28 A. Well, I was the area commander, and I believed that I
had
29 abled G5s, IDUs, and the chiefs, themselves who were
representing

1 the civilians. I had some other things, you know, to do, that
is
2 why I did not go to the various zoo bushes and the other
villages
3 where the civilians were.
4 Q. Okay, we will come back to life in Giema in a moment.
So,
5 you were demoted and sent back to Giema?
6 A. Yes.
7 Q. And you said you did not have an assignment at this
point.
8 What did this mean, in terms of what you were doing?
9 A. Well, this time around, I did not have any authority
over
10 Giema. I was just an officer. I did not have anything to
tell a
11 commander that he would do, especially the area commander and
his
12 deputy, so I became powerless.
13 Q. Who was the deputy?
14 A. The deputy was Vandi Kosia.
15 Q. Now, you say you had no authority. Did that mean you
had
16 no authority whatsoever, or what was the position? Where did
you
17 come in the hierarchy, I suppose, is what I'm asking?
18 A. Well, at this time, I did not have any function to
perform

had

19 within the hierarchy of the RUF. The only authority that I
20 was in my house and my bodyguards. That's all. Because I can
21 even explain, when I came from Zogoda, what the situation was.

22 Q. Well, just briefly explain then, please.

23 A. Well, before I left Zogoda, the Kamajors had started
24 attacking --

of

25 THE INTERPRETER: Your Honours, I did not get the names
26 the places that the witness mentioned. Would he be allowed to
--

27 MR JORDASH:

but

28 Q. Just remember, I know you've got a lot of information,
29 you've got to pause after about two sentences, okay.

1 A. Yes. Yes.

2 Q. Just go over what you've just said.

3 A. I said, before this time, it was ceasefire time, but the
4 government of Sierra Leone had broken the ceasefire. They had
5 been attacking the positions of the RUF at Koribundu Jungle

and

6 other areas like Bo Jungle and even around Camp Zogoda

Bandawoh.

7 Q. Okay, go on.

8 A. So, I was going to Kailahun and Mohamed Kallon [as
9 interpreted], the field commander -- Mohamed Tarawallie,

sorry.

10 He said that he was used to the Guinea soldiers that were --

11 THE INTERPRETER: Your Honours, would the witness go a
12 little bit slow.

13 PRESIDING JUDGE: Yes, counsel. Let's make another

effort

14 to control him so that he can get this episode carefully

narrated

15 so that the interpreters can be as faithful in their

16 interpretation as possible.

17 MR JORDASH: Certainly.

18 Q. I think the problem is, Mr Sesay, you're speaking a bit

too

19 fast. I think that's the problem. So just slow it down.

20 A. Okay.

21 JUDGE ITOE: Mr Sesay, your evidence needs to be
recorded.

22 It is in your interest that your evidence is recorded
faithfully.

23 If you're talking too fast, too bad; your evidence will be off
24 the record and that could be prejudicial to you. Can you go
25 slowly, slowly? I know it's difficult to change your speech
26 habit, but you have to make an effort.

27 THE WITNESS: Okay, My Lord.

28 MR JORDASH:

29 Q. Let's try that again. You went to Kailahun, Mohamed

1 Tarawallie, field commander.

2 A. Yes. So Tarawallie had to send me. He said, if I went
to
3 Kailahun, I should go to the Guinea border, so as to arrange
to
4 get some ammunition to send for him. So that if I informed
him,
5 he will tell the area commander in Kailahun to bring the
6 ammunition to Zogoda. So I went to Giema. Then I went to
Dia,
7 which was the Guinea border. And the businessman that was
there
8 in Guinea, so I spoke to him. So he also spoke to the captain
9 who was at Nongoa.

10 Q. Do you know how to spell Nongoa?

11 A. I am not a Guinean.

12 Q. All right. Perhaps we will have to check that on the
map
13 later.

14 PRESIDING JUDGE: Nongoa?

15 MR JORDASH: Yes.

16 PRESIDING JUDGE: I think it can be spelt phonetically.

17 MR JORDASH: Well, I'll do that then.

18 PRESIDING JUDGE: Yes, Nongoa. I mean, it's phonetic.

19 THE WITNESS: It would be N-O-R --

20 PRESIDING JUDGE: It's N-O-N-G-O-W [sic].

21 JUDGE ITOE: It could not be N-O-R.

It's

22 PRESIDING JUDGE: It's N-O-N-G-O-W [sic]. That's it.

23 Nongoa.

24 THE WITNESS: It is not Non. It is No, Nongoa.

25 JUDGE ITOE: There is no N? Nogoia. Is it Nogoia?

26 PRESIDING JUDGE: Actually, we better leave this,

27 because --

28 THE WITNESS: You can say anyone.

29 PRESIDING JUDGE: I've seen it on maps as N-O-N-G-O-W-A.

1 It doesn't matter if we spell it N-O-R-G-O-W-A. I'm sure it's
2 the same place.

3 MR JORDASH: Yes.

4 PRESIDING JUDGE: Yes. But it's Nongoa.

5 MR JORDASH:

6 Q. Mr Sesay, could you just say the word again.

7 A. Yes, I said Nongoa; that's in Guinea.

8 MR JORDASH: Okay. I think we might --

9 PRESIDING JUDGE: Carry on, counsel.

10 MR JORDASH:

11 Q. Go on.

12 A. So, the businessman in Guinea, with whom I'd been doing
13 business with the RUF, he was called Abdulrahman, and

Abdulrahman

14 called the Captain. The captain came to the border and we

spoke

15 together.

16 Q. Go on.

17 A. So the captain told me that I should give him three

weeks

18 before he would be able to get AK rounds for us. So I decided

to

19 return to Giema, and I informed Mohamed Tarawallie. Then,

later,

20 I came to find out that the commander at Giema had ammunition,

21 Peter Vandí. So --

22 Q. So?

23 A. So I suggested to Peter Vandi that, since he had AK
rounds
24 with him, so I would suggest that he send two boxes of AK
rounds
25 to Mohamed Tarawallie at Zogoda. And Peter Vandi definitely
26 denied. He said, no. He said, I was not the commander, he
was
27 the commander. And anything that went wrong in Kailahun, he
28 would be held responsible and that I had no authority to tell
him
29 to send ammunition to Mohamed. So I had to send a radio
message

Guinea,
Vandi.

1 to Mohamed telling him that I was not able to succeed in
2 but this was the situation in Giema. So he sent to Peter

were

3 Q. Okay, let me stop you there. So what, in two or three
4 sentences, were you doing in Giema, at that time? We'll deal
5 with it in more detail in a moment but, as an officer, what
6 you doing?

also

had

7 A. Well, at this time, he had junior commandos, who were
8 captains in Giema. I had not been doing anything, because I
9 not been given an appointment, no assignment. So -- except in
10 the mornings, I would go to the swamp where my bodyguards had
11 been working, so as to have food.

him

Northern

12 Q. Right. Okay. Let's deal with that in a moment in
13 chronology from the beginning of your time in Giema. The
14 question I want to ask now is: Yesterday we left Mohamed
15 Tarawallie in the Northern Jungle. You've just spoken about
16 being in Zogoda. Can you explain how he went from the
17 Jungle and ended up in Zogoda?

18 A. Well, I said yesterday, to the Court, that Mohamed
19 Tarawallie left Kangari Hills and he went and attacked Sierra
20 Rutile. From there --

Gangary 21 MR JORDASH: Sorry. Sorry. The interpreter said
22 Hills. It's definitely not Gangary Hills.
23 Q. Can you repeat what you said?
24 A. I said Kangari Hills.
25 Q. Go ahead.
26 A. Where we stopped yesterday, I feel that I told the Court
Jungle. 27 that Mohamed had gone to open another base in the Western
Hills. 28 That was what I said, I did not say that he was at Kangari
29 Q. Sorry, my fault.

his

1 JUDGE ITOE: Mr Jordash, I lost your trend somewhere in
2 evidence. He asked Vandi to send a box of AK ammunitions to
3 Zogoda; Vandi refused and said he cannot give him orders, and
4 that, if anything happens in Giema, he would be responsible;
5 would be the one to take the questions.

he

6 MR JORDASH: Yes.

there

7 JUDGE ITOE: Tarawallie got in touch with Vandi, and
8 I lost the trend.

9 MR JORDASH: Well, I left --

say

10 JUDGE ITOE: He sent a radio message to Tarawallie to
11 this is what's happening on the ground.

12 MR JORDASH: I left it there because --

13 JUDGE ITOE: You left it there deliberately, did you?

14 MR JORDASH: Yes.

to

15 JUDGE ITOE: All right. Let's continue. I just wanted
16 know what happened in the interaction between Tarawallie and
17 Vandi following his radio message to Tarawallie.

mean,

18 MR JORDASH: I can ask him. It might be relevant. I
19 the point was where Mr Sesay's authority was in relation to
20 others. But I think --

is

21 JUDGE ITOE: Clearly, he didn't have authority. He said
22 it, and I think that it has been taken under advice. And that
23 why the other one came with his own authority from Zogoda, I
24 suppose, because Tarawallie was superior in rank to Vandi at
25 time.

the

26 MR JORDASH: I take Your Honour's point, because what
27 Tarawallie said to Vandi might be relevant.

28 JUDGE ITOE: That's right.

29 MR JORDASH:

1 Q. So do you know what Tarawallie said to Vandí?

2 A. Yes. Tarawallie instructed Vandí, saying that he should
3 send ammunition, AK rounds, for him. And Vandí had had to
send
4 three sardine tins of AK rounds, which were one and a half
boxes.

5 JUDGE BOUTET: But Mr Jordash, when you get this kind of
6 evidence, I would like to know a bit more about some of this.
7 The witness says I know. Was he there when that message was
8 sent? Or how does he know about that? This is hearsay. I
think
9 it is important. If you are to rely on this evidence to an
10 extent, we need to know what this evidence is all about. I
mean,
11 the witness is testifying as to some exchange of communication
12 between Tarawallie and Vandí, as such. Is he there? How does
he
13 know about this? We don't know. I mean, what are we to do
about
14 this kind of evidence?

15 MR JORDASH: Your Honour, the words I hear from Your
Honour
16 are the words I spoke, at length, during the Prosecution case,
17 asking for the same --

18 JUDGE BOUTET: No, I'm not asking you about the
19 Prosecution's case. I am asking to you now. If that's your
20 answer, that's fine. I'll take it.

21 MR JORDASH: No, I'm happy to clarify, but I do want it
22 noted that I made the same complaint, on a number of
occasions,
23 about the Prosecution evidence and that complaint was not
upheld.

24 JUDGE BOUTET: Well, I disagree with you because, in
most
25 instances when you raised this issue, we asked a question, we
26 asked for clarification. But, if you want to do it that way,
27 that's fine with me. I am not to argue with you, Mr Jordash.
I
28 thought that that was a very simple question.

29 MR JORDASH: It is.

1 JUDGE BOUTET: If you don't want to do it, that's fine.

2 MR JORDASH: I do want to do it. I think it's a very
3 sensible course of action, but I did want it noted that I've
4 been trying --

5 JUDGE BOUTET: I disagree with you.

6 MR JORDASH: Well, it's on the record.

7 Q. How did you know this information, Mr Sesay?

8 A. I was at Giema. I was at Giema. And, Peter Vandí,
9 himself, was at Giema. When they sent this ammunition, you

10 see, I saw them bringing down the three sardine tins, taking them
11 to Giema.

12 Q. How do you know what Tarawallie said to Vandí? Was this
13 a presumption, from what you saw, or did someone tell you?

14 A. Well, there was a parade. We attended parades in the
15 morning. So every morning, I would go to the parade. Peter
16 Vandí talked about it in the parade, that his deputy was to
17 organise men who should take this ammunition to Zogoda. He

18 said, Mohamed Tarawallie had sent instructions that they should send
19 three sardine tins of AK rounds. He said this at the parade.

20 Q. Thank you. Did, as far as you know, Tarawallie say
21 anything to Vandí about the way he'd reacted to you?

acted 22 A. Well, Mohamed was not too interested in the way Vand
23 to me. What his interest was that he knows Vand
24 commander, it was not for him to instruct Vand
25 ammunition to him.

26 Q. Okay. So, yesterday, where did we leave Mohamed
27 Tarawallie?

Western 28 A. Well, I feel that we left Mohamed Tarawallie at the
29 Jungle, which he had established with Superman.

1 Q. And, for my purposes, since I've forgotten, when was
that?

2 When was the Western Jungle established?

3 A. I said, it was early '95, but I cannot recall the month
4 anymore.

5 Q. And when did Mohamed Tarawallie leave the Western
Jungle?

6 A. Well, at that time, I was not in Sierra Leone. But I
7 understood, when I went to Zogoda, that when Foday Sankoh had
8 left, it took about two weeks, and Mohamed arrived at Zogoda,
9 under the instructions of Foday Sankoh, when Sankoh left for
10 Abidjan.

11 Q. And what was the instruction to Mohamed Tarawallie? Why
12 did he -- why was he instructed to go to Zogoda?

13 A. Well, this time, Zogoda was the headquarters of the RUF.
14 So, if the leader was to go to peace negotiations, that was
why

15 he called for the field commander to come and take over the
16 headquarters as the central command.

17 Q. Who was the battle-group commander when Mohamed
Tarawallie

18 came to Zogoda?

19 A. Well, when Mohamed Tarawallie came to Zogoda, he was
still

20 the battle field commander, while the leader was in Abidjan.

21 Q. Who was the battle-group commander?

22 A. It was Mohamed Tarawallie that was the battlefield
23 commander. That was what I said a moment ago.

24 Q. Battle group?

25 A. I think it was the interpreter that made a mistake. The
26 battle group -- there was no battle group during this time
27 because Foday Sankoh had changed Bockarie and had demoted him
28 from 1995 because of an incident that occurred at Sierra

Rutile.

29 So there was no battle group during this time. Can I clarify
it?

group.

1 I think from mid-'95 to November '96 there was no battle

Was

2 Q. Okay. Let us then return to July 1994 and your role in
3 Giema and Kailahun. Yesterday we dealt with some of the unit
4 commanders and the hierarchy involving you and Peter Vandj.

5 there a G5 when you were area commander of Kailahun?

6 A. Yes.

7 Q. And who was that?

8 A. The G5 commander was Lieutenant DM Brima.

9 Q. And who did he report to?

10 A. He reported to the area commander, Major Issa.

11 Q. Sorry, Mr Sesay, it is not your fault.

12 MR JORDASH: Can we just have the translation again,
13 please?

attorney

14 THE INTERPRETER: Your Honours, would the learned

15 ask the witness to repeat what he said, the last words.

16 MR JORDASH:

as

17 Q. Now, let us just try this again. It is not your fault,
18 Mr Sesay. We are talking about a period from when you began

was.

19 the area commander of Kailahun. You have told us who the G5

20 Who did the G5 report to?

21 THE WITNESS: Mr Interpreter, it is not Western Area,

22 Giema. It is Giema area commander.

23 MR JORDASH:

24 Q. Okay. So let's try again. Giema, Kailahun, you're area
25 commander; okay?

26 A. Yes, yes.

27 Q. G5 was Lieutenant Brima?

28 A. Yes, Lieutenant DM Brima.

29 Q. Who did he report to?

SCSL - TRIAL CHAMBER I

SESAY ET AL

04 MAY 2007 (Amended copy)

OPEN SESSION

1 JUDGE ITOE: Is it Brima or Bwema?

2 THE WITNESS: B-R-I-M-A, My Lord.

3 JUDGE ITOE: I don't think so, he said Bwema.

4 THE INTERPRETER: I said, Brima. Brima.

5 JUDGE ITOE: Is it B-R-I-M-A?

6 THE WITNESS: Yes, My Lord.

7 JUDGE ITOE: Okay. I thought you were using W, Bwema.

8 Thank you.

9 PRESIDING JUDGE: Can you spell it for us?

10 THE WITNESS: B-R-I-M-A, My Lord.

11 PRESIDING JUDGE: Thank you.

12 MR JORDASH:

13 Q. Who did this man report to?

14 A. This man was reporting to the area commander, Major Issa
15 Sesay.

16 Q. Who did the MPs of Kailahun report to?

17 A. The MP reported to the area commander, Major Issa.

18 Q. IDUs, who did they report to?

19 A. Well, I want to make -- the IDU, he was reporting to me.
20 But, at this time, the overall IDU commander was Deen Jalloh,
21 from July to December '94. But the target IDU commander was
22 Francis Musa.

23 Q. Right. And the overall IDU, Deen Jalloh, where was he

24 based?

25 A. He, himself, was at Giema.

26 Q. And did Deen Jalloh report to -- who did he report to?

27 A. He reported to major -- the area commander, who was

28 Major Issa.

29 Q. Did they, these three different units, report to anyone

SCSL - TRIAL CHAMBER I

1 else?

2 A. Well, it was not the three only. There were other unit
3 heads but all three of them reported to me, as area commander,
4 I reported to the leader.

5 Q. Now, what were the G5 doing in Giema, during your time
6 area commander?

7 A. Well, before I came to Giema, all these units had been
8 functioning. When I came, the G5, they were responsible for
9 welfare of the civilians. They were between I, the commander,
10 and the civilians. The G5.

11 Q. In what way were they taking care of the civilians; what
12 were they doing?

13 A. Well, for example, they showed the locations where the
14 civilians built their camps. And if fighters harassed
15 they were responsible for stopping that or they were
16 for bringing the complaint to the commanders.

17 Q. So where were the civilians living at this point, in
18 Giema?

19 A. Well, the civilians were in the surrounding bushes
around
Giema. For example, between Giema and Sembahun was 3 miles.

their
20 That 3 mile distance, it was there that the civilians built
21 bush camps, which was referred to as the zoo bush. And --
22 Q. Zoo bush?
23 A. Yes. Z-O-O, zoo bush. And you had other settlement
where
24 the civilians were, like Tuyama Village where they built a
camp,
25 also.
26 Q. Spell that, please, the name of village you just
mentioned?
27 A. Tuyama, T-U-Y-A-M-A.
28 Q. Why were they living in the bushes?
29 A. Well, during this time, as I said yesterday, the
government

would

the

them

mosque

So

the

1 troops had surrounded Giema. The government troops occupied

2 Gbobu; had occupied Nyandehun Mambabu. They had occupied

3 Kailahun Town and Ghahun. If you look at the map of Sierra

4 Leone, Kailahun District, all these towns I have named, you

5 observe that Giema was surrounded. This was the reason why

6 people had been living in the bushes, because there was no

7 village for them to stay. And they, too, were afraid to go to

8 the enemy side because they would kill them. As the NPRC

9 declared, the people that were in Kailahun District, all of

10 were RUFs.

11 Q. Would the civilians come from the bush at any time?

12 A. Well, yes. They used to come to Giema, especially from

13 late '94. They used to come during Friday prayers at the

14 in Giema. And some came for Sunday services in a church where

15 one was -- which was built by Nurse Mariama.

16 Q. Built by who, sorry?

17 A. A church that was built by Nurse Mariama, by her house.

18 people used to go to that place for services.

19 Q. Do you mean that the church was actually constructed by

20 nurse, or the church was next to the house of the nurse?

in
her
different
come
the

21 A. No. There was no church in Giema. It was only a mosque
22 Giema. It was Nurse Mariama who constructed that church near
23 house.
24 Q. Thank you. Were there any services in Giema for the
25 civilians?
26 A. Yes. Friday, prayers. The Imams, they came from
27 zoo bushes, and the members of the Muslim congregation will
28 and say their prayers in Giema. In like manner, on Sunday,
29 Christian would do.

Giema?

1 Q. You have spoken of a nurse; what was she doing this

charge

2 A. Well, the nurse was responsible for the children and the
3 pregnant women. Her name was Nurse Mariama. She was in
4 of the children and the pregnant women.

5 Q. And, what, did she work from within her house or did she
6 work anywhere else?

far

7 A. Well, she worked in her house because her house was not
8 away from where I stayed. But the main hospital where people
9 were admitted, the civilians and wounded soldiers. It was in
10 bush camp out of Giema.

a

11 Q. Where was that, then?

on a

12 A. Well, it was from Giema Town towards Sembehun, located
13 road towards Sembehun.

14 Q. And how many people worked in there, do you know?

15 A. Well, the combat medics were many. I was not their
16 commander, so I cannot tell the figure. But I am able to tell
17 the nurses and doctors that were there at this time.

18 Q. You are able to tell the nurses and doctors, you say?

It

19 A. Yes. Because the unit itself that is the combat medic.

in

20 was under the control of a woman called Susan Lahai, she was

21 Giema.

22 Q. Who was Susan Lahai?

23 A. Well, Susan Lahai was a civilian. The RUF met her in
24 Pendembu. So, she joined the RUF as a nurse. And, in 1993,
25 Foday Sankoh changed Dr Fabai, who was the original combat

medic

26 commander from Naama, and appointed nurse Susan as the chief
27 medic.

28 Q. Now, who did the hospital treat?

29 A. Well, the hospital treated both fighters and civilians,

and

1 even the civilians that fell ill were also admitted at the
2 hospital.

3 Q. Was there any charge for treatment?

4 A. No; medication was free.

5 Q. Did the G5 remain static in Giema, or what were their
6 day-to-day movements?

7 A. Well, the G5 had various agents and the various targets,
8 and the unit commanders stayed in Giema with me, but, they,
too,
9 were patrolling and came back to Giema.

10 Q. What were they patrolling?

11 A. Well, they patrolled different camps. The civilian
camps
12 where they were located under the target areas, those were the
13 areas that they patrolled; that is, Toyama, Sembahun Talia;
Gbobu
14 and Geveru.

15 Q. And, the MPs, what did they do?

16 A. Well the MPs had representatives at all these targets
and
17 the headquarters was in Giema Town. They were there to --
18 arrest, investigate, to implement punishment.

19 Q. Who did they investigate and who did they punish?

20 A. Well, they investigated fighters that did harassment on
21 civilians. Those were the ones they punished.

22 Q. And what kind of punishments were given?

23 A. Well, they investigated, they recommended the
punishment.

24 They informed me -- if they said the man should remain in the
25 cell for 21 days with IHL, hard labour, then I approve of it.

26 Q. So IHL, did you say?

27 A. No. I said, hard labour. Hard labour.

28 Q. Where would the hard labour take place?

29 A. Well, if, for instance, there were detainees, like, ten
in

1 number, they ensured that they were given MP escort to search
for
2 food and they make sure that they brought the food to the
office,
3 the MP office. Sometimes they were sent to my swamp to do
some
4 clearing sometimes they were ordered to clean around the Giema
5 Town. Some punishments involved detaining a person for three
6 days and every morning the man should be given 25 lashes.

And,
7 some punishments, they will recommend that the man should be
8 posted to the front line. These were the punishment that were
in
9 place.

10 Q. I think you might have said front line. I think I heard
11 you say front line, Mr Sesay. Mr Interpreter --

12 THE INTERPRETER: Yes.

13 MR JORDASH: -- did the witness say "front line," rather
14 than "target"?

15 THE WITNESS: Well, why is there a target? It is
because,
16 when you say there is target somewhere, that means it is a
front
17 line.

18 MR JORDASH:

19 Q. You mentioned detention. Where would people be
detained?

rooms

20 A. Well, there was a house in Giema, painted red, at the
21 central part of Giema. That was the house occupied by the MP,
22 that was their office. And there were rooms there, various
23 that were used as cells.

24 Q. And you've mentioned flogging. What would --

25 A. Yes.

would

26 Q. How would people be flogged? Fighters, sorry. How
27 fighters be flogged?

28 A. Well, it was the MPs. They carried out. If they
29 recommended the punishment that this man, every morning, he

and,

was

who

material,

parade,

1 should be given 25 lashes, every morning there was a parade
2 in the evening, when we offered prayers. And anything that
3 there to inform the men, then we told them during the parade.
4 And it was during the parade, after we've discussed everything
5 and prayed, then the MP commander would tell us about people
6 had to face some punishment.

7 Q. What would they be flogged with and where would they be
8 flogged on their body?

9 A. Yes. They beat them. You will lie down. They had a
10 rattan [as interpreted]. They beat you in front of the
11 formation, during the parade, in the presence of everybody.

12 Q. What is the word "rattan" I just heard? It's a
13 type of --

14 A. What?

15 Q. A type of material.

16 A. No. I did not talk about rattan.

17 MR JORDASH: Did anyone else hear the word "rattan"? I
18 heard it.

19 JUDGE ITOE: I heard rattan too.

20 THE WITNESS: I said, they were beaten, right in the
21 presence of everybody, that is what I said. During the

were 22 they will be brought in the presence of everybody and they
23 flogged there in the presence of everybody. I did not say
24 rattan.

25 JUDGE BOUTET: What were they using to flog them?

26 THE WITNESS: I said, cane, sir, My Lord. They had a
whip.

27 MR JORDASH:

28 Q. A cane?

29 A. Yes.

1 Q. There are two words I've just heard, "cane" and "whip,"
2 from the translation, which, from my understanding, the two
are
3 quite different.

4 A. They use both. If there was a cane, they use it. If
there
5 was no cane, they would bring a whip.

6 Q. And the cane was made from what material?

7 A. Well, it's a stick from the bush. It was cut from the
8 bush; you wouldn't buy it.

9 Q. And the whip?

10 A. Any branch of the -- any branch, you can use it, off a
11 tree, you can use it as a whip.

12 JUDGE ITOE: Mr Jordash, next time we'll bring you a
cane.

13 I'm sure you know what a cane looks like from the forest.

14 MR JORDASH: As long as you show me and don't
demonstrate,

15 I don't mind.

16 Q. And give us just a quick indication of what kind of
crimes

17 would be punished and what the punishment would be for those
18 crimes.

19 A. Well, during this time, people went to Guinea border,
the

20 civilians to buy their goods and if a fighter went to the zoo

any
left
they
food

21 bush and took the women's cigarette and the woman reported and
22 that report reaches the MP, the fighter would be disciplined.
23 And a fighter molested a civilian, abuse the civilian or did
24 other thing to the civilian, he will be disciplined. If you
25 the target where you were assigned and were caught on AWOL
26 can discipline you.
27 Q. Let me give some examples. I take a civilian's food for
28 them; what would be the punishment for that? I take their
29 from them; what would be the punishment?

1 A. Well, if you are investigated and found guilty, you may
be
2 detained. At times, the man would be required to bring ten
bags
3 of banana. Then he will bring ten bundles of banana. Every
day
4 you go, and he bring the bundles of banana to the MP office,
5 until you finish. Then, later, we re-post you to the target.

6 Q. What about for more serious crimes? Did you receive --
7 were you aware of any rapes taking place during your time as
area
8 commander?

9 A. Well, honestly speaking, in Kailahun, raping was
forbidden
10 and the civilians in Kailahun will prove that and they will
come
11 to this Court, to prove to the Court that, from the time the
12 Liberians left, raping was not in existence in Kailahun.
Because
13 all the civilian population in Kailahun were family members to
14 the fighters of the RUF. So, when I was at Giema as area
15 commander, from July '94 to November '95, I never had a case
of
16 rape. Yes.

17 Q. What was the punishment for rape, as far as you were
18 concerned, in Giema?

19 A. Well, the punishment, if they were able to prove beyond
all

20 reasonable doubt, you faced execution.

21 Q. What would be the punishment?

22 A. Execution. I said, execution.

23 Q. Where did that policy/decision come from? Where did
that
24 come -- who decided punishment for rape was execution?

25 A. Well, at that time, I was an area commander, anything
inform
26 pertaining execution, I had no orders on my own. I had to
27 the leader.

28 Q. Well, who informed you that the punishment for rape was
29 execution?

1 A. Well, it was the leader who put that law from 1992 when
we
2 fought the Liberians and they went back.

3 Q. Did you take part, yourself, in any investigations?
4 Yourself.

5 A. Well, I was the area commander. I did not carry out
6 investigations. I had the MPs, the IDUs, and, if it was a
7 serious matter, there were other representatives from the
8 different units, including civilians. All of them will join
the
9 board of investigation.

10 Q. Okay. So describe this different unit. Did it have a
11 name?

12 A. Well, let me just make something clear. For instance,
when
13 Foday Sankoh sent money, before I arrived in Giema, to Deen
14 Jalloh and Fayia Musa to buy food, rice, for the civilians,
and
15 Fayia Musa and Deen Jalloh embezzled the money. Then, during
16 that time, Foday Sankoh ordered me to come to Giema and that I
17 should appoint some representative from the units to
investigate
18 these people, including civilians. The S4 sent
representative.
19 The combat medic sent representative. The IDU, the G5, the MP
20 and the civilians; they set up the board of investigations.

21 Q. Sorry, I should have probably dealt with this a bit
22 earlier. The G5 consisted of fighters; is that right or not?

23 A. No. It comprised of both fighters and civilians. Those
24 people constituted the G5.

25 Q. Are we talking generally, or in Giema, at the moment?

26 A. Well, generally. When an RUF occupied a town, they
27 involved the civilian in order to take part in the G5. That's
28 what existed in Kailahun and even in other areas, where I was
29 present.

to

was

the

enemies

people,

trade.

1 Q. Okay. You have touched upon civilians going to Guinea

2 trade? Now, could you just briefly describe the trade that

3 going on when you were area commander of Kailahun?

4 A. Well, when I came to Giema in 1994, during that time,

5 government troop had surrounded the area. The trading became

6 difficult, a little bit, because of the presence of the

7 in the area. So, I ensured that armed men escorted the

8 the civilians, that went for the trade. And, when they went,

9 they deployed, and they ensured that the people did their

10 And they escorted the people back to Giema and the people went

11 back to their various zoo bush.

12 Q. [Microphone not activated].

13 THE INTERPRETER: Mic not on, attorney.

14 MR JORDASH: Thank you. Sorry.

was

15 Q. Was there any part of the RUF based in Kailahun which

16 concerned with trade?

17 A. Well, from 1991 we had different, different trading site

18 until '93 when we were pushed by the government troops. From

19 '94 -- I can say December '93 to March '94, there was only one

20 trading site in existence around Giema and one around Pumudu

21 area, Koindu.

capacity?

22 Q. During this period, were civilians working in any

23 A. Well, at this time, the work of civilians was limited.

24 They were only required to get some produce or process oil in

too

25 order for them to get their basic needs, because the area was

26 small.

27 Q. Were there any farms in Kailahun?

some

28 A. Well, during this time, 1994, people were unable to do

29 farming because of the presence of the NPRC troops. The place

1995

1 was so small that the people were unable to farm. It was in
2 that the people started farming, but, from 1991 to 1993, the
3 people were farming.

October

4 Q. Okay. Let us jump now to your return to Giema in

5 1996. Had anything changed, in terms of the general
6 administration, concerning the relationships between RUF and
7 civilians?

8 A. Repeat the question.

had

9 Q. Okay. Let me try and explain it better. From what you
10 have told us, we know that things had changed with you, but

11 things changed, in terms of the administration between RUF and
12 the various units, and their relationship with civilians?

1995,

13 A. Well, it was the same relationship between the civilians
14 and the RUF units and their commanders because, from March

and

15 when the government troops withdrew from all the areas they
16 occupied, to Pendembu, then the life of the civilians became
17 better, when they went back to occupy their different towns

18 villages. And, from that time, a lot of crossing points
19 reopened.

20 Q. Crossing points to?

and

21 A. In order to transact the business between Sierra Leone

from

22 Guinea. At the same time, ICRC used to bring relief supply

23 Guinea, to Koindu to Giema.

24 Q. How often did the ICRC come?

area

25 A. Well, the ICRC started their survey in '95 while I was

us

26 commander. And they started their supplies early '96, giving

27 food and non-food items, agricultural tools and seed rice.

28 Q. How often would they come into the area?

think

29 A. Well, they came with a lot of trucks from Guinea. I

But

1 they used to come every month between three to four months.

2 they stopped because of the attacks made by the government

3 troops.

4 Q. So what would they bring?

5 A. They brought food supplies like bulgur wheat, cornmeal.

6 They brought some milk and corn soya beans.

7 Q. Who was that for?

your

8 PRESIDING JUDGE: [Indiscernible] would you deactivate

outside.

9 telephone. Please make sure you deactivate it. Take it

10 Continue, counsel.

11 MR JORDASH:

12 Q. This food you've described, what would happen to it?

armed

13 A. Well, the food, the ICRC did not supply that to the

14 men. They only supplied the food to the civilians.

15 Q. How did the civilians get it?

16 A. Well, they had centres where they did the distribution.

was

17 All the civilians will gather there, and they line up and the

18 distribution was done. Because we had an organisation which

19 OSM, Organisation For the Survival of Mankind. They were

RUF,

20 responsible for gathering the civilians who were under the

the

21 brought them to the centre so that they would be supplied by

22 ICRC with food and non-food items.

23 Q. Sorry, who had this organisation, OSM?

in

24 A. Well, it was Foday Sankoh who set up this organisation

25 '94. And Fayia Musa was the co-ordinator for the OSM.

26 Q. Where was Fayia Musa based?

27 A. Well, during this time, Fayia Musa was a member of the

28 external delegation, he was in Ivory Coast. But Paul Sheku

29 replaced Fayia Musa as co-ordinator.

Paul

1 Q. Did he have a title; first, Fayia Musa and this man,

2 Sheku?

3 A. Well, Foday Sankoh called him as the co-ordinator of the
4 OSM, that was his title, co-ordinator.

5 Q. During your time in Giema, both as area commander and
6 afterwards, was there an S4 unit?

7 A. Well, yes. There was an S4 called CO Coffee.

8 Q. Would you spell that please?

9 A. Just coffee, like, in coffee.

10 Q. Thank you. And what was the role of Coffee?

the

11 A. Coffee's work, where trading was going on, their
12 businessmen from Guinea, the traders paid commissions to us,

He

13 RUF, so those moneys would be collected by the contractors.

things

14 bought food and condiments. So, when they brought those

15 to Giema, I gave the G4 to keep them. Those were the things I
16 used to supply the target fighters.

17 Q. When you say G4 --

18 A. I said, S4.

19 Q. I heard G4.

was

20 A. No, no. I said, S4. G4 was not in charge of food. It

21 the S4.

I 22 Q. I am not suggesting you said G4, Mr Sesay. Okay. Now,
23 want to ask you about some of the Prosecution evidence, but,
24 before I do, let me ask you this: You mentioned earlier today
25 about a swamp that you had. Could you explain when that
began?

26 A. Well, that was -- the time when I came to Giema, the
27 situation with respect to the civilians was bad in relation to
28 food because the population was higher than the area that we
29 occupied. Civilians died of hunger before I came to Giema.
So

1 when I arrived, Foday Sankoh said if there was a way in order
for
2 us to make farms, we should do that, in order to give
confidence
3 to the civilians. So, that was why I first cultivated that
swamp
4 and when people heard that, everybody started cultivating
5 swamp -- started cultivating a farm.
6 Q. Let's pause. Where was this swamp made?
7 A. The swamp. I can say just behind my house, on the road
8 towards Bandajuma, just near Giema.
9 Q. Now, when, if you can remember, was that made and how
long
10 did it -- sorry, when was it made?
11 A. The first swamp which I made at Giema, it was from late
12 August/September when it was cleared, in '94.
13 Q. What was it designed to grow?
14 A. It was only rice.
15 Q. Who created it?
16 A. Well, civilians assisted together with the fighters. On
17 request, the civilians came and assisted the fighters.
18 Q. Right. I want to ask you about some evidence. Be
careful
19 about referring to names, okay. TF1-108 claimed that you had
a
20 swamp in which civilians were forced to work, and the swamp
was

21 in Giema and they worked under armed guard. Could you please
22 comment on that?

put

23 A. I'm able to comment about this swamp. No civilian was
24 under gunpoint to work in that swamp. The swamp wasn't a big
25 swamp. The swamp can only take four bushels of seed rice.

And,

coming

26 what I observed, and the people who were working there are
27 to this Court to tell the Honourable Judges what was happening
28 there. Food was cooked and people ate the food; the sauce was
29 palatable. So people were pleased to work in the place,

because,

1 even the harvest, the women who harvest, I ensured that every
2 woman went with at least one or two sheaves of the rice to go
3 back to their various zoo bushes that they had come from.

4 JUDGE ITOE: One or two what?

5 THE WITNESS: Sheaves of the harvested rice, the seed
rice.

6 MR JORDASH:

7 Q. You made mention of civilians coming on request. Could
you
8 explain what you mean by "on request"?

9 A. Yes. I told the G5 commander and the Agric
10 secretary-general, who was also a civilian, Mr AA Vandj, they
11 would meet the chiefs and would tell the chiefs that we would
12 like the Issa swamp to be brushed. And the chiefs would tell
13 their people, and those who were willing would come; if you
were

14 not willing, you stay. And -- and the civilians knew that if
you
15 went to brush or to plant, you would have enough food to eat
and
16 you would have cigarettes to go back. So people were pleased
to
17 go and work. It's like work for food and food for work.

18 Q. And the same witness claimed that you had SBUs working
to
19 guard these civilians, who would beat them if they refused to
20 work.

21 A. That wasn't possible. That wasn't possible at all. It
did
22 not happen. That did not take place. The boys themselves
worked
23 in the swamp; they themselves did the clearing. They took
part
24 in the planting. That did not happen. I, myself, went there
and
25 I saw. I, myself, worked in the swamp.

26 Q. How often did you check on the swamp? How often did you
go
27 there?

28 A. I was the commander. I would go there, and when I
myself
29 talked to the people, they felt reassured. I told them that
they

1 would have enough food to eat and I would tell them that
2 such-and-such grosses of cigarette was there for them. And,
if
3 it was time to brush, it was a day, they would come and brush
and
4 everything was over until next year they brush. It was not
that
5 they would go there every week to work. No, no, no.

6 Q. Okay. How long did this swamp farm exist?

7 A. The civilians helped in order to make the swamp in '94,
8 '95. 1996, since I was not a commander, it was only my
9 bodyguards and their wives that worked in the swamp. And,
from
10 1996, up to the disarmament, I did not have any farm or swamp
at
11 Giema. I did not work there.

12 Q. Did anyone else in the RUF have a farm that you were
aware
13 of, at this time?

14 A. Well, when I came from Abidjan, yes, Peter Vandj had a
15 farm. But, before I went to Zogoda because the farm was not
that
16 far from Giema.

17 MR JORDASH: If I may, what I would like to do is ask
18 Mr Sesay to look at a name on a piece of paper. It is the
name
19 of a Defence witness and I want to ask him if he knows this

20 person or not. Then I would like him, if he does know this
21 person, to answer some questions about his relationship with
him.

22 PRESIDING JUDGE: To preserve some anonymity, is it?

23 MR JORDASH: Your Honour, yes.

24 PRESIDING JUDGE: Very well.

25 JUDGE ITOE: Which paper do you want him to use; this
one

26 that was distributed to us with the consent of the
Prosecution?

27 MR JORDASH: If I can have a new piece of paper and just
28 write down the name.

29 JUDGE ITOE: Okay.

1 MR JORDASH: Please.

2 Q. Do you recall that name?

3 A. Is it a Defence witness or Prosecution witness?

4 Q. A Defence witness. Do you recall him?

5 A. Yes. Yes.

don't

6 Q. Before I ask you a question, do you recall -- well,

7 answer that question. Did you know him --

8 PRESIDING JUDGE: Are you exhibiting it?

9 MR JORDASH: I just want to ask one question --

10 PRESIDING JUDGE: Continue then.

11 MR JORDASH: -- if Mr Sesay actually remembered his
12 relationship with him or had a relationship with him. If he
13 doesn't remember then --

14 PRESIDING JUDGE: That's okay. That's fine.

15 MR JORDASH: -- I won't ask for it to be exhibited.

16 PRESIDING JUDGE: Okay.

17 MR JORDASH:

this

18 Q. Do you have any recollection of any relationship with

19 man in 1996? If you don't, you don't.

20 A. In what year?

21 Q. At the time of the existence of your swamp.

him.

22 A. Yes. I can recall it. I can remember. I can recall

the 23 This is one of the men that would be with the civilians while
24 civilians were working in the swamp.
explain 25 Q. Now, without giving any title, if he had a title,
26 what this man would do.
that 27 A. Well, this man, he would get -- he would get a message
his 28 they would -- they should brush my swamp. He would talk to
such 29 colleagues and he would come to me and tell me that such-and-

would
bags
was a
quantity

1 people, such-and-such a number of people who have come, he
2 tell me whether we should cook -- we should use one or two
3 of rice to prepare food for these people. And he, himself,
4 civilian but he was the individual who would tell me the
5 of food that should be prepared for the workers.

6 Q. That's fine, thank you.

be

7 MR JORDASH: Can I ask for this name of this witness to
8 exhibited, please.

9 PRESIDING JUDGE: In other words, you are exhibiting the
10 document?

11 MR JORDASH: Your Honour, I would like to, yes.

12 PRESIDING JUDGE: Any objection, Prosecution?

13 MR HARRISON: No.

14 PRESIDING JUDGE: Counsel for the second accused, any
15 objection?

16 MR NICOL-WILSON: No objection.

17 PRESIDING JUDGE: Counsel for the third accused?

18 MR O'SHEA: No, Your Honour.

mark

19 PRESIDING JUDGE: We will receive it in evidence and
20 it Exhibit 192.

21 [EXHIBIT No. 192 was admitted]

22 MR JORDASH:

23 Q. I want to ask you about, just very briefly, the
24 agricultural secretary-general you mentioned. What was his
role;

25 AA Vandt?

26 A. Well, the agric unit, Foday Sankoh had created it from
27 1991. It only had a breakdown because of the advance of the
28 government troops in 1993. So, it did not have a real
function

29 in '94 because agriculture did not thrive in '94, because the

1 location that we occupied was small and it was threatened by
the
2 enemies. But, from March 1995, he was because I used to buy
seed
3 rice from Guinea so he was responsible for distributing this
seed
4 rice to farmers.

5 Q. Let's deal with some more Prosecution allegations. If
you
6 can't assist, you can't assist.

7 JUDGE ITOE: Mr Jordash, before you continue, the
witness
8 did say, and I want to confirm this, that the first farm he
had
9 was some time late in August or September 1994; would that be
10 right?

11 MR JORDASH: That's right.

12 JUDGE ITOE: Does it then mean that when we were
13 referring -- we were referring to Exhibit 192, this would be
14 within that timeframe?

15 MR JORDASH:

16 Q. Did that person --

17 A. Yes, My Lord. From '94 to '95, when I was commander. I
18 said, 1996, I was no longer a commander. It was only my
19 bodyguards and my -- and their women who had been working in
the
20 swamp. So this exhibit works in '94 and '95.

21 JUDGE ITOE: Thank you.

22 THE WITNESS: Thank you, sir.

23 MR JORDASH:

24 Q. Just one follow-on question from that: What was the
25 difference, then, since you were no longer a commander? In
what
26 sense was there a difference?

27 A. Well, it's different in the sense that because -- when
you
28 are the commander and you ask people to help you, they will
help
29 you but this time, I was not a commander and I was not in
Giema

At 1 for the season of that farming. So, you see the difference?

Giema. 2 the time that they were brushing the swamp, I was not at

3 Q. Okay. TF1-108 said that the RUF went to Talia and took
4 civilians to train. The date was unclear, but around, I
think, 5 1996.

6 JUDGE ITOE: TF1?

7 MR JORDASH: 108.

8 JUDGE ITOE: Still the same witness?

9 MR JORDASH: Still the same Prosecution witness.

10 Q. Do you know anything about that?

11 A. As far as I knew, from January 1996 to -- from January
1996 12 to March 1998, there was no training base functioning in
13 Kailahun.

14 Q. Thank you.

15 A. And this witness is a witness who told lies, and I
believe 16 that I and my Defence lawyers will prove to the Judges that he
17 was one of the witnesses who should not be believed because
his 18 own lies are terrible.

19 Q. 330, TF1-330, a witness who claimed that civilians were
20 forced to cultivate upland RUF farms in Giema, Sembehun,
Talia,

Do 21 Bandajuma and Sandialu, I think, again, starting around 1996.

22 you know anything about this forced farming in these places?

farm 23 A. Well, I did not see, see the RUF forcing civilians to

24 in Kailahun and --

25 Q. Did -- sorry, go on.

for 26 A. Let me complete the answer. The only means of survival

27 the civilians during the war in Kailahun was because they had

28 been doing some farming. If civilians had not been doing any

29 farming, the Prosecutor shouldn't have got a witness who is a

1 civilian to come and testify here, because, they wouldn't have
2 survived as we saw it in '94 a lot of the civilians died of
3 starvation, there was no food.

forced

4 Q. Witness, this same witness said that civilians were
5 to contribute palm oil and cocoa; is that correct?

the

6 A. Well, I did not see civilians being forced to contribute
7 palm oil. The only thing that I understand and that I know,

the

8 cocoa which the people, the civilians contributed, which they
9 contributed through the agric unit, was the same cocoa which

which

10 RUF took and sold in Guinea, and bought medicines, through

11 they were able to get free medical treatment. So, it was just
12 like a barter system. You gave cocoa and you had free medical
13 treatment.

14 Q. Thank you. Back to TF1-108 who said that --

15 MR JORDASH: Could I just very briefly take instructions
16 from my learned friend for Mr Gbao, please?

17 PRESIDING JUDGE: Leave granted.

18 MR JORDASH: Thank you.

said,

19 Q. Okay. I want to ask you about something else TF1-108

the

20 and it involves Mr Gbao and you. TF1-108 said that Gbao was

21 G5 in around, again, 1996, who ordered civilian commanders to
22 supply food and carry loads and other forced labour. And he,
23 Gbao, reported to you; is that correct?

24 A. Well, 1996, Gbao was never a G5 commander. He never
worked
25 within the G5 unit for the entire time of the RUF. He was not
a
26 G5.

27 Q. Was he reporting to you about forced labour of any kind?

28 A. No. Gbao did not report to me about forced labour. And
29 even in 1996, when this witness said Gbao had been reporting
to

could

year

and

are

who

But

Answer

he

wine,

1 me, in 1996 I was not the commander in Kailahun. How Gbao

2 have reported to me when I was not the commander?

3 Q. This witness claimed that four to 500 civilians each

4 were forced to provide cocoa, palm oil, rice, hunt for meat

5 carry loads to Gbao in Kailahun Town; is that something you

6 aware of?

7 A. No. The civilians in Kailahun, as this person had said,

8 this witness 108 had said the -- they were like slaves in our

9 hands. I believe that there were other prominent civilians

10 were in Kailahun, they would come to this Court to testify.

11 nobody --

12 JUDGE ITOE: Answer the question directly, please.

13 the question directly. Please put your question to him again.

14 It is not a question of other witnesses coming to testify. Is

15 aware, you know, that people were forced to provide cocoa,

16 and so on, and carry to Gbao?

17 MR JORDASH:

18 Q. Did this happen, Mr Sesay?

19 THE WITNESS: But, My Lord, I had explained about the

20 cocoa. I said that the cocoa was given in return for free
21 medication. I said, I did not ever see somebody who was being
22 tasked or forced to bring palm oil and nobody reported meat to
23 me. I had a hunter who had been hunting for me. He will come
24 here and tell the Court.

25 JUDGE ITOE: The concern is about Gbao's name that was
26 being mentioned. You have explained that the cocoa was
supplied
27 and was sold by barter, and, in return, you provided free
medical
28 treatment. But, to Gbao, was anybody forced to provide cocoa,
29 oil, and so on, to Gbao? I mean Gbao; it is Gbao who is the

1 subject now.

2 THE WITNESS: My Lord. '94, '96, it was not Gbao that
was
3 in charge of receiving the cocoa. That was why I said Gbao
had
4 never reported about cocoa or meat to me which was being
hunted
5 by civilians. No. And I -- it was not brought to my
knowledge
6 that Gbao had been forcing civilians.

7 MR JORDASH:

8 Q. The same witness talked about private farms for the
9 commanders and an RUF farm. Was there an RUF farm whilst you
10 were area commander?

11 A. Well, in '95, the agricultural unit made a community
farm
12 for the people that were in that community, so as to be able
to
13 earn more seed rice for the next farming and we were the ones
14 providing the seeds for them.

15 Q. How was recruitment of labour achieved?

16 A. Well, even when I had been arrested and in detention, I
am
17 hearing that there are NGOs which are work for food. So we
were
18 not using people whom we did not give food to eat. And the
19 farming was purely based on the interests of the civilians.

did 20 Because the farming that was going on in Kailahun, not a day
where 21 the RUF take a single bag and sent it to another district
22 the RUFs were.
detention, 23 Q. You mentioned you had heard, whilst you were in
24 of NGOs doing -- giving food for work. When was this?
where 25 A. When I heard about it over the radio, UNAMSIL, 2004,
26 we had local NGOs in Makeni who had been giving young men and
27 women -- they had been working, cleaned the streets and the
28 gutter and they provided food for you; food for work. So --
29 Q. Do you know anything, just very briefly, about farming?

not

he

the

NGOs.

in

cigarettes,

system,

1 JUDGE BOUTET: Mr Jordash, can you clarify that? I'm
2 sure I understand the relationship, if any. The witness says
3 heard that on the radio, that UNAMSIL radio, that NGOs were
4 giving food for cleaning the streets. I'm not sure I made the
5 connection. Maybe you do.

6 MR JORDASH: I think I can make it clear. I think what
7 Mr Sesay is saying is that this happened, food for labour, in
8 time period of '96, when he was area commander and it was
9 happening in 2004, but instead of it being the RUF, it was
10 I think that was the point.

11 JUDGE BOUTET: This is not in Kailahun, at the time?

12 THE WITNESS: I was not a commander for the whole of '96
13 Kailahun. I said, this, what you have spoken about, a
14 commander's farms, I said, yes, I had a farm in 2004, swamp in
15 2005, and I invited civilians to come and work, and I provided
16 food. I provided good, palatable sauce for them and
17 which they could share when they had eaten. I said this
18 when I was in detention, I heard on the radio that there were
19 local NGOs who asked people to go to work, so as to get food.
20 So, food for work. That was what I said, sir.

2006.
can
1994,
I

21 JUDGE BOUTET: So you're talking of 2004. So we're
22 We are in 1996. I am just trying to see. MR JORDASH: If I
23 summarise -- if I am wrong, Mr Sesay will correct me -- in
24 when he was area commander of Kailahun, civilians used to work
25 for food; he heard over the radio in 2004 and 2006, whilst in
26 detention here, that NGOs were also providing food for work.
27 think that was the point. Although --
28 THE WITNESS: Yes.
29 MR JORDASH: -- it didn't come out very clearly I think

1 because of the mistake I made, actually.

2 PRESIDING JUDGE: That's okay. It is a subsequent
3 timeframe he is talking about?

4 MR JORDASH: Yes.

5 PRESIDING JUDGE: Right.

6 MR JORDASH: Yes. Can I ask just one -- I can see the
7 time.

8 PRESIDING JUDGE: Yes, okay. One more question; a short
9 question. Alright.

10 MR JORDASH: No. I can leave it, actually.

11 PRESIDING JUDGE: Very well then. We'll take the usual
12 morning break.

13 [Break taken at 11.30 a.m.]

14 [Upon resuming at 12.10 a.m.]

15 PRESIDING JUDGE: Continue, learned counsel.

16 MR JORDASH: Your Honour, thank you.

17 Q. I want to clarify a couple of issues, Mr Witness. I
18 apologise if I repeat myself. I want to be clear about the

RUF

19 community farm in 1994, onwards. Was there a farm and where
was
20 it, if there was one?

21 A. Well, 1994, farming had not going on because of the
22 presence of the NPRC troops in Kailahun. The agric unit was

not

23 able to do community farm. Because the agric unit was purely
24 responsible for community farms under the RUF controlled areas
in
25 Kailahun.
26 Q. What about in 1995 and 1996?
27 A. Yes, that went on.
28 Q. So, were there RUF -- was there an RUF farm, or were
there
29 more than one?

SCSL - TRIAL CHAMBER I

1 A. Well, just like I said -- the question again.

2 Q. In 1995, you describe the situation with RUF government
3 farms, I'm talking about. Not commanders' farms, but a
community
4 farm.

5 A. Well, that is why I said it was the agric unit, which
was
6 the unit which composed of civilians, who are responsible for
7 these community farms, and that started from 1995. But a
farmer
8 wouldn't be able to cultivate a farm in April. And the trees
9 become dry, and burned them. So it was only swamp work that
went
10 on in 1995. Upland farming did not go on.

11 Q. So was there a particular place, was there a particular
12 farm? Were there farms, in the plural?

13 A. Well, when the government troop retreated, the civilians
14 went back to their various villages in the controlled areas.
But
15 chiefdoms, sections, made community farms under agric, and it
was
16 the agricultural unit that had been sponsoring and supervising
17 them. For example, if the section was -- section in Giema
made a
18 farm, it was the agric that would sponsor the farm. It would
19 give the seed rice, it would give the food for the workers,
and

20 when the farm was harvested, the agric and the chief were
21 responsible for keeping the rice.

22 Q. What would the chief do with the rice, do you know?

23 A. Well, the agric secretary-general, he would tell the
chief
24 that the rice -- some of the rice should be distributed to the
25 civilians for private farming. And the other would be used if
used
26 visitors came, or, if the section had a meeting, it would be
27 for food purposes.

28 Q. What would the agric do with the food?

29 A. Well, the rest, the agric -- if the commander in the
area

soldiers,

1 needed some of the rice for the feeding of the wounded

2 he would ask the agric to give him some of the rice.

farm?

3 Q. What would happen to the harvest from your own swamp

because,

4 A. Yes, but let me clarify this, what I've just explained.

5 Just like I said, that in 1996, upland farming went on,

Peter

6 by then, I was not the commander. Because, by then, it was

7 Vandi who was the commander.

8 Q. Yes. What happened to the harvest from your own swamp

9 farm?

that

10 A. Well, see, I used to eat, and I also had bodyguards that

11 ate, and some bodyguards also had their younger brothers, and

12 they also had family members. They, also, would eat some of

day,

13 rice. And I, myself, if a civilian came and asked me for

14 assistance, I would give him or her, because every night and

15 the civilians would go to me for help.

your

16 Q. What kind of help would they come to you for, during

17 time as area commander?

clear.

18 A. Well, civilians would come -- let me make something

border

19 When I came to Giema in 1994, July, the ULIMO across the

Batoma, 20 line, they came and attacked Batoma. When they attacked
21 I organised the RUF fighters in Giema and the various targets,
22 and we repelled the attack. When we were able to repel them,
so 23 we got some rice and some people used the rice that we got as
24 seed rice and for food purposes and the one I had in Giema,
25 civilians would come again and meet me and say, "Major Issa,
26 please help me for some seed rice, like a bushel" to farm and
I 27 would give them.
28 Q. Where did this rice come from?
29 A. Well, I said --

that

1 Q. [Microphone not activated] rice from the attacks; is

2 what you said?

came

3 A. I said -- I said, the ULIMOs came from Liberia. They

the

4 and attacked the RUF area, which was Batoma, so we repelled

in

5 attack. When we repelled the attack, the rice that was found

was

6 the area where we captured, we hauled it to our own area. I

the

7 in control of that rice in Giema, so I was distributing it to

8 civilians. Civilians would come with their personal requests.

will

9 They would say, "Pa, please help me with salt, Maggi," they

10 come to my house and I will assist them.

of

11 Q. Thank you. At the time you had your farm, do you know

12 any other commanders who had farms in the Kailahun area?

farms

13 A. Well, yes, at this time, Peter Vandi also had a farm at

14 Buedu, because he also had moved to Buedu, because the enemy

15 forces had retreated. Even junior officers, they also laid

16 with their family members, which were their private farms.

able

17 Because that was the only means so that the fighter would be

18 to support his people with food.

talk

19 Q. What about civilians; did they have farms? I want to
20 about the period from 1994 to 1996 in Kailahun. So, starting
21 with '94.

of

22 A. Mr Lawyer, I told you that, in 1994, civilians, because
23 the areas in which we were operating, they were unable to
24 cultivate a farm, a swamp. I was the only individual who had a
25 swamp in Giema in '94, but from March 1995, 1995, civilians
26 individual swamps which they cultivated for themselves; a lot
27 them, formed Giema up to Koindu.

had

of

28 Q. 1996.

29 A. 1996, civilians were able to cultivate swamps and upland

1 farms for themselves as private farms.

2 Q. Dealing with these years again, TF1-108 claimed that
3 civilians had no access to medical treatment; is that correct,
in
4 Kailahun?

5 A. Well, if civilians had not been getting support from
even
6 Foday Sankoh, then I wouldn't have been demoted, but civilians
controlled
7 had been getting free medical treatment under the RUF-
8 area; from 1991 to December 2001, when we concluded the
the
9 disarmament in Kailahun. And there was a time when I became
10 interim leader. I stopped the civilians in Kailahun. I said
of
11 they should not contribute any produce, because I had a means
12 getting funds to buy medicines.

13 Q. Okay. Now, just dealing with a few different subjects,
as
14 we head towards the junta period. By the beginning of 1996,
as
15 far as you're aware, which were the areas occupied by the RUF
16 within Sierra Leone?

17 A. RUF occupied Kailahun, part of Kailahun; RUF had a base
at
18 Peyama jungle, around Tongo Field; RUF were in the Pujehun
19 District. RUF were at Zogoda; RUF were at Koribundu jungle;

RUF

20 were at Bo Highway jungle; RUF were at the Kangari Hills; and

21 were at the Western Jungle.

22 Q. Right.

23 JUDGE ITOE: You refer to what year?

24 MR JORDASH: At the beginning of 1996.

25 JUDGE ITOE: Thank you.

26 MR JORDASH:

27 Q. At Kailahun, who was the top commander in Kailahun?

28 JUDGE BOUTET: Sorry. I didn't get your question.

29 MR JORDASH: Who was the top commander in Kailahun,

1 beginning of 1996?

2 THE WITNESS: Peter Vandl.

3 MR JORDASH:

4 Q. What was Sam Bockarie at this point?

5 A. He said, where was Sam Bockarie?

6 Q. What was he, in terms of assignment, if any?

7 A. Sam Bockarie was a battalion commander for Peyama. He

had

8 been working under -- he had been working under TF1-367. TF1-

367

9 was the area commander at Peyama jungle during this time.

10 Q. Tongo Field's top commander?

11 A. Well, it was the Peyama jungle, it was --

12 Q. Sorry. Pujehun District.

13 A. Pujehun District, it was Michael Rogers.

14 Q. Just quickly, had you been to Peyama, physically?

15 A. Well, I just passed through Peyama when I was going to

16 Zogoda. I spent a night there when I was going to Zogoda and,

17 when I was coming back, I spent a night there. I did not stay

18 there for 48 hours, no.

19 Q. Do you know how many men were stationed there?

20 A. I would not be able to tell, because the commander at

21 Peyama had not been reporting to me, so I would not be able to

22 know how many manpower were there. I only knew that it was an

23 area which had battalion commanders.

24 Q. And a battalion was how many men?

25 A. Well, according to the theory of the RUF, the battalion
was
used
battalion.

26 supposed to be 998 men. But the reality -- in reality, we

27 to have 300 -- a 300 manpower and we would call it a

28 Q. Pujehun; I think you told us yesterday you had never
been

29 there. Did you know, at the beginning of 1996, what the

1 situation was there, in terms of the number of RUF?

2 A. Well, what I knew was that the commander who was there -

3 THE INTERPRETER: Your Honours, would the witness go a
4 little bit slow?

5 MR JORDASH:

6 Q. Just repeat what you said a little more slowly, please.

7 A. I said, I only knew the battalion commander, and the
8 presence of the RUF in the Pujehun District, but I did not

know

9 the fighters that were there. I did not know them in person.
10 And they, themselves, did not know me.

11 Q. Was there a battalion present in Pujehun, or not, or
12 you know?

don't

13 A. No, I don't know.

14 Q. Zogoda, beginning of 1996, who's the top --

15 A. Well, the field commander, he had come to base at

Zogoda,

16 when the leader went to Abidjan for the peace talks. But

after

17 the field commander, the commander who was responsible for the
18 other battalions around Zogoda was Colonel Lion. By then, he

was

19 a Major.

20 Q. Now, you had been to Zogoda for this investigation. Did

within

21 you do anything in Zogoda, in terms of official functions

22 the RUF?

23 A. No.

you

24 Q. Did you see any crimes being committed in Zogoda when

25 were there?

26 A. Well, Zogoda was just occupied by RUF fighters, Foday

27 Sankoh's bodyguards, and a few of the units that were there.

28 Q. Were there any civilians there?

29 A. In Zogoda itself, no, there were no civilians.

1 JUDGE ITOE: Has he answered the question. Is that what
2 you asked? You asked him whether he knew certain crimes were
3 committed in Zogoda.

4 MR JORDASH: Well, I think --

5 THE WITNESS: Well, My Lord, that was why --

6 JUDGE ITOE: He said the place was occupied by some men
and
7 so on and so forth, but he didn't answer the question
directly.

8 THE WITNESS: No, My Lord. When I was there, I did not
see
9 anyone committing crimes in Zogoda, because there were no
10 civilians, for crimes to be committed against them. It was
only
11 the RUF that were there.

12 MR JORDASH:

13 Q. Are you able to assist the Court in how many men, how
many
14 RUF fighters were in Zogoda when you went?

15 A. Well, Zogoda itself, it was a headquarters, and they had
16 deployment around Zogoda, out of Zogoda. But Zogoda only had
17 Foday Sankoh's bodyguards and the task force unit under Foday
18 Sankoh, with the combat medic.

19 Q. Okay. Let me ask you about deployment. Are you aware
of
20 the number of men in the deployments around Zogoda?

wouldn't

21 A. Mr Lawyer, I did not go out of Zogoda because you

22 leave Zogoda at that time without the permission of Mohamed

some

23 Tarawallie. And from Zogoda to all these deployment areas,

didn't

24 were five miles off and some were seven miles off, and I

25 go out of Zogoda so I don't know the strength.

26 Q. Koribundu Jungle; had you been there by the beginning of

27 1996?

did

28 A. My Lord, I did not go to any of the other jungles. I

I

29 not go to Koribundu Jungle. I did not even know the place, so

1 can't tell the manpower that was there.

2 Q. Were you in communication with that place, in any way?

3 A. You mean when I was at Zogoda?

4 Q. Well, just generally. Were you in communication with
5 Koribundu Jungle around 1996?

was

6 A. Well, around 1996, I was under investigation. Later, I

7 demoted, so I did not communicate with any other person on the

to

8 radio. Even if I wanted to send a radio message to Kailahun

but

9 my family or to my bodyguards, I would only send a message,

10 not to talk through a set, because the set was restricted.

11 Q. Restricted to who?

that

12 A. To us, the officers, because it was Mohamed Tarawallie

by

13 was in control. So, in the morning, he would go there and sit

speak

14 the set. I would not go there and ask him that I wanted to

15 through the set; it would not be possible.

you

16 Q. In 1994, when you were area commander of Kailahun, did

17 have a radio set there?

18 A. Yes, I had a set.

19 Q. And which areas, if any, were you communicating with?

20 A. Well, my operator had been monitoring conversations with

21 other stations, but my station, I was only communicating with
22 Zogoda from where I got instructions, and I also sent a
response,
23 responses, and I also sent situation reports. And that aside,
I
24 was not able to get any other information from any other areas
25 because I had not been giving those areas instructions. And
they
26 also had not been giving me instructions, minus Zogoda.

27 Q. And moving back to early 1996, Kangari Hills, who was
the
28 commander there?

29 A. The area commander. The area commander -- I was not
there.

SESAY ET AL

04 MAY 2007 (Amended copy)

OPEN SESSION

1 I was in Abidjan when the meeting took place at Zogoda. Foday
2 Sankoh appointed Isaac Mongor as the area commander for the
3 Kangari Hills. So, he was the area commander from January '96
4 to May '97.

5 Q. Did you ever go to the Kangari Hills during that period?

6 A. No, no, I never went there.

7 Q. And, finally, the Western Jungle, early 1996, who was in
8 command there?

9 A. Early '96, or before early '96, the area commander was
10 Superman. And he was deputised by Gibril Massaquoi.

11 Q. Now, the places you've mentioned, did anything happen to
12 those places, or any of those places in 1996?

13 A. Yes. When the government violated the Abidjan Accord,
they
14 attacked some of those areas.

15 Q. Let's try to deal with this in a chronological way.
When
16 do you say the government violated the Abidjan Accord? Can
you
17 remember the month?

18 A. Well, when I came to Zogoda -- I just want to be brief
and
19 explain something that I saw.

20 Q. Go ahead.

21 A. When I came to Zogoda, during that time, there was a

22 ceasefire, and Mohamed Tarawallie made sure that the RUF
23 implemented a ceasefire. And I saw two investigators --
24 investigations conducted by Mohamed Tarawallie in Zogoda
against
25 Sam Bockarie, Mosquito and Base Marine, because information
26 reached Mohamed Tarawallie that Bockarie --
27 Q. Just pause there. So you saw two investigations
concerning
28 these two men. Go on.
29 A. Yes.

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containing

and

of

Kenema

summoned

advised

a

1 Q. Continue, please.

2 A. Information -- there was a report which reached Mohamed
3 Tarawallie, which stated that Mosquito stopped a truck
4 food from Kenema going to Tongo Field which he stopped
5 around Lagos on its way. Mohamed Tarawallie said the man had
6 violated the ceasefire, so he called him to report at Zogoda,
7 Bockarie reported.

8 Q. Just to clarify, what is it that Bockarie was suspected
9 doing?

10 A. He said, Bockarie -- he blocked -- he used some men and
11 blocked the way of a transport truck that was leaving from
12 for Tongo Field, and he offloaded the rice -- some of the rice
13 that was in the truck. That was why Mohamed Tarawallie
14 him to Zogoda and interrogated him. And, from there, he
15 him strongly that he should not repeat that, because that was
16 violation of the ceasefire agreement.

17 Q. You mentioned Base Marine.

18 A. Yes. At this time, Base Marine was the target commander
19 for Blama Highway and he, himself, it was alleged that they
20 stopped a vehicle between Kenema and Blama Junction. That was

21 why Mohamed summoned him also -- in fact, he was detained.

22 Q. Blama, B-L-A-M-A?

23 A. Yes.

24 Q. And Base Marine was detained?

25 A. Yes, Mohamed Tarawallie detained him because he stopped
the
26 vehicle. He detained him and warned him that at any time he
did
27 that again, he would take action against him. So he sent him
28 back to his target. Those were the two incidences I observed
in
29 Zogoda.

1 Q. Okay. So there was two incidents of what amounted to
2 violations of the peace accord. So when did that government
3 violate the peace accord, according to you?

4 A. Well, during this time, the government had not started
5 attacking yet. But, from -- this was in May -- but, from June
6 1996, then the government troops, the soldiers, and the CDF
7 attacked Koribundu Jungle where, well, let me check for TF
8 number, please. Well, I'm unable to see the TF number
quickly.

9 MR JORDASH: Perhaps Mr Sesay could --

10 THE WITNESS: Okay, okay. Where TF1-362 -- that was the
11 place he was as training commandant. That is the Koribundu
12 Jungle. So the government trooped attacked there and
dislodged
13 them.

14 MR JORDASH:

15 Q. What happened to Koribundu? Did it exist after they'd
been
16 dislodged?

17 A. Well, from that time, they came to Zogoda and Mohamed
18 Tarawallie said the men should stay at various deployment
around
19 Camp Zogoda whilst this TF number I had called came to Zogoda,
20 TF1-362.

21 Q. Did you meet those fighters from Koribundu?

come

22 A. The fighters, Mohamed Tarawallie did not allow them to

23 to Zogoda, but they reached Bandawoh, and Mohamed sent to the

24 area commander at Camp Zogoda, Colonel Lion, to distribute the

around

25 fighters from Koribundu Jungle to the various deployments

26 Camp Zogoda.

27 Q. Did you know those people?

28 A. Well, I did not see them and, most of them, I don't know

came

29 them, because most of those fighters were from Pujehun; they

1 from Pujehun and they did not reach Zogoda, so I did not know
2 them.

3 Q. What else happened, if anything, around that time?

until I
October,

4 A. Well, around this time, this attack started, around June
5 1996; you understand? The men continued. They continued
6 received instruction from Mohamed Tarawallie that, early
7 to return to Kailahun in Giema, without an assignment.

8 Q. So --

9 A. And --

10 Q. Sorry, I interrupted you.

11 A. Then the attacks continued. And I heard that they have
12 dissolve the Bo Jungle, also.

13 Q. What happened to the RUF from Bo Jungle?

go

14 A. The RUF, from the Bo Jungle, on Mohamed Tarawallie's
15 instructions, they went and joined Isaac at the Kangari Hills.
16 And Mohamed Tarawallie instructed Isaac, for some of them to

Kangari

17 to the Western Area, while the others would remain at the
18 Hills.

19 Q. Did any of them go anywhere else?

to

20 A. They went -- some went to the Western Jungle, some went
21 the Kangari Hills;

22 Q. Were there any other attacks on RUF areas?

23 A. Yes. Late October 1996, they attacked Zogoda and
dislodged
24 Zogoda. So, the two senior commanders who were at Zogoda,
25 Mohamed Tarawallie and Mike -- Mohamed Tarawallie and --
Mohamed
26 Tarawallie and TF1-371, they decided to divide the group into
27 two, on the instructions of Foday Sankoh. 371 led the troop
from
28 Zogoda to the Pujehun District, and Mohamed Tarawallie led the
29 troop from Zogoda towards Kailahun, Giema, but he was unable
to

1 reach. Around the Bunumbu area, that was where he was killed,
2 and a lot of the men were captured. Only a few of them were
able
3 to reach Giema. So, when they attacked Zogoda -- hold on a
4 little bit -- then TF1-367, he and Sam Bockarie, they decided
to
5 withdraw from Peyama to Giema. So, they, too, withdrew with
6 their troops. When they reached the Moa River -- because this
7 was October period, the river was full, and the SLA and the
CDF
8 attacked the area, also, and killed a lot of people there.
So,
9 all these areas were dissolved. It was only the Kangari Hills
10 and the Western Area and, we, who were in Kailahun, Giema,
were
11 the people that were -- the groups that were in existence.

12 Q. Sorry, what was the last thing you said; I missed it,
13 Mr Sesay.

14 A. I said, all the other areas that I've named, in 1996,
all
15 those areas, the government troops dissolved those areas. The
16 RUF only remained in three areas, and those were the areas the
17 RUF were present: Kailahun, not the whole of Kailahun, but
half
18 of Kailahun District, Giema; the Kangari Hills; and the
Western
19 Jungle. Because TF1-371, when they arrived in Pujehun, they
went

they

20 and surrendered themselves to ULIMO because of the pressure
21 faced. So, it was only these three places were functioning.

22 Q. Right. Thank you. Now, at this time, you're in Giema
23 without assignment; is that correct?

24 A. Yes, yes, yes.

25 Q. And your rank is?

26 A. I was a Captain.

27 Q. Did this situation stay the same?

28 A. Well, Kailahun, at this time, the way it was from March
29 1995, that was the same situation there as --

1 Q. Did you remain as Captain?

2 A. Yes. I remained as Captain until November, when Foday
3 Sankoh came from Abidjan to talk to the RUF. He went through
4 a helicopter before he signed the Abidjan Accord.

5 Q. And what happened?

6 A. When Foday Sankoh came, he and the Foreign Minister of
7 Ivory Coast by then, Amara Essie [phon], including the
8 external delegation, they came. The helicopter landed at Balahun.
9 From there, Foday Sankoh said he was going to the Kangari Hills and
10 came the Western Jungle. And, that very day, he went there and
11 that back. And the helicopter left him at Gbalahun. All of us
12 Giema waited for him there, we worked to Giema. So we slept in
13 that night. The next morning, we summoned a parade. That was
14 the time he addressed us, the officers and the fighters. That
15 commander was the time he reinstated Sam Bockarie as battle-group
16 and --

17 THE INTERPRETER: The interpreter --

18 A. Battle-group commander and repromoted him to a major.
19 He repromoted me to a major, but he said I shouldn't have any

change

20 assignment before the parade. He said because he wouldn't

21 again, Peter Vandt, as area commander.

22 THE INTERPRETER: The interpreter is sorry. He wants to

23 make a correction.

24 PRESIDING JUDGE: Proceed.

interpreter

25 THE INTERPRETER: There was an area where the

26 said "we worked." It should be "we walked."

27 PRESIDING JUDGE: Thank you.

28 THE INTERPRETER: Welcome.

29 MR JORDASH:

to

reminded

at

1 Q. Now, before we leave and move to the junta, I just want
2 pick up on the subject of training bases. We heard yesterday
3 about -- excuse me a moment. I've just been helpfully
4 battle-group commander is now Sam Bockarie, who is --

5 A. No, no, no. That's why I repeated it. I thought the
6 translator made a mistake. I said Foday Sankoh repromoted
7 Sam Bockarie to a major and battle-group commander. Because,
8 this time, we never knew as to whether Mohamed Tarawallie had
9 died. What we knew was, he was missing-in-action, so Mohamed
10 Tarawallie still was the field commander, although we had not
11 seen him yet at that time.

12 Q. Thank you.

13 A. Yes, yes.

14 JUDGE ITOE: So Bockarie was a major; you, too, were a
15 major, following those promotions?

16 THE WITNESS: Yes, sir. Yes, sir.

17 JUDGE ITOE: But you did not have an assignment?

18 THE WITNESS: Yes, sir.

19 JUDGE ITOE: So Peter Vandi continued in Kailahun?

20 THE WITNESS: Yes, sir, as area commander.

21 MR JORDASH:

which
yesterday
existence
back

22 Q. You talked yesterday about a number of training bases
23 were opened in 1991. The training bases you mentioned
24 operated until when?
25 A. I said the bases operated in 1991. In late '91, they
26 closed in -- in early '92, there was only one base in
27 in Kailahun Town, which was the -- which was at the --
28 THE INTERPRETER: Your Honours, can the witness come
29 to the last part of his testimony.

1 MR JORDASH:

2 Q. Which was the base that was left?

3 A. Well, in '92, it was only the base at the Kailahun Town
4 that was in existence at the National Secondary School.

in

5 Q. And, from that time in 1992, were there any other bases
6 Kailahun until 1996?

it

7 A. Well, some time -- because the base in Kailahun, at the
8 National Secondary School, it was closed. Foday Sankoh closed
9 in '92. Then in '93, around mid-'93, Foday Sankoh appointed
10 TF1-168 as training commandant at Dia.

witness

11 Q. Just be careful about putting TF1 numbers next to roles,
12 okay. In fact, Mr Sesay, it can be possible to connect a

you

13 with their role, even though you don't mention their name; do

maybe

14 follow? If you have trouble saying what you have to say,

15 it might be better if we can write it down, if you have a

I've

16 sentence like that to say. It's an easy mistake to make.

you

17 made the same mistake on a number of occasions. But, just so

18 know, okay.

19 A. Yes. Okay, Pa.

20 Q. Right. Just moving past what you've just said, go on.

Dia,
that
Sankoh
in
training
that

21 A. I said, the base which was opened by Foday Sankoh in
22 it was mid-'93 to November '93 the base was closed. And, at
23 time, there was no base in existence in Kailahun until '95.
24 Q. And, in 1995, what happened then?
25 A. Well, I was at Giema as area commander. Then Foday
26 sent Momoh Rogers, Moses Tarawallie and Amuyepoh from Zogoda,
27 order for them to open up a base in Kailahun for advance
28 of the RUF fighters in Kailahun. And the instruction was,
29 was from Foday Sankoh, he said, "Only me, I, that was exempted

1 from not going to that base, but all other Vanguards, all
2 officers and junior fighters, all of them should go there for
3 advance training, including the units."

4 Q. Why were you exempted?

5 A. Well, I was wounded, and I was unable to participate in
6 physical training, at that time. Well, I was wounded in an
7 attack in December '94 at Kpandenbu Junction.

8 Q. Okay. Did civilians go to that training base, or not?

9 A. Well, few civilians went there, who were interested in
10 training. But the main thing was for the advanced training.

11 That was what functioned and the base closed in February 1996,
12 during the Abidjan peace talks. The base was at Baima.

13 Q. Was there any forced training in Baima?

14 A. No, forced training was not on, because from 1991
15 to December 2001, civilians were in Kailahun, who were not RUF
16 fighters. So, it wasn't forceful.

17 PRESIDING JUDGE: The Chamber will now recess for lunch.
18 We'll resume at 2.30 p.m..

19 [Lunch recess taken at 12.58 p.m.]

20 [Upon resuming at 2.30 p.m.]

21 PRESIDING JUDGE: We will resume the trial. Proceed,
22 Mr Jordash.

Honour,

23 MR JORDASH: Before I proceed with questions, Your

teeth

24 I had a message passed through the security that Mr Sesay was

25 cold this morning, but I -- and I observed him shivering,

26 chattering.

27 PRESIDING JUDGE: Yes. Have they been able take care of

28 that situation?

message

29 MR JORDASH: Well, I think the situation is -- the

1 I've got through is that he wants to drink warm tea in the
2 afternoon because it warms him up. He doesn't want to wear a
3 jacket or a jumper, because he's just not comfortable wearing
4 those things.

that?

5 JUDGE ITOE: If he wants warm tea, what's wrong with

6 MR JORDASH: Oh, I agree.

7 PRESIDING JUDGE: But we take a break at 4.30 normally.

just

8 MR JORDASH: It's not so much for the break, it's more
9 for the warmth.

that.

10 PRESIDING JUDGE: Well, let them, if they can provide

11 We should have no --

flask?

12 JUDGE ITOE: Does the detention facility not have a

tea

13 I'm sure they must have a flask. It's that easy: With some
14 bags and a flask and a tea cup. I mean, that's fine.

15 PRESIDING JUDGE: Yeah.

16 JUDGE ITOE: It can even be by him there. What's wrong
17 with that?

that.

18 PRESIDING JUDGE: Well, I think we can give leave for

19 I mean, it wouldn't be disruptive. I don't think it's
20 distracting. It's just like a bottle of water.

21 MR JORDASH: Thank you. It's appreciated.

22 PRESIDING JUDGE: Right.

23 MR JORDASH:

24 Q. Now, good afternoon, Mr Sesay.

25 A. Good afternoon.

26 Q. Just, I think the last question was concerning
recruitment

27 in your area of Kailahun when you were the area commander.
How

28 were people -- how were fighters recruited in your area?

29 A. Well, I said, from the time that I took over as area

1 commander, the base was not functioning in '94. Foday Sankoh
2 sent instructors who met me at Giema. The base opened in
1995,
3 and most of that training was advanced training. There was no
4 forceful recruitment. If somebody who was willing to go to
the
5 base, he could go.

6 Q. And the men you were commanding in Kailahun, where did
they
7 come from?

8 A. These men, from 1991, when they joined the RUF in
Kailahun,
9 they were the same men that were there.

10 Q. Now, before we get to the junta, did you receive any
11 promotion or new assignments before May 1997?

12 A. Yes.

13 Q. Could you explain how that happened, please, or what
14 happened?

15 A. Well, in March 1997, Foday Sankoh sent a radio message
to
16 Bockarie.

17 Q. Where was Foday Sankoh?

18 A. Well, at that time, he had left Abidjan and had gone to
19 Nigeria.

20 Q. He sent a message to Sam Bockarie?

21 A. Yes.

22 Q. What was the message?

23 A. Well, the message --

24 JUDGE ITOE: Was the message sent from Nigeria? Was the
25 message sent from Nigeria or from Abidjan?

26 THE WITNESS: Well, there was a radio set in Abidjan at
27 Foday Sankoh's house at Cocody, and Foday Sankoh communicated
28 through the telephone from Nigeria to Abidjan. From Abidjan,
29 then it was sent through a radio message to Giema.

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1 MR JORDASH:

2 Q. Why was it sent to Giema?

3 A. Well, sorry, it was not Giema. It was at Buedu because,
by
4 then, Bockarie was at Buedu. It was not at Giema, it was at
5 Buedu, in March 1997.

6 Q. Where was the headquarters of the RUF at that point?

7 A. Well, you see, it's the way that you keep on jumping.
8 That's why I'm getting confused a little bit. The
headquarters

9 was at Giema, initially, but because of the attacks from the
10 government forces, the CDF and the SLA, at Giema, Bockarie
11 transferred to Buedu, which became the headquarters and he
said

12 that I was to stay at Giema. That was in January 1997 when
the

13 attack took place, when they attacked Giema and Kailahun,
14 Kailahun Town.

15 Q. So the message came to Buedu, and what was the message?

16 A. The message was from the leader to Sam Bockarie. The
17 subject was promotions.

18 Q. And the message was?

19 A. Well, the message, Foday Sankoh gave promotions to some
20 commanders within the RUF.

21 Q. And the promotions were?

22 A. Sam Bockarie, Foday Sankoh promoted him from Major to
23 Colonel and gave him the assignment of battlefield commander.
24 And he promoted Superman from Major to Colonel, area
commander,
25 Western Jungle. Isaac Mongor, Colonel; he was promoted to
26 Colonel from Major, area commander, Kangari Hills. Issa
Sesay,
27 from Major to Lieutenant-Colonel, battle group commander.
28 JUDGE BOUTET: To what rank?
29 THE WITNESS: From Major to battle-group commander, sir.

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1 From Major to Lieutenant-Colonel. Assignment, battle-group
2 commander. Peter Vandí, from staff -- from Major to
3 Lieutenant-Colonel, area commander, Kailahun.

4 JUDGE BOUTET: So, Vandí kept the same assignment? Now,
5 was he the area commander for Kailahun?

6 THE WITNESS: Yes.

7 JUDGE BOUTET: He was promoted to --

8 THE WITNESS: Yes.

9 JUDGE BOUTET: -- to lieutenant-colonel but kept the
same
10 assignment; am I right or am I mistaken? I am talking of
Peter
11 Vandí.

12 THE WITNESS: Yes, My Lord. It was the same assignment,
13 area commander, but he was promoted to lieutenant-colonel,
sir.

14 Then Gibril Massaquoi, from staff captain to lieutenant-
colonel,
15 spokesman of the RUF. Those were the promotions that Foday
16 Sankoh sent, March 1997.

17 MR JORDASH:

18 Q. Did you know what Foday Sankoh was doing in Nigeria at
this
19 time?

20 A. Well, I did not know his mission when he left Abidjan to
go

21 to Nigeria. I did not know.

22 Q. How did you learn about these promotions?

23 A. Well, the promotions were sent to Mosquito at Buedu,
then

24 Mosquito sent the same message to the other areas, Giema, the

25 Kangari Hills, and the Western Jungle. So that was how I came
to

26 know, when I received the message from Bockarie.

27 Q. And do you know why you became battle-group commander?

28 A. Well, at that time, I did not know, but later I came to

29 know.

1 Q. When did you come to know?

2 A. Well, when the army overthrew the SLPP government in
3 Freetown, then when Foday Sankoh gave the instructions to
4 Sam Bockarie, so that the RUF could join the AFRC and Bockarie
5 should take orders from Johnny Paul Koroma, and, in a short
6 while, Gibril Massaquoi came from Nigeria, when he was sent by
7 Foday Sankoh to Mosquito, to Johnny Paul Koroma.

8 When Gibril came, Gibril came with a message to
Bockarie,
9 that Foday Sankoh said he should not allow the Liberians to be
10 ahead, or to lead the command to work with the AFRC, so and no
11 senior military commander should take ministerial position.

So

12 that was the time that I knew, because I was a Sierra Leonean,
13 that was why Foday Sankoh gave me the position of battle group

--

14 Q. Are you aware of anything concerning Mohamed Tarawallie
15 around this time?

16 A. Well, at that time, we did not see Mohamed Tarawallie,
so
17 all of us just concluded that he had died.

18 Q. Did he have bodyguards?

19 A. Yes. Mohamed Tarawallie had bodyguards with his wife,
whom
20 he had left in the Western Jungle when he went to Zogoda to
take

21 over command.

when

22 Q. And what happened -- were they in the Western Jungle

23 Mohamed Tawarallie came to Zagoda?

left

24 A. Yes, because his wife was in the Western Jungle, so he

25 some of his bodyguards to stay with his wife in the Western

26 Jungle.

27 Q. Did anything happen to them?

28 A. Yes, Superman had to kill three of them, and one escaped

coup.

29 and came and surrendered to the government troop before the

bodyguards?

1 Q. Do you know when that was, the killing of the

March

2 A. Well, I believe that that happened around February to

3 1997.

4 Q. When did you hear about it?

from

5 A. Well, he sent a message to Mosquito, when he said that

6 Mohamed Tarawallie's bodyguards did not want to take orders

7 him and, in fact, that they had organised themselves to attack

8 him, so he had to kill three of them. So, Mosquito totally

right

9 disagreed with that, and he said Superman did not have any

10 to have killed Mohamed Tawarallie's bodyguards.

11 Q. Did something happen in May 1997 concerning the Kabbah

12 government?

13 A. Yes. In May 1997, I was at Giema. On the very 25 May

14 1997, I was under attack from the SLA and the Civil Defence at

15 Giema. And they attacked us, around 10.00 in the morning, the

on

16 fight continued up to 3.00. So, 3.00 news, 505 because I was

17 top of the hill at Giema, so the next man that was by me had a

Tejan

18 radio, and we heard they had overthrown the government of

19 Kabbah in Freetown; the army had overthrown the government --

20 through Focus, 305.

21 Q. Did you hear the message yourself?

22 A. The message did not come that very day. The people who
23 listened to news over the BBC --

24 THE INTERPRETER: Correction, interpreter: We only
heard
25 the news from BBC.

26 MR JORDASH:

27 Q. And did you do anything, or did anything happen?

28 A. Well, that day, we continued fighting up to 4.00 and we
29 were able to repel the men out of Giema, and we captured one
SLA,

1 who was called Corporal Mohamed, he was with me at Giema.

2 Q. And what happened with Corporal Mohamed?

3 A. Well, Corporal Mohamed stayed with me at Giema until the

and

4 time that we heard the announcement from Foday Sankoh on BBC,

5 announcement on SLBS, where he instructed Sam Bockarie to

6 instruct the other commanders so that we could stop fighting,

And

7 saying that the SLAs, they were not enemies anymore to us.

Area

8 Bockarie should instruct the other commanders in the Western

9 and the Kangari Hills to join up with the AFRC.

10 Q. And what happened then?

Buedu

11 A. Well, between three to four days, Bockarie came from

come

12 and met me at Giema. He said he had instructed Superman to

So, I

13 to Freetown, that he had instructed Isaac to go to Makeni.

14 and he and the other officers were to go to Daru.

15 Q. You and which other officers were to go to Daru?

Peter

16 A. Well, Bockarie came from Buedu. He came along with

17 Vandi, and they met me at Giema with the other Vanguarders, like

all

18 Lion, Major Brown, Rambo, Augustine Flomoh, with others, we

19 walked and went to Pendembu. But, when we left Giema, at just

that
20 about two-and-a-half miles, we met a group of SLA who said
21 they have come to receive Mosquito, since they have got
Mosquito 22 instructions from Johnny Paul Koroma, to go and receive
23 to come down to Freetown.
24 Q. And what happened when they came to meet Sam Bockarie?
25 A. Well, we all embraced one another and all of us talked
safe, 26 about peace and we said that peace had come. And they said
27 and we also said safe. And we said our lives are all safe.
All 28 of us walked and went to Pendembu.
29 Q. What did you find when you -- well, before I ask you
that,

group?

1 how many people went to Pendembu, approximately, in your

walked

2 A. Well, I would say we were up to 70 plus. All of us

3 to Pendembu.

how

4 Q. How many were original -- sorry, how many were RUF and

5 many were the SLA who came to meet you?

6 A. No. I said, that we were -- up to 70 were RUF, and the

7 SLAs that came, they would be around 25.

8 Q. Did you stay in Pendembu?

Daru.

9 A. No. When we arrived at Pendembu, we boarded a van to

10 Q. Who boarded a van to Daru?

but

11 A. Well, it was the soldiers' van. It was a pick-up van,

we

12 Bockarie, I, Peter Vandj, Denis Lansana, Vandj Kosia, with

13 others, with our bodyguards; all of us boarded the vehicle and

14 went to Daru.

15 Q. How many RUF went to Daru?

of

16 A. Well, the vehicle left us, and came back and took some

17 the junior officers, and came with them again to Daru.

18 Q. But how many left Pendembu, in total, and came to Daru?

19 A. Well, I would say we, that came to Daru, were up to 50.

20 About 20 stayed at Pendembu.

21 Q. How many security did you have, personally?

22 A. Well, I would say that I had seven security, because the
23 others ones stayed with my wife at Giema.

24 Q. And what happened when you arrived in Daru?

25 A. Well, we were with -- Mosquito came with a soldier and I
26 have forgotten to say this: The ambassador to Guinea -- the
27 ambassador of Sierra Leone to Guinea, he also was brought by
28 Mosquito to Buedu, because he was under custody. So all of us
29 came to Daru, Ambassador Jabbie.

1 Q. So what happened next?

2 A. When we arrived at the Daru, the battalion commander who
3 was there, Lieutenant-Colonel Momodu, he took us first to the
4 mess and we ate together. From there, he showed us where we
5 to lodge, very close to his own quarter. So we slept in Daru.

were

6 Q. Do you know what date this was, approximately?

7 A. Well, I cannot recall the exact date. But this was late
8 May, maybe 29 or 30 May. I cannot recall the specific date.

I

9 cannot recall.

10 Q. Do you remember how many days after the actual coup?

11 A. Well, I believe that the day that we came and slept in
12 Daru, it was the fourth day after the coup.

13 Q. So what happened next?

14 A. So, the following morning, we went to the mess with
15 Colonel Momodu. While we were taking breakfast --

16 JUDGE ITOE: Did he say Colonel Momodu?

17 THE WITNESS: Lieutenant-Colonel Momodu.

18 JUDGE ITOE: Of what army?

19 MR JORDASH:

20 Q. Who was he?

21 A. He was the battalion commander at Daru.

22 Q. Is that RUF-occupied or SLA?

23 A. He was the battalion commander of SLA, whom we met, at
24 Daru.

25 Q. Which group?

26 A. Well, the army that overthrew the government, it was
SLA.

27 They just called themselves AFRC, but he was SLA. He was the
SLA
28 battalion commander.

29 Q. Okay. So what happened next?

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1 A. So, while we were having our breakfast, that is the time
2 that Colonel Momodu -- somebody came to him. I did not know
what
3 he and the individual discussed after that.

4 Q. Somebody came to him?

5 A. Yes.

6 Q. Somebody came to Momodu?

7 A. Yes. But, later, I came to know that he was his
adjutant,
8 his battalion adjutant.

9 Q. Well, what happened when his adjutant came to him?

10 A. Well, when Colonel Momodu and the adjutant had
discussed,
11 Colonel Momodu told Sam Bockarie that the chiefs in Daru Town,
12 and the civilians had requested that Colonel Momodu and Sam
13 Bockarie talk to them and that they had gathered at the court
14 barri in Daru. So Bockarie, himself, accepted that they were
to
15 go. So after the breakfast --

16 Q. After the breakfast --

17 A. After the breakfast, all of us drove -- we went to where
18 the civilians were gathered, including their chiefs, in Daru
19 Town.

20 Q. And what happened then?

21 A. Then the battalion commander, the battalion adjutant,
first

the

22 spoke about the importance of the peace that has come between

23 RUF and the army. He explained the importance of the peace,

24 which was brought by --

25 THE INTERPRETER: Your Honours, would the witness go a

26 little bit slow?

27 MR JORDASH:

28 Q. Could you go a little bit slower, Mr Sesay, please.

29 A. Okay.

1 Q. Let me just come in here. How long were you in Daru?

2 A. Well, I feel that I should be allowed to end this first,
3 before I come to the time I spent in Daru. So, when Colonel
4 Momodu had spoken, Sam Bockarie spoke. He also addressed the
5 civilians. He told the civilians that the war was over, and
6 anybody who had been in the refugee camp or displaced camp in
7 Daru was allowed to go back to Kailahun because the war was

over.

8 Then, when Bockarie had spoken, all of us drove and went to
9 Barracks.

Daru

10 Q. Do you know if anything happened as a result of that
11 meeting in which Sam Bockarie spoke?

12 A. Well, the atmosphere amongst the civilians, they were
13 because Bockarie had told them that the war was over, and the
14 battalion commander said the same thing.

happy

15 Q. And do you know if anything happened as a consequence of
16 that message?

17 A. Well, at that moment, yes, because Bockarie left that
18 day, because there was a government bus and a truck that went

very

to

19 receive him at Daru, from Freetown. So, the next 48 hours, I

was

20 at Daru. People started going towards Pendembu, who are

citizens

21 of the areas we had occupied.

22 Q. And do you know, or have you any idea, how many people
came

23 back to their native areas?

24 A. No. At that initial stage, people did not rush to go.

25 But, later, they went away, who were natives of Giema,
Kailahun

26 Town; natives of Buedu, they went away.

27 Q. So they went away --

28 A. They left displaced camps. When the AFRC government had

29 been functioning, they left the displaced camps in Daru and
went

1 back to their homes, the villages and towns in Kailahun, where
we
2 had occupied.

3 Q. So when did this start happening?

4 A. Well, I would say from June, it started happening.

5 Q. How do you know this?

6 A. Well, I was at Daru for about a week. Bockarie left me
at
7 Daru. He said I was to stay there, I and Peter Vandj. So I
was
8 in Daru. Before I left, I saw people going to Pendembu and
going
9 back to Daru, and that continued.

10 Q. And Sam Bockarie left to go where?

11 A. Just after the meeting that day, in the afternoon,
vehicles
12 and a bus came. Around 3.00, Bockarie left to come to
Freetown.

13 Q. Was there any reason why you stayed behind?

14 A. Well, I did not know the reason, but he was the
commander
15 and he said that I was to stay while he came. So, he took
some
16 officers and some fighters with whom they came, including his
17 bodyguards, and he had some of his bodyguards, so they came.

18 Q. How many fighters or bodyguards, in total, did Sam
Bockarie
19 go to Freetown with?

things 20 A. Well, I cannot tell the exact figure because these
21 have taken some time. But I knew that the government bus that
22 went, they occupied it, and the truck, one government bus, one
23 truck, were filled with Bockarie. They came with Bockarie.
24 Q. And how big was the bus?
accommodate 25 A. Well, it was the Tartar buses. I think it can
26 40 to 45 people, including the truck.
27 Q. And what made you leave Daru?
sent a 28 A. Well, I was at Daru for about a week. Then Bockarie
him. 29 radio message, saying that I was to go to Freetown to join

1 Q. And did you go to Freetown?

2 A. Yes, I came to Freetown. I came and met them at BTC,
3 Benguema, at Waterloo.

4 Q. Benguema. Did you go straight to Freetown?

that

5 A. No. I went to BTC, there Bockarie was. It was there
6 all other commanders were; like Isaac Mongor and Superman.

7 Q. Did you go straight to BTC, or did you stop on the way?

two

8 A. No. When we arrived in Kenema, we stopped by because

the

9 officers brought me -- brought us together. So we stopped at
10 brigade headquarters in Kenema, where we had our lunch.

11 Q. How many fighters did you go with to BTC?

12 A. Well, I would say I, and the others that came, would be
13 around 25 to 30, in the Tartar -- the small Tartar truck.

14 Q. And which commanders were with you, if any?

15 A. Well, Major Lion was with me; Major Brown; and Captain
16 Akibu, with others.

17 Q. And did you have securities with you?

18 A. Yes, my bodyguards were with me.

19 Q. Just quickly, who were they, please?

Bolopio;

20 A. Mohamed James; Boy George; Victor Kamara; Tommy;

21 Isiaka; and one other, making a total of seven.

22 Q. And what did you see when you arrived at BTC?

house

23 A. Well, when I arrived at BTC, I saw that they gave one

24 to Superman, one to Bockarie, and one was also given to Isaac;

25 and the other officers and some men were given quarters.

26 Q. And this was -- these different quarters were where? At

27 BTC?

28 A. The different quarters, it's a barracks. You had the

the

29 officers' quarters and you had the other ranks' quarters. So

the

1 other people were given the other ranks' quarters. Three of
2 officers' quarters were given to these men, whose names I have
3 called.

4 Q. And did you have your own quarters?

that

5 A. No, no. I was not given a quarter. It was Bockarie
6 gave me a single room in his own quarters.

given

7 JUDGE ITOE: Let's have the names of those who were
8 top houses, please.

quarter;

9 THE WITNESS: They gave Colonel Sam Bockarie one
10 they gave Superman one; they gave Isaac Mongor.

you a

11 JUDGE ITOE: That's all? You stayed -- Bockarie gave
12 room in his own quarter?

13 THE WITNESS: Yes, My Lord.

14 MR JORDASH:

how

15 Q. Now, when you arrived, how long had Superman been in --
16 long had it been since Superman had arrived to join?

17 A. Superman came and joined me? I don't understand.

join

18 Q. I'm sorry. Who was the first commander to reach -- to
19 with the AFRC out of the RUF?

the

20 A. Well, Superman was the first commander who moved from
21 bush with his troop and went and joined the AFRC in Freetown.

22 Q. And do you know how many men went with him?

23 A. I cannot tell how many men were in the Western Jungle,
24 because not a day did I get any report, up to this time, from
25 Superman.

Jungle

26 Q. Did you observe where his other men from the Western
27 were deployed?

28 A. Yes.

29 Q. Where were they deployed?

at

1 A. They were deployed at Hastings, and some were deployed
2 Allen Town, others at Grafton, and others remained at BTC.

3 Q. And who, from the senior commanders, had arrived next to
4 join the AFRC?

had

5 A. Well, these were the first three senior commanders that
6 arrived before I came.

7 Q. And Isaac Mongor --

8 A. Yes.

9 Q. Who had he arrived with, if anyone?

and

10 A. Well, Isaac Mongor, he first went to Makeni and, from
11 Makeni, he come to Freetown with some of his boys, bodyguards
12 some few officials. But his own group stayed in Makeni at the
13 Teko Barracks.

14 Q. Did you know any of Superman's men?

15 A. Well, I only know the ones that were in Kailahun. But,
16 like, the ones that came from Pujehun through Zogoda to the
17 Kangari Hills on to the Western Area, that was the first time

I

18 knew them, and that was the first time they came to know me.

Do

19 Q. I'm going to try and push you on the numbers, if I can.

Superman's

20 you know how many men were deployed in Hastings from

21 men?

22 A. Well, I cannot tell you the exact number of the men, but

I

23 knew the commander that was there; that was Major Konowa.

24 Q. Well, are you able to -- I will almost certainly not ask

25 you about precise numbers when we're talking about deployment.

26 Are you able to give an approximate number of men deployed at

27 Hastings, when you arrived, from the Superman Western Jungle

hundreds,

28 group? Can you give a figure between, say, the tens,

29 thousands? Are you able to give any indication?

1 A. Well --

2 Q. It's okay if you can't. I don't want you to guess.

3 A. Well, I wouldn't want to say something at the end of the
4 day which I would be unable to defend. I wasn't present when
5 they made it, the deployment, I only came and I met the
6 deployment on.

7 Q. Which was the biggest group of men in Freetown and its
8 environs? Where had they come from?

9 A. Well, the RUF group that was in Freetown in 1997, the
10 biggest group was from the Western Jungle.

11 Q. Now, we've heard of men going with Sam Bockarie, men
going
12 with you, and these men came from Kailahun?

13 JUDGE ITOE: This group from the Western Jungle was led
by?

14 MR JORDASH: Superman.

15 JUDGE ITOE: Superman?

16 THE WITNESS: Yes, My Lord.

17 MR JORDASH:

18 Q. Now, how many men came from Kailahun to join the AFRC?

19 A. Well, I believe the men Bockarie came with for the first
20 time, they will be up to 70 men.

21 Q. Where were they deployed, if anywhere?

22 A. Yes, some of these men, they were with -- some were at
the

23 defence headquarters; they were 30 in number. Their commander
24 was Major Johans Robbert. And, then, the Under-Secretary of
25 Defence, Colonel Avivavo told them to occupy the Paramount
Hotel
26 by the State House. That was where they stayed, and they
worked
27 in the defence. And --
28 Q. I'm sorry. What's the defence headquarters?
29 A. It wasn't the military defence headquarters. That was
the

1 office of the Under-Secretary of Defence, just by the State
2 House.

3 Q. What was their job there? Do you know why they were
4 deployed there?

5 A. Well, they were working together with Major Mandereh,
6 who
7 were
8 were
9 on the streets who were not in deployment areas.

10 Q. Okay. Were there any other areas in which RUF were
11 time?
12 deployed at the time you arrived at BTC or soon after that

13 A. Well, before I arrived at BTC, they had already deployed
14 at
15 Hastings, Allen Town, Grafton.

16 Q. Who was in command of the Grafton group?

17 A. Well, one of Superman's sub-commanders, called Komba
18 Gbundema.

19 Q. Who is in charge of the group at Allen Town?

20 A. Well, it was Amara Ambush, also from the Western Jungle.

Q. Who was Superman staying at BTC with? Who was in his
house?

A. Well, Superman was there with his wife and his
bodyguards,

21 including Gibril Massaquoi's bodyguards. And when Gibril
22 Massaquoi came, he stayed in the same house with Superman.

23 Q. When did Gibril Massaquoi arrive at BTC?

24 A. Well, I think Gibril Massaquoi came late June or early

July

25 '97.

26 MR JORDASH: Excuse me, sorry.

27 PRESIDING JUDGE: Leave granted.

28 MR JORDASH:

29 Q. Did you meet Superman's wives or wife?

1 A. Well, Superman, yes, I met his wife, Superman's wife, at
2 BTC, including his girlfriend.

3 Q. Who is his wife?

4 A. His wife was a native of Bandajuma, called Baidu.

5 Q. Can you spell that, please?

6 A. I think it's B-A-I -- B-A-I-N-D-U.

7 Q. Who was his girlfriend?

8 A. She was called Madie.

9 Q. Could you spell that, please?

10 A. I think it's M-A-D-I-E, Madie.

11 Q. Did Madie?

12 JUDGE ITOE: Madie was from where? Bandajuma; is this a
13 town in Sierra Leone?

14 THE WITNESS: No, no. No. Madie did not come from
15 Bandajuma.

16 JUDGE ITOE: I mean the wife, the wife, Baidu. She
17 came
18 in
19 from Bandajuma. Is Bandajuma a town in Freetown or, rather,
20 Sierra Leone?

21 THE WITNESS: No, no, My Lord. Bandajuma is a village
22 in
23 Kailahun District. Bandajuma, Sinneh, three miles to Kailahun
24 Town.

wanted

22 JUDGE ITOE: So it's in Sierra Leone, that is what I

23 to know.

24 MR JORDASH:

25 Q. And did Madie remain Superman's girlfriend?

26 JUDGE ITOE: And Madie came from where?

first

27 THE WITNESS: My Lord, I did not know. That was the

28 time I came to know her.

29 MR JORDASH:

1 Q. And did Madie remain Superman's girlfriend through the
2 junta period?

3 A. Yes. Madie was with Superman but there came a time when
4 they had a confrontation. Then Madie went and stayed with his
5 uncle at Kissy. So during the intervention she stayed in
6 Freetown and did not return.

7 Q. And, later, what happened?

8 A. I said, later on, they had a misunderstanding
[microphone
9 not activated].

10 JUDGE ITOE: No translation is coming through.

11 MR JORDASH: I didn't hear what Mr Sesay just said.

12 THE INTERPRETER: The interpreter is sorry, there was a
13 problem with the mic.

14 THE WITNESS: I said, Madie and Superman, late '97, had
a
15 misunderstanding that caused Madie to stay with her uncle in
16 Kissy. So, she stayed there and, during the intervention,
Madie
17 did not go back with Superman again. Madie stayed in
Freetown.
18 She stayed with her uncle.

19 MR JORDASH:

20 Q. Now, without mentioning either TFIs or names and, before
21 answering the question, just pause, so that if the Prosecution

the

22 object to it, they can object: Have you seen anyone during

23 Prosecution case who you saw as having any girlfriend or wife

pause

24 relationship with Superman, during the junta period? Just

25 for a moment. No one is objecting, so go ahead and answer it.

26 A. No. The witness that came here told lies. That was the

witness

27 first time I knew the witness. It wasn't true, what the

28 said.

29 Q. Thank you. Did any RUF come into Freetown --

wife

1 JUDGE ITOE: Did that witness say she was Superman's
2 or girlfriend?

3 MR JORDASH: She did say so, Your Honour.

4 JUDGE ITOE: What; wife or girlfriend?

5 MR JORDASH: Wife, I think.

6 THE WITNESS: My Lord, for Baindu?

7 JUDGE BOUTET: She had a child from Superman.

8 JUDGE ITOE: She had a child, yes. There was a child
9 involved; is that not true?

10 MR JORDASH: No, it's not true. We say it's not true.

said

11 JUDGE ITOE: You say it's not true, but she came and
12 she had a child, remember, with Superman.

had

13 JUDGE BOUTET: Her evidence was to the effect that she
14 a child with Superman.

15 MR JORDASH: Yes.

are

16 JUDGE BOUTET: We are not saying it is true or not, we
17 just saying this is, essentially, her evidence: That she had

a

18 relationship with Superman. How much, how far, I don't know,

but

19 at least that's my recollection of that. Now, Mr Sesay says
20 that's not true. Am I misquoting the facts?

21 MR JORDASH: No, that is exactly as I understood it.

22 JUDGE BOUTET: Mr Sesay, you say it's not true, that you
23 don't know that person, you've never seen her before; that is
24 what you're saying? Before she came to testify here, that is
25 what I mean.

26 THE WITNESS: Yes, My Lord. That was the first day I
knew

27 that witness, when she came and sat where I am sitting now.

And,

28 if you look at the witness's testimony, My Lord, the witness

29 talked about 20 attacks at Kailahun and she mentioned that, at

1 every attack, 50 people died. So, if that had happened,
2 everybody would have died at Kailahun and I wouldn't have been
3 able to get witnesses there. Even Kailahun Town, the witness
was
4 unable to describe the town when my lawyer was putting
questions
5 to her during cross-examination.

6 MR JORDASH:

7 Q. That witness also said she met you at the Okra Hills
before
8 the junta began or before the Freetown invasion; is that
correct?

9 A. That's a very serious lie, a big lie.

10 Q. Okay. Did any other RUF come into Freetown, or its
11 environs, during the junta period?

12 A. Yes, My Lord.

13 Q. When did they come?

14 A. Well, for example, like, Mike Lamin, he came. He was
one
15 of the senior commanders.

16 Q. Where did he come from?

17 A. He came from Liberia.

18 Q. Do you know how many men, other than Mike Lamin, came?

19 A. Well, yes. I don't know if you would allow me to call
some
20 from this list.

21 Q. Well, to avoid any difficulty, can you just give some
22 numbers, approximately?

23 A. Well, most of the men that retreated, who surrendered to
24 the ULIMO from Pujehun, inside October 1996. Mike Lamin came
25 with most of these men. Most of them remained in Kenema, and
26 Mike Lamin came with some of them in Freetown. Mike Lamin

came

27 with Monica Pearson; he came with Sylvester Kieh; he came with
28 Rocky CO; he came with his bodyguard, OG; with others.

29 Q. Thank you. Did you stay in BTC during the junta period?

1 A. Well, later, I left BTC when the Chief of Defence Staff
2 allocated some villas to us at the OAU village. That was in
3 August '97.

4 Q. Where is that place?

5 A. Up Hill Station.

6 Q. And who was staying there when you were relocated there?

7 A. Well, the villas, the ones that were shown to us were
8 empty. In fact, they renovated them before we were able to
stay
9 in there.

10 Q. Did you travel to BTC with TF1-366?

11 A. Well, TF1-366, he and Bockarie came to Freetown. They
left
12 me at Daru.

13 Q. Okay.

14 JUDGE ITOE: Is this TF1-336?

15 MR JORDASH: 366.

16 Q. Did you go to Kenema during the junta period?

17 A. Yes. I went to Kenema.

18 Q. Now, I want to deal with that later on, but when did you
19 first go?

20 A. Well, I first went to Kenema -- I first went to Kenema
in
21 September.

22 Q. When did you first meet Johnny Paul Koroma?

off

23 A. Well, when I came, two days, the third day was the first
24 time I met with Johnny Koroma. At that time he was staying

25 Wilkinson Road.

26 Q. And can you describe the meeting, please?

27 A. Well, he was at his house when we went there.

28 Q. And what happened at the meeting?

29 A. Well, Bockarie went with me and introduced me to Johnny

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sat

to

young

"So,

welcome

1 Paul. I greeted him and he, too, greeted me. From there, we
2 together, and Johnny Paul was speaking and we were listening
3 him. The first thing he said, he said, "So you guys were
4 men that were fighting this war." We never knew. He said,
5 now, the war is over. The politicians did not want the war to
6 end, but we the army, have ended the war." He said, "I
7 you all and that I have spoken to Foday Sankoh and that
8 everything will go on well." He said even he himself will try
9 very hard to work on Foday Sankoh's release.

10 Q. Can you describe who Johnny Paul Koroma was working with
11 when you arrived?

that

security

the

12 A. Well, that was at his house, a small house. I think
13 was his family house, during that time. So, I only met
14 for the first time. So, I never knew those guys. That was
15 very first time I met the guys.

16 Q. Can you tell us about the Supreme Council?

17 A. Well, I would be able to talk something about the AFRC
18 Council, because it is among the Council that you have the
19 supreme which is the decision-making body.

20 Q. So, what was the AFRC Council?

21 A. Well, the AFRC Council had different groups.

22 JUDGE ITOE: Mr Jordash, are you contesting any portion
of
23 the evidence that we have as to a composition and attributions
of
24 the Council? We have it in evidence, documents and testimony
as
25 well. If those facts are not contested, should we
necessarily,
26 really, visit them? Well, you know, I just wanted to say this
27 and to leave it at that. Because we've heard a lot of it in
28 terms of what the Prosecution produced as documentary
evidence,
29 and what the attributions and the role, you know, of the
Council

Maybe

1 was. But if you want him to take that over again, fine.

2 he may have something to add, who knows?

to

3 MR JORDASH: Maybe I can shortcut it by asking Mr Sesay

4 look at Exhibit 6. It's a Prosecution exhibit. I hadn't

5 anticipated doing it in this way, so it might take some time.

this

6 But if, in the meantime, I can ask Mr Sesay to just clarify

7 issue of AFRC Council. Then what I will do, I will put

the

8 Exhibit 6, which is the list of people in the security -- in

9 Supreme Council, and if there is disagreement, Mr Sesay can

10 indicate, as such, and we can move on fairly swiftly; if that

11 finds favour?

12 PRESIDING JUDGE: That's okay.

13 MR JORDASH: I mean, I am somewhat with Your Honour on

14 this, because this could have been dealt with by agreed facts,

15 but it's not quite the way it's worked out.

so

16 JUDGE ITOE: Because we had honourables, and so on and

17 forth.

18 MR JORDASH: Yes, it would have been easier, I know, but

19 that is not the way it can be.

20 Q. The AFRC Council, you've mentioned.

21 A. Yes.

22 Q. What was that?

23 MR JORDASH: Can I ask the --

24 JUDGE BOUTET: Mr Jordash, if you don't speak into the
25 microphone, I cannot hear you.

26 MR JORDASH: Sorry. I beg your pardon, Your Honour.

Can I

27 ask the learned officers to find Exhibit 6, please? I will

turn

28 to it in a moment.

29 PRESIDING JUDGE: Mr Courtroom Officer, could you

procure

1 that one?

2 MR JORDASH:

what

3 Q. Whilst that is happening, could you explain, Mr Sesay,
4 was the AFRC Council?

5 A. Well, it was in September I came to know about the AFRC
6 Council.

7 Q. And what was it?

who

8 A. Well, that it -- it comprised of the coup-makers, those
9 overthrew the government, they were members. You have the
10 officers in it.

army

11 Q. Which army officers were in it?

12 A. Well, the Sierra Leone military army officers from the
13 army.

14 Q. Well, give us the hierarchy, as you saw it, in that
15 Council?

16 A. You mean the Council?

17 Q. Yes. From the top commander, downwards.

Musa,

18 A. Well, you had the chairman, who was JPK; you had SAJ
19 the vice-chairman.

20 Q. The third?

21 A. You had the Secretary-General of the AFRC, Colonel

22 AK Sesay.

23 Q. Fourth?

24 A. You had the Chief of Defence Staff, Brigadier FSY
Koroma.

25 Q. The fifth?

26 A. Well, with other officers, the PLOs.

27 Q. And what about Avivo? Where was he, if anywhere?

28 A. Well, he, himself, was a member. Well, I cannot recall

29 exactly, to say this was the nine person, but he was also a

1 member of the Council.

2 Q. Did you know someone called SO Williams?

3 A. Yes. He, too, was a member. He was the Army Chief of
4 Staff.

5 Q. What did this Council do?

6 A. Well, this Council had -- this Council held meetings on
7 every Thursday to discuss matters relating to government and
the
8 problems that had been happening; for instance, fighters
9 harassing civilians. Those were the matters that they were
10 discussing in this Council. Because, there, you had the RUF
11 representatives, and you had the civilian organisations that
had
12 representatives in the Council.

13 Q. Is this Council the same as or different to the Supreme
14 Council?

15 A. Well, I only knew this Council. But in this Council,
there
16 was the decision-making body and they made decisions. And
there
17 were some decisions which were made without any debate. When
18 they summoned a council meeting, then the bosses -- the bosses
19 would sit at the high table and deliver their own decisions.

20 Q. Let's just try to bring some more to it. Let me help.

21 MR JORDASH: Can I ask for the witness to look at

22 Exhibit 6, the Prosecution exhibit? I'm sorry to the
23 Prosecution. I didn't indicate that I was going to refer to
24 this, but it is the Sierra Leonean Gazette.

25 PRESIDING JUDGE: It is in evidence, isn't it?

26 MR JORDASH: Yes, it is.

27 PRESIDING JUDGE: Well, you are entitled to do that.

28 MR JORDASH:

29 Q. Would you take a look at this gazette. I know you are

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1 familiar with it. Would you have look at the names on page 2?
2 "AFRC Council with effect from 25 May 1997." Do you see that?
3 Would you look down the list and indicate whether you agree or
4 disagree with these people being members of this AFRC Council,
5 please?

if

6 PRESIDING JUDGE: Why not put specific questions to him,
7 you have a copy there?

8 MR JORDASH: I was hoping he would just look at it, if
9 there is disagreement --

10 PRESIDING JUDGE: That's alright.

11 MR JORDASH: -- and if there isn't, I can move swiftly.

the

12 Q. Do you disagree with any of the names there, being on
13 Council?

14 A. No. I'm not going to disagree.

15 Q. Okay. Now, number 11, it says, "Colonel Issa Sesay."

16 A. Yes.

17 Q. Were you a Colonel?

promotion

18 A. Well, I was a Lieutenant-Colonel. That was the

within

19 Foday Sankoh gave me before we came to the AFRC. And even

20 the RUF, I was a Lieutenant-Colonel.

21 JUDGE BOUTET: Maybe, Mr Jordash, you should explain to

22 your witness. There might be some confusion in this because,
23 when you look at this exhibit, it is dated 3 September 1997,
if
24 you look at the bottom of the listing. But it appears to have
25 effect from 27, 25 May 1997. So the document, the date of the
26 document, at least on my reading of it, on the face of it, is
27 3 September, with effect, as of. I see this witness says he
was
28 Lieutenant-Colonel, promoted at some possibly different date.
So
29 there is no confusion. I assume this document to be from

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saying

it

you,

he

sent

some

Lamin;

But

or

1 3 September. I am going on the face of document, I'm not

2 that is accurate or not. I am just reciting the document as

3 is. But, as you can see, they give it some weight to active

4 effect.

5 MR JORDASH: Yes. Let me try to clear that up. Thank

6 Your Honour.

7 Q. When were you told you were going to be on this Council?

8 A. Well, it was in August when Bockarie told me this, when

9 went on the attack on Tongo. When he returned to Kenema, he

10 a message. He called me on the radio and told me that he had

11 instructions from Johnny Paul Koroma, so that he could give

12 names of people that will join the AFRC Council, and he said I

13 was one. He, Bockarie, was also one of them; myself; Mike

14 and Morris Kallon; and David G Kallon. David G Kallon, yes.

15 David G Kallon was not present. He was an adviser to Foday

16 Sankoh and he was in Abidjan during this period.

17 Q. And was it in this Council, fighters, military people,

18 military and civilians?

19 A. Yes. I attended that Council with other people: The

20 officers, the RUF, the civilians, the coup-makers. All of us
21 were holding the same meetings in the same Council.

22 Q. When was the first meeting you attended?

23 A. I and my colleagues, RUF members, it was in September
when
24 we first attended this meeting.

25 Q. Did it exist, in any form, before September?

26 A. Well, I believe that the men who had taken over power,
when
27 they called upon us, they used to meet, but we were not part
of
28 that, until September.

29 Q. What, did you see Johnny Paul Koroma on an official
basis

1 before September, you personally?

2 A. Yes. We sometimes went to him when he asked us to meet
3 him, and we used to go there, and I used to go there.

4 Q. Who were you receiving orders from, if anyone?

5 A. Yes. I used to receive orders from the Army Chief of
6 Staff; sometimes the Chief of Defence Staff.

7 Q. And did you receive orders from anyone else?

8 A. Well, these were the people Johnny Paul told, Mosquito
and
9 us, that these were the men that we should work with, FSY
Koroma,
10 the Chief of Defence Staff and SO Williams, the Army Chief of
11 Staff. Those were the people that we were to work with.

12 Q. Just before we go back to what happened in this Council,
13 who did you report to, during your time in the junta?

14 A. I was reporting to SO Williams. And sometimes, when SO
15 Williams wasn't around, I reported to the Chief of Defence
Staff.

16 Q. Do you know who Superman reported to?

17 A. It was the same, SO Williams and the Chief of Defence
18 Staff.

19 Q. Do you know who Morris Kallon reported to?

20 A. Well, Morris Kallon was not stationed in Freetown.
Morris

21 Kallon, from June '97 to August, he was based in Makeni. From

was

22 there, Mosquito -- in August, Mosquito sent him to Bo, so he
23 in Bo. When he was in Bo, he reported to Bockarie in Kenema.

24 Q. Who did Komba Gbundema report to?

25 A. Gbundema was reporting to Superman.

26 Q. Rambo, RUF Rambo, was he in Freetown?

Freetown,

27 A. RUF Rambo was the Boston Flomo. When we came to

28 Bockarie posted him to Lungi.

29 JUDGE BOUTET: Can you repeat that? What was RUF Rambo?

1 You say he was?

2 THE WITNESS: He was called Boston Flomo, My Lord, his
3 name.

4 JUDGE BOUTET: That's his nickname?

5 THE WITNESS: Yes. His names are Boston Flomo.

6 JUDGE BOUTET: And, Buster Flomo, was he one of your
7 bodyguards?

8 THE WITNESS: No, sir. He was one of the Vanguarders.

9 JUDGE BOUTET: Okay.

10 MR JORDASH:

11 Q. And was he stationed in Lungi?

12 A. Well, the AFRC -- the AFRC soldiers were in Lungi. So,
13 Mosquito, before he went to Kenema, he posted him to Lungi and
14 was there with some RUF. But, later, they were pushed and he
15 went and based at Lokomassama.

16 Q. Who did Rambo report to?

17 A. Well, Rambo reported to me about all the problems that
18 had been facing, so when he reports to me, I reported it to
19 Army Chief of Staff.

20 Q. Did you know someone called Peleto?

21 A. Yes, I knew him very well.

22 Q. Who did he report to?

he

they

the

23 A. Peleto had been working under Rambo, so he reported to
24 Rambo. Because he had been working under Rambo in Lungi.

25 Q. Thank you. Lawrence Wamandia, do you know him?

26 A. Very well.

27 Q. Who did he report to?

28 A. Lawrence Wamandia, at first, he was the Minister of

Energy

29 and Power. He was reporting to the Secretary of State, SAJ

Musa.

1 Because SAJ Musa was the Secretary of State. He was the
2 vice-chairman and he was the mines minister.

3 Q. Peter Vandí, who did he report to?

4 A. Peter Vandí was -- he was deputy minister and he was
5 reporting to his minister or to SAJ Musa, because SAJ Musa was
6 charge of all the Ministers, the Secretary of State East,
7 and North.

8 THE INTERPRETER: Your Honours, would the witness go
9 the last bit?

10 MR JORDASH:

11 Q. Go back and go over that last answer, please.

12 A. I said, Peter Vandí, he was the deputy minister during
13 AFRC. He reported to his minister or he reported to the
14 Secretary of State, SAJ Musa. Because, SAJ Musa was the
15 vice-chairman, he was the Secretary of State, he was the Mines
16 Minister.

17 Q. Do you know what PS Binda was doing in Freetown?

18 A. Yes. PS Binda was the Deputy Minister of Education.

19 Q. Who did he report to?

20 A. Well, he reported to his minister.

21 Q. Do you know someone called Eldred Collins?

in
South
over
the
acting

22 A. Very well. I knew him.

23 Q. Who did he report to?

24 A. Well, he was the Minister of Trade and he reported to
the
25 Secretary of State, SAJ Musa.

26 Q. Mike Lamin, who did he report to?

27 A. Well, Mike Lamin, all of us had been working together
and
28 we reported to the army chief and the Chief of Defence Staff.
29 But, later, around -- around November, he was appointed as

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1 Director of National Security.

2 Q. Who appointed him as Director of National Security?

3 A. It was JP who appointed him.

4 Q. What did that job involve?

boss

5 A. Well, according to what he told me, he said the police

But

6 was reporting to him, and he was reporting to Johnny Paul.

7 when he was given the job, in just two months, then the

8 government was dissolved.

9 Q. Do you know someone called CO Nyaa?

10 A. Yes. I knew him.

11 Q. And was he in Freetown during the junta period?

12 A. Yes. He was one of the officers who was under

13 Isaac Mongor. Isaac Mongor. He was under him.

14 Q. Did you give orders to Superman during the junta period?

was

15 A. No, no. Superman was not taking orders from me. And I

16 not able to give him orders, because he said that he was a

17 colonel, and I was a lieutenant-colonel, so he would not take

18 orders from a lieutenant-colonel.

19 Q. Do you know about an attack on Moyamba Town during the

20 junta period?

21 A. Well, I knew about the attack, after the attack. But,

that

22 before the attack, I did not know. It was after the attack

23 I knew.

24 Q. And how did you learn about it, after the attack?

they

25 A. Well, after the attack, I was at Cockerill. Because

was

26 gave an office to the RUF, a single room and a parlor, which

when

27 the RUF office. So there, we used to stay. And I was there

28 a Lebanese man came from Moyamba. He came to make a report

29 against Superman.

1 Q. What was the report he made?

2 A. Well, the man said in the office that Superman, with
some
3 RUF and the AFRC soldiers, attacked Moyamba from the Kamajors,
4 and they captured Moyamba, and they took his vehicle, and they
5 took some of his building materials that he had been selling.
6 And he said it was Superman that took his vehicle.

7 Q. So, what happened upon receipt of that report?

8 A. Well, I knew within myself that I would not be able to
9 persuade Superman to return his vehicle, so I took the
Lebanese
10 man, I said we should go to the Army chief of Staff, for him
to
11 go and report for him to explain himself. Then I took the man
to
12 the --

13 THE INTERPRETER: Your Honours, the witness is too fast.

14 MR JORDASH:

15 Q. Go back over that last answer, please?

16 A. I said, when the man had explained to me and the other
17 people in the office, then I knew within myself that I would
not
18 be able to persuade Superman to get this pick-up from him for
the
19 Lebanese man. So then I told the Lebanese man to follow me to
20 the Army chief of Staff, SO Williams for him to explain,

because

21 he was the boss for all of us. So, I took the man to SO
22 Williams. The man then complained to SO Williams.

23 Q. Which man complained to SO Williams?

could

24 A. The Lebanese. I took him to SO Williams so that he
25 explain, himself, to SO Williams.

26 Q. What happened then?

27 A. Well, SO Williams told the Lebanese man to come the
28 following day. He said he was going to call Superman himself.
29 And, the following day, when the man came, he went back to me.

of

1 He found out that, for me to have taken him to the Army Chief

he

2 Staff, that I'd tried to help him to get his vehicle back. So

Staff.

3 went back to me and I took him again to the Army Chief of

4 Q. What happened then?

he

5 A. Well, the Army Chief of Staff told the Lebanese man that

patient

6 had spoken to Superman. He said that the man should be

7 for 72 hours. He would be able to retrieve the vehicle from

8 Superman.

9 Q. And what happened?

not

10 A. Well, the man went up and down the place. Superman did

said

11 give the vehicle. So I talked to the man. I said, well, I

Staff

12 I couldn't do anything more. Now, that the Army Chief of

one

13 had spoken to him and the man did not listen to him, what can

14 do? So the man left and went back to Moyamba.

15 Q. Did you speak to anyone else about that incident?

radio,

16 A. Well, when I and Bockarie had a conversation on the

17 I explained to Bockarie, but I knew that Superman is a problem

18 for Bockarie because Bockarie couldn't control Superman.

19 Q. Sorry, Bockarie couldn't?

20 A. I said, even Bockarie, he was not able to control
Superman.

21 Because I had had that experience where Johnny Paul gave nine
22 million leones to Superman to give to Bockarie. Superman
spent

23 the money. When Sam Bockarie came and asked Superman, there
was

24 an argument. It was only when Pa Rogers had to intervene, to
25 tell Bockarie --

26 Q. Slow down. Who gave Superman money and why?

27 A. It was Johnny Paul that gave money to Superman, nine
28 million leones, to give to Sam Bockarie for him to share the
29 money among us, the officers, and Superman used the money.

1 Q. When was this?

2 A. Well, this was in July '97.

3 Q. And why did -- if you may know the answer, you may not -
4 why did Johnny Paul Koroma give it to Superman?

5 A. Well, Johnny Paul Koroma, with the other authorities in
6 AFRC, Superman was the first they recognised as the commander
7 came to Freetown, and Superman came with the heaviest manpower
8 Freetown, from the RUF.

9 Q. So what did Superman do with the money?

10 A. Superman said he spent the money.

11 Q. And what was done about that, if anything?

12 A. Well, Bockarie became angry. He said, if Superman did
13 give the money, he would not take it lightly. He said he was
14 going to take it lightly. He said he was going to arrest
15 Superman. So there was an argument which ensued between them
16 Benguema, BTC, until Pa Rogers had to intervene. SYB Rogers,
17 was the one that intervened. He told Bockarie that instead of
18 allowing this money to cause disgrace between you, you are the
19 commander, you would have to bear it up. Tell Johnny Paul

that

not
20 if he wanted to give anything to the RUF in future, let him
21 give it to Superman anymore. That was what Pa Rogers said to
22 Bockarie when Bockarie calmed down.
23 Q. How do you know this?
24 A. Well, this happened before my own eyes in Benguema when
I
25 witnessed it.
happened
26 Q. Now, just to go back to the Supreme Council. What
27 in Supreme Council meetings?
28 A. Well, the Supreme Council meetings, they were talking
about
29 how commanders should stop their men from harassing civilians;

1 how they should stop looting; and how they should try to
2 encourage civilians. That was what I understood.

the

3 Q. Did all the members that we can see in Exhibit 6 attend
4 meetings that you went to?

you

5 A. Well, yes. Because if somebody did not go, except if
6 were out of Freetown or you were sick, that was what would

make

7 you not to attend, but if you were well and healthy, you would
8 attend.

9 Q. And how often were the meetings held?

10 A. I said, it was every Thursday.

when;

11 Q. And you attended the meetings from which month until
12 from what date until what date?

started

13 A. Well, I cannot recall the dates, but I said that I

they

14 attending these meetings from September, to February, when

not

15 pushed the AFRC out of Freetown. But the last meeting, I was

16 in town. And some of the meetings, sometimes I am sick and
17 sometimes I would be upcountry.

18 JUDGE ITOE: Do you confirm that meetings of the AFR
19 Council took place on Thursdays?

20 THE WITNESS: Yes, My Lord.

21 JUDGE ITOE: Every Thursday?

22 THE WITNESS: Yes.

23 JUDGE ITOE: These were formal meetings?

24 THE WITNESS: Yes, sir, formal meetings, except if there
25 was an emergency, then they will call an emergency meeting.

But

26 there were problems in these meetings. Because you would hold
27 meetings and you would discuss, and when you got out of the
28 meetings, you would hear on 98.1 -- in the next two or three
29 hours, 98.1 would start talking about what had been discussed

in

1 the meetings. So, it was like people had been attending these
2 meetings who had been giving information out. That was what
had
3 been happening.

4 Q. Let's break that down a bit. Firstly, describe the
5 formation of the meeting in the way that you might describe
this
6 courtroom. Who was sitting where?

7 A. Well, just like you see this table, which is beneath the
8 judge, the judges, this was the way people used to sit down,
and
9 they had other long benches. And the senior people would sit
10 right in front, and we, the members, including the civilians,
11 we'll be sitting on the long benches that were there.

12 Q. So who would be on the senior table?

13 A. Well, Johnny Paul's house was a bunker, that's how the
14 place is; it is the residence of the British High
Commissioner.

15 The people who usually sat before that table were SAJ Musa,
16 Johnny Paul Koroma -- SAJ Musa, Johnny Paul Koroma, Colonel AK
17 Sesay and FSY Koroma. They were the ones that used to sit at
the
18 front table.

19 Q. And the rest of the members would sit in which position
in
20 relation to the senior table?

facing

21 A. We, the other members, would sit on the long tables,

22 just opposite the high table.

conducted;

23 Q. And how was the meeting conducted? How was it

24 how would it start?

25 A. Well, they would start with prayers. After the prayers,

26 then what they would have to discuss would be said by the

27 secretary-general.

28 Q. And would there be discussion amongst the members?

29 A. Well, when you look at the secretary-general [microphone

1 not activated].

you

2 Q. Sorry, I think you might have to go over that. Could
3 go over that, please.

talked

4 A. I said, when they had read the agenda of the discussion
5 that was to take place at that meeting, then when they had

say

6 about a particular thing, particular item, and you wanted to

given

7 anything, you would raise your hand up. Then you would be

8 the go ahead. If it was JP that was speaking, he would say,

9 "Yes, what do you want to say?" If it were SAJ, he would say,

10 "Yes, what do you want to say?" Then you will be given the

11 opportunity to speak. But what happened, what made me to know

12 that being a council member that you are not a member of the

of

13 decision-making body, was the time that there was a reshuffle

14 cabinet. At the time that they called us, they did not inform

to

15 anybody, we, the RUF. Nobody told us that cabinet was going

16 be reshuffled.

17 Q. When was the reshuffle?

tell

18 A. Oh, yeah, I can't remember, but it would be around -- or

19 between October to December, between those months. I cannot

20 the exact month.

21 Q. Was there voting?

22 A. No. There was no voting. There was no discussion about
23 that. We would sit like that on the other side. There was a
24 door and there was a room. They would just bring a blackboard
25 and they will show the blackboard, and Johnny Paul would start
26 showing the changes; that Eldred Collins should get away from
27 energy and power and go to trade, and Lawrence Wamandia should
28 leave trade and come to energy and power, and that was how it
29 explained. So it was not something that was discussed. It

was

was

took, 1 not something that we debated. It was a decision that they
2 and they called us and told us. That was how it operated.

3 Q. Can you think of any decisions which were made in this
4 council during your attending; decisions made by the whole
5 council?

6 A. Well, the whole council would not make decision. The
7 council members would make suggestions and those that would
sit 8 at the high table would make decisions. Like, for example,
9 believe me, even a man that was at the council, a Prosecutor,
10 would not be able to get any documents to say that this was
what 11 Issa said in the council, because some of us were just
listeners.

12 JUDGE BOUTET: Mr Sesay, when you say they made the
13 decision and they just told us, you are talking of the cabinet
14 reshuffle? Who are you talking about when you say, "they told
15 us"? Who is the "they"? I know you did mention -- refer to
JP 16 Koroma, but who are the "they"? Do you understand my
question?

17 THE WITNESS: Yes, My Lord. Very well, sir. Well, My
18 Lord, when I say "they," I am referring to the people who had
19 been sitting on the high table in front of us, Johnny Paul
20 Koroma, SAJ Musa, AK Sesay, and Brigadier FSY Koroma. They
were

us

21 the ones that had been sitting on the high table in front of

22 when we held meetings.

23 JUDGE BOUTET: Thank you.

24 THE WITNESS: Thank you, sir.

25 MR JORDASH:

26 Q. Did you hear about a student strike during the junta

27 period?

28 A. Yes, I heard about it.

29 Q. And what did you hear about it?

I

Waterloo

road.

about

the

the

had

Cockerill.

in

1 A. Well, at that time, I had not transferred to Freetown.

2 was still at Benguema when this student strike took place in

3 Freetown. And, during that time, we did not travel from

4 to Freetown, through Jui, because the ECOMOG barricaded the

5 It was only civilian vehicles that were allowed to pass. But

6 they would not allow a vehicle with armed men to pass through

7 that. So, we would drive through the peninsula, which was

8 40 to 45 miles, and the road was bad. So, the time that the

9 strike took place in Freetown, by the time we passed through

10 peninsula and came to Freetown, the strike was over -- was

11 already over. The AFRC had already stopped the people, the

12 students, who had been striking.

13 Q. How would they stop them?

14 A. Well, I believed that the Court had heard from one of

15 witnesses who was a security to one of the authority, what he

16 explained, how they stopped them. Because I, myself, was not

17 there when he said that they distributed cutlasses at

18 I was not there, but that is how it was stopped.

19 Q. Who made the decision to respond to the student strike

20 that way?

21 A. Well, if people, if military men came from Cockerill to
go

22 and stop the student strike, it was only three people who had

23 authority in Cockerill, the Army Chief of Staff, Chief of
Defence

24 Staff, and Johnny Paul Koroma.

25 Q. Did you hear who had given an order or instruction or
made

26 the decision to respond in that way?

27 A. Well, the CSO to Johnny Paul was among the groups who
went

28 and stopped the strike.

29 Q. Yes, but do you know who made the decision to stop it?

that

at

Because

working

of

the

--

1 A. Well, I was not there. But I knew that a decision of
2 nature came from the main authorities who led the government
3 that time.

4 Q. Who did the PLOs report to?

5 A. Well, they had been working with SAJ Musa, they had been
6 working with Johnny Paul Koroma. That was how it was.

7 I, myself, was not too close to them. But they had been
8 with JPK, they had been working with SAJ Musa.

9 Q. Who did the honourables report to?

10 A. Well, to the Secretary of State and -- to the Secretary
11 State and the chairman, himself.

12 Q. Do you know why Superman and Isaac Mongor were not in
13 Council?

14 A. Well, it was based on the message that Gibril Massaquoi
15 brought from Foday Sankoh to Sam Bockarie.

16 Q. And the message was?

17 A. Foday Sankoh sent Gibril Massaquoi, saying Sam Bockarie
18 should not put the Liberians at the head of -- at the head of

19 THE INTERPRETER: Your Honours, I did not get that last
20 bit.

21 MR JORDASH:

22 Q. Just go over that answer, please, Mr Sesay.

23 A. I said, because of the message which Foday Sankoh sent -

24 gave to Gibril Massaquoi to give Sam Bockarie, he said

25 Sam Bockarie should not put the Liberians before the command

control

26 because the army, the AFRC, would not accept Liberians to

feel

27 them, or even the Sierra Leoneans, themselves, they will not

28 happy. Because they would say, why should a Liberian be put

to

29 ahead of us? That was why Bockarie did not give their names

1 the Council.

2 PRESIDING JUDGE: Mr Jordash, we'll now take a short
break.

3 [Break taken at 4.30 p.m.]

4 [Upon resuming at 5.06 p.m.]

5 PRESIDING JUDGE: Learned counsel, please continue.

6 MR JORDASH: Thank you. Can I ask, please, that Mr
Sesay

7 be shown Exhibit 39?

8 PRESIDING JUDGE: Mr Courtroom Officer, please secure
that

9 exhibit.

10 JUDGE BOUTET: Thirty-nine, 3-9?

11 MR JORDASH: Thirty-nine, Your Honour, yes.

12 Q. Just have a look at that document. So have you seen
that

13 document before you saw it in Court; sometime in the last two
14 years?

15 A. Yes, I have seen this document before.

16 Q. And when did you see it for the first time?

17 A. I saw this document in August 1997.

18 Q. And who drafted the document?

19 A. Well, this document -- I was at BTC when Sam Bockarie
sent

20 instructions to me. He sent a message for me to draft this
21 document and sign it on his behalf.

22 Q. And who drafted the words? Who drafted it?

23 A. Well, it came in a message form -- it was Bockarie who
sent
24 the radio message. So we only typed it at BTC, and I signed
it
25 on behalf of Sam Bockarie.

26 JUDGE BOUTET: Mr Sesay, when you say "we," who is "we"?

27 THE WITNESS: No. I said, I signed it on behalf of --

28 JUDGE BOUTET: But you said "we" prepared it, "we"
received
29 instruction, and "we" prepared it. No? That's not what you

1 said?

2 THE WITNESS: No. No, no, My Lord. That was not what I
3 said. I said, it was Sam Bockarie who sent this through a
4 message from Kenema to me. He said I should type it, and I
5 should sign it on his behalf, so I instructed my adjutant to
6 it.

7 JUDGE BOUTET: Now that answers my question. Thank you.

8 THE WITNESS: Thank you, sir.

9 MR JORDASH:

10 Q. And it says it's from the Military High Command and War
11 Council People's Army of Sierra Leone. Who is the Military
12 Command?

13 A. Well, at this time, the Military High Command was

14 Q. Who had, as far as you're aware, made the suggestion

15 Sam Bockarie should be second in command to the Chief of the
16 Defence Staff? Do you know who the suggestions came from?

17 A. Well, it was Bockarie himself who came up with this
18 suggestion.

19 Q. And were these proposals implemented?

20 A. The proposal was not accepted. It was not implemented

radio

type

High

Bockarie.

that

at

21 all.

22 Q. Well, have a look at the document. Was any of the
23 suggestions --

24 JUDGE ITOE: Mr Jordash, sorry, I can't get into my
25 documents. Exhibit 39 --

26 MR JORDASH: Exhibit 39.

27 JUDGE ITOE: -- is dated?

28 MR JORDASH: 13 August 1997.

29 JUDGE ITOE: Thank you.

1 MR JORDASH:

2 Q. Were any of the proposals implemented?

3 JUDGE BOUTET: Mr Jordash, what did you say?

4 MR JORDASH: Sorry. "Were any of the proposals
5 implemented?"

6 JUDGE BOUTET: Thank you.

7 THE WITNESS: Well, the only proposal that was
8 implemented
9 named
10 here, it was on the Council, which says that Mike Lamin was
11 were
12 to be a member of the Council. But the military positions
13 not implemented. The AFRC authorities did not accept the
14 proposal.

15 MR JORDASH:

16 Q. The suggestion on page 2 is that Michael Lamin should
17 be,
18 as well as being a member of the Supreme Council, should also
19 be
20 the representative of the People's Army in any AFRC
21 delegation.

22 Do you know what that meant, as a proposal?

23 A. Regarding to Mike to be a part of the delegation in the
24 AFRC?

25 Q. Just turn over to page 2. You'll see there the
26 suggestion

named a 20 just before your signature. "Colonel Mike Lamin has been
21 member of the Supreme Council and the representative of the
22 People's Army in any AFRC delegation." What I'm asking is:
What 23 did it mean that he had been named as a representative of the
24 People's Army in any AFRC delegation?
25 A. Well, it was Bockarie who said Mike Lamin should be a
26 Council member, and that aside, he should take part on
27 delegations that were sent out by the AFRC. And, indeed, it
28 happened. Even the Abidjan delegation, Mike Lamin went.
29 Q. So what is it that you did during the junta period?

1 Mr Sesay, what was your job?

2 A. Well, I was attending Council meetings, but I hadn't any
3 assignment on the Council. As I am coming, like members in
4 Supreme Council, like the coup-makers, they had appointments
5 supervisors in certain ministries. I did not get any
6 from the Council. And at the same time --

7 THE INTERPRETER: The interpreter cannot get the witness
8 this tail end of the --

9 THE WITNESS: Mostly, what I was doing, during the AFRC,
10 Freetown, I was responsible for collecting our ration and the
11 slip of our money from the Chief of Defence Staff who was
12 the cheque. It was he who also issued the slip in order for
13 to collect our rice from the Water Quay. So I ensured that I
14 that cheque, and there was a man in charge of distributing the
15 money. Then we went to the Sierra Leone Bank and cashed the
16 money. And if I was given the slip for the rice, I went to
17 Army Chief of Staff, and he would send me to the major that
18 in charge of the ATS, Army Transport Service, at Murray Town.

the

as

appointment

at

in

pay

issuing

us

got

the

was

19 Q. At which town, sorry?

20 A. I said, Murray Town, Freetown here.

21 Q. Yes, go on.

22 A. At times, I would be given two or three trucks. Then we
charge
23 went to the Water Quay. We met the Lebanese that was in

24 of the rice. So if it were 1000 bags that were given to us,
then

25 I would --

26 Q. Let me just -- try to separate "we" and "I." So, are
you

27 going to the Lebanese?

28 A. Well, I am trying to explain the job that I was doing.
I

29 said, after I had collected the money from the bank, I handed
it

1 over to the man that was in charge, and it was that man who
2 distributed the money; that was TF1-367.

3 Q. Okay.

Major

4 A. Then the Army Chief of Staff would tell me to go to

vehicles

5 Komrabai, ATS, at Murray Town, so that he would give you

6 in order for you to transport your rice from the Water Quay.

7 Then we brought the rice to the ordnance at Murray Town in the

8 stores. After I had ensured that all the rice had been

TF

9 transported to the ordnance, then I handed it over to the same

10 number I had called, 367.

11 Then they will give us a slip for fuel. I collected the

responsible

12 slip. I checked with the man at Murray Town who was

13 for the fuel. After he had confirmed to us that we had 50 --

handed

14 that we had 30 drums of diesel and 10 drums of petrol, I

major

15 everything over to TF1-367 for distribution. That was my

16 job in Freetown.

you

17 Q. Well, you've heard Prosecution witnesses describe you as

18 second in command of the RUF; is that right? Is that the way

19 saw it?

Foday

20 A. Well, the man that owned the revolution, the leader,
21 Sankoh, the promotion he made; he did not make me second in
22 command, because there were people who were above me, and I
23 not give them instructions. So what made me second in command
24 while I was unable to give instruction to people like Mike
25 unable to give instruction to Superman; and unable to command
26 Colonel Isaac? How would I become a second in command in this
27 situation?

could

Lamin;

junta

28 Q. Were you directing any military operations during the
29 period?

1 A. When I came to Freetown, I met most of the fighting had
2 taken place. I was not directing any military operations.

3 JUDGE BOUTET: Mr Jordash, what period of time are we
4 talking about? Are we still the timeframe of August '97,
5 September '97?

clarify

6 MR JORDASH: I was asking more generally, but I can
7 that.

still

8 JUDGE BOUTET: And my question applies to the previous
9 question as well, as to who is second in command? Are we
10 in this August circle or some other period of time? I don't
11 know, in fact.

12 MR JORDASH: I'll clarify.

you're

13 JUDGE BOUTET: I just want to be able to follow what
14 trying to achieve.

15 MR JORDASH: Certainly.

long

16 Q. The job you've described of dealing with supplies, how
17 did that job last?

18 A. Well, that job went up to January 1998 when I made sure
19 that TF1-361 got all the items he was to distribute.

20 MR JORDASH: 367, I think that was.

21 THE INTERPRETER: The interpreter is sorry.

22 THE WITNESS: 367. TF1-367.

23 MR JORDASH:

24 Q. Let me just clarify this: When did that job start?

25 A. I did not get you.

26 Q. When did the job start?

27 A. This thing, the time they started giving us the ration,
the
28 supplies, and I think it was between June and July. That was
the
29 time it started, 1997.

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1 Q. Who gave you that job?

2 A. Well, it was Bockarie. Since he could not stay in

told

3 Freetown, it was he who took me to SO -- FSY Koroma, when he

4 him that the money, he should give the slip to Issa so that he

5 could collect the money, and handed it over to 367, in like

6 manner the rice supply.

7 Q. Okay. And it stopped, you said, in January?

received

8 A. So let me just complete. Well, after this man had

me.

9 all these items, then I go and sign for all that was given to

manner,

10 367 was the one that gave me my own supply and, in like

11 he gave supplies to the other senior officers.

which

12 Q. The question I asked, about being second in command,

they

13 was a suggestion made by various Prosecution witnesses, and

junta

14 claimed you were second in command from sometime before the

Were

15 until, I think, the end of -- well, until Sankoh returned.

16 you second in command, as you saw it, during the junta period?

in

17 A. Well, before the junta period, the promotions that were

18 given by Foday Sankoh and the ranks, he did not make me second

19 command, because there were people above me and they never

And 20 saluted me. A colonel never saluted a lieutenant-colonel.

And 21 how could a lieutenant-colonel become a second in command?

Superman 22 they never received orders from me. For instance, when

in 23 and the Army Chief of Staff arranged with SO FSY Koroma to --

about 24 order for them to attack Moyamba, I did not know anything

me 25 that. So, if I were a second in command, it would have been

to 26 whom they would have told in order for me to tell a commander

27 go and do that. When Johnny Paul Koroma --

for 28 PRESIDING JUDGE: Just a minute, counsel. Is it better

29 us to receive the answers to these important questions in the

of

1 form of hypotheticals or is it better to have them in the form
2 categoricals? It's entirely a judgment call on your part.

3 MR JORDASH: Well, I would submit it is categorical.

in

4 PRESIDING JUDGE: Well, the categorical in form, but not
5 substance.

6 MR JORDASH: I would have said the other way around.

7 PRESIDING JUDGE: Probably.

8 MR JORDASH: But he gave a precise example of how --

you

9 PRESIDING JUDGE: Well, yes. But the question is, when

10 put these questions in hypothetical forms and they require a
11 categorical answer, you tend to be a little argumentative. Of
12 course, it's possible to draw the inference that we are having
13 rhetorical answers, but I am not sure whether, for evidential
14 purposes, a tribunal would want -- otherwise the Tribunal

itself

15 engages in some kind of speculative. But I would not press
16 actually.

it,

17 MR JORDASH: There was an example given and Mr Sesay

drew

18 an inference from it, and we would invite you to share that
19 inference.

wanted

20 PRESIDING JUDGE: Well, fine. That's fine. I just

21 to get that clear because it's very crucial for me. But I can
22 see the point. I can discern what is a rhetorical answer to a
23 question, but you would agree with me that it can even be
24 controversial as to whether an answer is rhetorical or not.

But

25 I wouldn't really press it. Now that I have the clarification
26 from you, I think that helps.

27 MR JORDASH: Thank you.

28 Q. Okay. Let me just wrap this up.

29 A. Yes, but I was saying something, if I can end it now?

1 PRESIDING JUDGE: Please feel free to do that.

2 THE WITNESS: Thank you, sir. When Johnny Paul Koroma
3 appointed Mike Lamin as Director of National Security, if I

were

4 second in command to Mosquito, he would have told me first,

it

5 before the appointment was made, but that was not the way how

6 worked. Things did not work that way at all.

7 Q. Let me ask you this --

8 A. And if you see the letter, this exhibit that you gave me
9 just now, which are instructions from Sam Bockarie, my rank

was

10 lieutenant-colonel, it is there. The people who wrote that

other

11 exhibit you gave me a while ago, it was written by AFRC. But

the

12 one that was written by the RUF, it is lieutenant-colonel that

is

13 there.

14 Q. I know the time. I'll just ask you about one last

thing,

15 if I may?

16 JUDGE ITOE: If I may, too. So you were on what rank in
17 the hierarchy?

18 THE WITNESS: Well, My Lord, according to the theory of

the

19 RUF from the starting, the battle-group commander was the

third

20 in command; the field commander was the second in command; the
21 leader was the first in command. But Foday Sankoh, since he
was
22 out, he mixed up everything. Because it appeared that it was
23 lack of trust that caused him to do this. He gave me a high
24 assignment, but a low rank. He gave high ranks to other
people
25 while, of course, they had low assignment. That was the
26 confusion. That was why the colonels said they can't take
27 instructions from the lieutenant-colonels.

28 PRESIDING JUDGE: Is this a convenient point, Mr
Jordash?

29 MR JORDASH: But there is one small --

1 PRESIDING JUDGE: You want to clarify something?

2 MR JORDASH: Just one small issue.

3 PRESIDING JUDGE: Proceed.

4 MR JORDASH: It would be useful to deal with it right
now.

5 PRESIDING JUDGE: All right. Let's go ahead then.

6 MR JORDASH:

7 Q. Ferry Junction, does that mean anything to you?

8 A. Yes, yes. I recall the incident.

9 Q. Could you explain of any incident at Ferry Junction?

10 A. Yes. Sometimes in '97, Superman's bodyguards had a
problem

11 with the soldiers who deployed at Kissy dockyard. There was
12 shooting that occurred between them, and one of Superman's
13 bodyguards was shot in the foot, and Superman had information.

14 He drove and he went up to the Ferry Junction. He deployed
all

15 his boys at the junction. He blocked the traffic, so even
16 civilian motor cars, well, could only pass through Blackhall

Road

17 and would not use the route of the Ferry Junction. So this
18 information reached JPK, and JPK told his operator to call me,
19 and I was called from Cockerill. So, I met JPK at his

residence.

20 He told me that -- he said, "Fellow, what is happening?" Why
21 Superman had blocked the main road, and now he is obstructing

and
22 people? He said, "Now go there and talk to him." So I drove
23 went down to Ferry Junction and met the PLO-1 there. He was
talk
24 trying to talk to Superman. So when I went there trying to
I
25 to Superman, that JPK said he should stop this. Superman said
26 wasn't his commander for me to stop him from doing what he was
27 doing, and he said he wouldn't take instruction from me. That
28 was why I told Zagalo, "Have you heard what the man said? I'm
that
29 going back to JPK and report what the man told me here." So

Tuesday, 8

p.m.

1 was the situation going on in Freetown here, within the AFRC.

2 PRESIDING JUDGE: The trial is adjourned to next

3 May at 9.30 a.m.

4 [Whereupon the hearing adjourned at 5.34

5 to be reconvened on Tuesday, the 8th day of
May, at 9.30 a.m.]

EXHIBITS:

EXHIBIT No. 192

WITNESSES FOR THE DEFENCE:

WITNESS: ACCUSED ISSA HASSAN SESAY

EXAMINED BY MR JORDASH

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