



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

WEDNESDAY, 09 MAY 2007  
9.30 A.M.  
TRIAL (Amended)

TRIAL CHAMBER I

Before the Judges:	Bankole Thompson, Presiding Pierre Boutet Benjamin Mutanga Itoe
For Chambers:	Mr Matteo Crippa Ms Erica Bussey
For the Registry:	Mr Thomas George
For the Prosecution:	Mr Peter Harrison Ms Penelope-Ann Mamattah Ms Shyamala Alagendra
For the accused Issa Sesay:	Mr Wayne Jordash Ms Sareta Ashraph Ms Martha Sesay
For the accused Morris Kallon:	Mr Melron Nicol-Wilson
For the accused Augustine Gbao:	Mr John Cammegh

1 [RUF09MAY07A - MC]

2 Wednesday, 9 May 2007

3 [Open session]

4 [The accused present]

5 [The witness entered court]

6 [Upon commencing at 9.45 a.m.]

7 WITNESS: ISSA HASSAN SESAY [Continued]

8 PRESIDING JUDGE: The trial is resumed. We need to

9 address, quickly, the issue brought up by Mr Cammegh before we

09:45:15 10 adjourned last evening. After that, we'll proceed with the

11 presentation of the case for the first accused.

12 The Bench has received a memorandum from the chief of  
the

13 language unit to this effect:

14 "By the direction of the Trial Chamber to listen to the

09:45:44 15 audio recording of the proceedings of the 4 May 2007,  
and

16 having listened to same, I can authoritatively confirm  
that

17 there was a mistake. The witness said 'not,' which was

18 rightly interpreted by the interpreter, but which was  
not

19 clear to the stenographer; hence the mistake.

09:46:20 20 "The relevant portion of the said transcript, page 43,  
line

Gbao 21 2, 'No. And I -- it was brought to my knowledge that  
22 had been forcing civilians,' should read, 'No. And I --  
it 23 was not my knowledge that Gbao had been forcing  
civilians.'  
24 "An errata is being filed accordingly to correct the  
09:46:58 25 mistake."  
26 Based on the findings contained in this memorandum, the  
27 Bench accordingly orders and directs that the relevant portion  
of 28 the transcript be corrected to reflect accurately the answer  
29 given by the witness. Anything else?

1 MR CAMMEGH: Well, I'm most grateful to everyone  
concerned.

2 Thank you.

3 PRESIDING JUDGE: Thanks.

4 JUDGE ITOE: My Lord, president, presiding judge, may I  
09:47:28 5 confirm that that finding is corroborated by my own record of  
6 this issue.

7 PRESIDING JUDGE: That is very refreshing.

8 JUDGE ITOE: Thank you.

9 PRESIDING JUDGE: Learned counsel for the first accused,  
09:47:38 10 you will proceed with the presentation of your case.

11 MR JORDASH: Thank you.

12 EXAMINED BY MR JORDASH: [Continued]

13 [Witness answered through interpreter]

14 Q. Good morning, Mr Sesay.

09:47:47 15 A. Yes. Good morning, Mr Jordash.

16 Q. You had just arrived in Masiaka at 6.30, or thereabouts,  
in  
17 the evening; what happened when you arrived in Masiaka?

18 A. I said, when we arrived at Masiaka, we didn't find  
anybody.

19 All the RUF and the AFRC had gone to Makeni.

09:48:18 20 Q. What was the condition of the town?

21 A. Well, the town was empty. We saw the doors of houses  
open.

the 22 Only the Guinean contingent who had been there were there at

23 time.

24 Q. And what did you do?

09:48:50 25 A. So, I did not stop. We continued the journey until we  
26 reached Gberi Junction, towards Lunsar.

27 Q. Then what did you do?

saw 28 A. When we arrived at Lunsar, we stopped there, because we

had 29 some AFRC and RUF there, and we saw the Eye Clinic Hospital

1       been looted. And I understood that I, as --

2               THE INTERPRETER: Your Honours, Your Honours, can the  
3       witness kindly repeat the names he has just mentioned.

4               PRESIDING JUDGE: Mr Sesay, will you please go over that  
09:49:37 5       again, slowly.

6               THE WITNESS: Yes, My Lord. I said, it was at Lunsar  
that

7       I knew that, whilst we were leaving Masiaka for Bo, I, Boysie  
8       Palmer, AF Kamara and Peter Vandi, the other group that had  
been

9       in Masiaka, both AFRC and RUF, they, too, were going towards  
09:50:00 10       Makeni whilst we were going to Bo.

11              JUDGE ITOE: Mr Sesay, slowly, slowly. You are going  
too  
12       fast. I was following your pace.

13              THE WITNESS: Okay.

14              JUDGE ITOE: You are okay. You're all right, you're on  
09:50:14 15       record, but you are still fast. It's in your interest to go  
16       slowly with your narration. I suppose you appreciate that.

17              THE WITNESS: Yes, My Lord, sir.

18              MR JORDASH:

19       Q.     Let's just go over that, because it is not very clear,  
09:50:34 20       Mr Sesay. You understood what about the boys of AF Kamara and  
21       Boysie Palmer? What did you understand about those boys?

22       A.     I said, when we arrived in Lunsar, it was there that I

23 understood that, while we were leaving for Masiaka to go and  
24 attack Bo, the AFRC and RUF group that were at Masiaka, they  
too  
09:51:04 25 were moving towards Lunsar and Makeni.  
26 Q. So how did you come to understand that?  
27 A. Well, I met some RUF and AFRC there, at Lunsar. That  
was  
28 where I understood this. At that time, they had vehicles.  
They  
29 had been taking civilians' vehicles, they had looted the Eye

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front 1 Clinic; because I saw things strewn all over the place in  
2 of the hospital.

with 3 Q. Did you have a radio operator with you or a radio set  
4 you?

09:51:45 5 A. Yes. My operator was with me. He was with me but, as  
we 6 were moving, he wouldn't switch on the set; except if we  
stopped 7 at some place, he would switch on the set. But, when we were  
8 moving, the set would not be switched on.

9 Q. Well, from Bo to Lunsar, had you been --

09:52:09 10 JUDGE ITOE: Let me get this clear: Your operator, is  
it 11 Elevation? Is it Elevation, your operator?

12 THE WITNESS: Yes, My Lord, Elevation.

13 JUDGE ITOE: Thank you.

14 MR JORDASH:

09:52:22 15 Q. And from Bo to Lunsar, had you been in communication  
with 16 anyone, by radio?

17 A. No. I was not in communication because, at that time, I  
18 was in pain. When we arrived in 91, we did not switch on the  
19 set.

09:52:40 20 Q. When you arrived in Lunsar, how was your injury?

21 A. Well, that one, I had not slept yet. It was on the same  
22 day and I was still in pain.

23 Q. And can you remember who you saw in Lunsar?

24 A. Well, junior RUF, whose names I cannot recall now. I  
saw

09:53:14 25 one SLA lieutenant with his pick-up. But I tried to call him  
but

26 he did not respond to my call, so we continued to Makeni.

27 Q. And did you go to Makeni?

28 A. Yes, I went to Makeni. I arrived in Makeni at night.

29 Q. And how long did it take you to get from Bo to Makeni --

1 sorry, not from Bo to Makeni; from Masiaka to Makeni?

2 A. Well, I used to make stops because, after Lunsar, I met  
the  
3 deputy defence minister, Avivavo, coming from Makeni. I made  
a  
4 stop between Lunsar and Feredugu Mende.

09:54:12 5 Q. Right. Let's just go over that. You met Avivo [sic]  
6 where?

7 A. I said, I -- I -- Avivavo was coming from Makeni in his  
8 pick-up with his boys and we met between Lunsar and Feredugu.

9 Q. How do you spell Feredugu?

09:54:35 10 A. I think it is F-E-R -- F-E-R-E-D-U-G-U.

11 Q. Which direction was he going in?

12 A. He was coming from Makeni. When we met, he told me he  
was  
13 going to Port Loko.

14 Q. Did he say why he was going to Port Loko?

09:55:03 15 A. Well, what he told me was that he -- he was going for  
his  
16 family, who were in Port Loko, because he said he didn't want  
to  
17 leave them in Port Loko. He was going there and returned to  
18 Makeni.

19 Q. Did he give you any news about anything?

09:55:22 20 A. Well, I asked him about my colleagues, my RUF  
commanders.

21 He said, they were all in Makeni, and I asked him about the  
22 chairman, JPK, and he said he was in his village, he said, and  
23 things were upside down in Makeni.

24 Q. Well, what did you understand upside down to mean?

09:55:51 25  
control;

25 A. Well, he was trying to tell me that there was no  
26 some looting had taken place in Makeni. People, both RUF and  
27 AFRC, had taken vehicles and even he, himself, because the  
28 vehicle he had, he had not brought from Freetown. So, it's  
just  
29 the same thing.

1 Q. Did you arrive in Makeni?

2 A. Yes. After we had spoken, they continued and we, too,  
3 continued to Makeni. Then between Makoth and Makeni, I met  
4 the PLO-1, Abu Zagalo, in his pick-up, with some of his boys.

with

09:56:41

5 Q. So Makoth --

Makeni,

6 A. Yes, I said, between Makoth and Makeni. Makoth to  
7 it's 12 miles. It is in between that distance that we met.

8 Q. Did you speak to PLO-1?

9 A. Yes, we spoke. He stopped and I, too, stopped. Then he  
10 asked me what had happened.

09:57:05

11 THE INTERPRETER: Your Honours, can the witness kindly  
12 repeat his last answer?

13 MR JORDASH:

14 Q. Repeat what you just said, please, Mr Sesay?

09:57:16

15 A. He asked me how the mission was in Bo, and I said I got  
16 wounded and he, too, saw the spot. He sympathised with me and  
17 told me he was going to Port Loko, to return to Makeni, but I  
18 some zinc that had been loaded in the pick-up. So we stood  
19 and spoke for a while, and he went and I, too, continued.

he

saw

there

09:57:53

20 Q. And what happened then?

Makeni 21 A. Then I continued my journey to Makeni and arrived in  
22 around 8.00, or some minutes just after 8.00 at night.  
23 Q. And where did you go?  
Highway, 24 A. Well, when I arrived in Makeni, at the Azzonlini  
09:58:25 25 where I met Mohamed Kangoma, who is CO Mohamed's bodyguard, he  
all 26 told me that Pa Rogers, Mohamed Tarawallie's wife, Dr Fabai,  
Then 27 of them were at St Francis school; that is where they were.  
I 28 I, too, drove into the campus of the school. So, that night,  
29 slept with them there.

1 Q. CO Mohamed that you've just referred to, who was that?

2 A. I mean Mohamed Tarawallie's wife.

3 THE INTERPRETER: Your Honours, can the witness be a  
little  
4 audible?

09:59:12 5 MR JORDASH:

6 Q. Can you raise your voice a little bit please, Mr Sesay?

7 A. I said Mohamed Tarawallie's wife, former field  
commander's  
8 wife, that he married.

9 THE INTERPRETER: Correction, interpreter: Not his wife  
09:59:33 10 that he married. His wife, named Marie.

11 MR JORDASH:

12 Q. So Mohamed Kangoma was bodyguard to who?

13 A. I said, Mohamed Kangoma was a former bodyguard to  
Mohamed  
14 Tarawallie; he was the one I met at the junction at St  
Francis.

10:00:00 15 He gave me the information and I, too, drove into the school  
16 campus.

17 Q. And what did you find there?

18 A. Well, I said, I met some RUF people, some RUF civilians  
19 there, like -- because Mr Rogers was a civilian. AA Vandl,  
who

10:00:20 20 was the deputy minister, was a civilian. I met all of them  
21 there, together with Dr Fabai. And Dr Fabai treated me that

at 22 night, gave me some pain killers and an injection. So I slept

23 the school campus.

24 Q. And did you communicate with anyone else?

10:00:45 25 A. No. That night, I did not talk to anybody.

26 Q. And, in the morning, what happened?

27 A. Well, in the morning, a friend of mine, called Mohamed

28 Conteh, his father has a big hospital in the compound, close

at 29 to -- opposite St Francis school, I can say. So he came there

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1 the school and greeted me and he told me to go -- instead of  
2 staying at the school, let me go to the compound, because he  
had  
3 been my friend for a long time, even before the war. So I and  
my  
4 people went to the compound; that is where we stayed.

10:01:36 5 Q. Well, who went to the compound?

6 A. I said, I, my bodyguards and my family, who were with me  
at  
7 the time.

8 Q. And what happened at the compound?

9 A. Well, I was at the compound. Dr Fabai would come and  
treat

10:01:55 10 me but, at that time, I saw RUF and AFRC in vehicles that did  
not  
11 belong to them. They had looted Makeni, even before I  
arrived;

12 they had looted some Lebanese shops.

13 Q. The location of this compound, where, in relation to the  
14 centre of Makeni, is it?

10:02:26 15 A. Well, it is part of Makeni because the compound is at  
16 Lunsar Road.

17 Q. Which road? Repeat please.

18 A. I said, Lunsar Road.

19 Q. So when you went to the compound or, the next morning,  
when

10:02:49 20 you were able to see, could you see the state of Makeni?

I  
I  
about  
vehicles,  
10:03:15  
Operation  
Makeni,

21 A. Well, that night when I arrived, up to the morning when  
22 went to the compound, I did not go to the centre of Makeni but  
23 had received information. I heard people saying, talking  
24 Operation Pay Yourself, you know, and I saw fighters in  
25 both AFRC and RUF, including officers, commanders.  
26 Q. What do you mean some people were talking about  
27 Pay Yourself? What does that mean?  
28 A. Well, when I was leaving Masiaka to go to Bo, I did not  
29 hear about Operation Pay Yourself but, upon my arrival in

1 that night to the next morning, I heard about this word,

2 Operation Pay Yourself.

3 Q. Well, who from?

4 A. Well, even the boy who took me to his house, he,  
himself,

10:04:02 5 said, "Eh, these people have looted Makeni and they're talking  
said, 6 about Operation Pay Yourself, Operation Pay Yourself." He

7 the retreating group from Freetown which arrived in Makeni

8 yesterday.

9 Q. TF1-334, I don't know if you recall the evidence, said  
that

10:04:27 10 Johnny Paul Koroma announced over the international media,  
become 11 Operation Pay Yourself. Were you aware of that or did you

12 aware of that message?

13 A. Well, I was not aware because, when I left Masiaka, I  
did

14 not hear that. And when we, the group that went to Bo from  
10:04:50 15 Masiaka, we arrived at Mile 91. We did not enter anybody's  
16 house; we did not takes anybody's property; the civilians were  
17 intact in their houses at Mile 91. So we passed through. And  
we

18 came and passed through, it was the same thing.

19 Q. Did you come to learn, at any time after this period,  
that

10:05:20 20 anyone had given an order for Operation Pay Yourself?

the  
the  
any  
10:05:47  
term  
and

21 A. Well, what I was made to understand later, this is just  
22 retreating soldiers from Freetown, the RUF had come up with  
23 word Operation Pay Yourself. But I did not understand from  
24 commander that it was this commander that gave the order that,  
25 "This is the Operation Pay Yourself."  
26 Q. Did you learn, at any stage, when this term began to be  
27 used during the intervention?  
28 A. Well, I believe that this -- they started using this  
29 from the time the troops were moving from Masiaka to Lunsar

1 Makeni. That was where they started using this term.

2 Q. How did you come to that conclusion?

3 A. Well, while I was leaving Makeni, I did not hear this.

It  
4 was only upon my arrival in Makeni that I heard this word. So  
I  
10:06:34 5 concluded that it was during the move, and the attitude that  
I,  
6 myself, saw in Lunsar and Makeni on their way to Masiaka and  
7 Makeni, it was there that they came up with this word, pay  
8 yourself.

9 Q. Okay. So what happened that day, after you had slept  
the  
10:06:54 10 night in Makeni?

11 A. Well, when I slept, I went to that house; the doctor  
came  
12 and treated me. Then, later, Mike Lamin had heard that I had  
13 come to Makeni, and he came and greeted me and sympathised  
with  
14 me. I did not go anywhere that day. I was just in the  
compound.  
10:07:19 15 I slept there.

16 Q. How did Mike Lamin know you were in that place?

17 A. Well, Mohamed Tarawallie's bodyguards were the same  
18 bodyguards to Mike Lamin. When Mike Lamin came to Freetown,  
all  
19 Mohamed Tarawallie's bodyguards were with him. So when I went

10:07:42 20 and slept in that school compound, some of them were there.  
It

21 was through that that Mike Lamin heard, because some of them  
were

22 with his wife, Mohamed.

23 Q. When did Mike Lamin come; at what stage in the day?

24 A. Well, it was around 11 to 12 midday that he came there.

10:08:11 25 And, when he came there, we sat together for some time and he  
26 returned.

27 Q. He returned to where?

28 A. Well, he returned to where he was lodged, where he  
stayed.

29 Q. Which was where?

Mile. 1 A. Well, he was at a motel opposite Flamingo, at Lady's

2 They call it Buya's Motel.

3 Q. Do you know how to spell Buya?

4 A. I think it is B-U-Y-A.

10:08:50 5 Q. What was discussed between you and Mr Lamin?

me 6 A. Well, Mr Lamin, when he came, first, he sympathised with

movement 7 because I was wounded in Bo. Then he told me about the

8 from Masiaka to Makeni, saying that men were looting people's

the 9 houses; opening Lebanese people's stores in Makeni. And all

10:09:20 10 senior commanders of AFRC were there and they, too, from the  
RUF

11 were there. But, as I was saying yesterday --

12 Q. Were any decisions made about --

13 A. I have not completed my sentence yet. I said, as I was

14 saying yesterday, the whole thing showed that there was no

10:09:53 15 command and control. The whole thing was disorganised at this

was 16 time. But all senior commanders were there when the exercise

17 taking place in Makeni, when they looted there.

at 18 Q. So, were any decisions made? Did you make any decisions

19 this time?

10:10:16 20 A. Well, that day when Mike met me, I was in pain. And,  
from  
21 Masiaka, we did not make any decision up to this time. There  
was  
22 no decision. The only decision that we made in Masiaka, on  
the  
23 instruction given by Bockarie to me, and the support that FSY  
and  
24 SO Williams gave me to go and attack Bo; that was the decision  
10:10:42 25 from Masiaka.  
26 Q. Well, did you communicate with Bockarie whilst in  
Makeni?  
27 A. Yes. That day, when I transferred into that house  
before  
28 Mike Lamin came, yes, I spoke with Bockarie, and I told him  
that  
29 I had been wounded from Bo and I had retreated to Makeni.



1 Q. And his response to that was?

2 A. Well, he said that I should not allow Dr Fabai to go far  
3 away from me so that I could receive effective treatment, and  
he  
4 said he and Johnny Paul had spoken.

10:11:20 5 Q. And did he say what they had spoken about?

6 A. Well, he told me that we should find a route to Kailahun  
7 and that was the purpose why we attacked Bo, so that we could  
8 find a way to go to Kailahun. When I came, that was the same  
9 thing he told me in Makeni.

10:11:40 10 Q. Did he say that any decisions had been made concerning  
how  
11 that was to be achieved?

12 A. He said he and Johnny Paul had been talking to one  
another  
13 and they have agreed that they will make a way so that we can  
14 retreat to Kailahun. Because he said that was the only safe  
15 place. And I, too, at that time, just wanted to go to  
Kailahun.

16 Q. So how was the conversation left between you and  
Bockarie?  
17 What was it you were to do?

18 A. Well, had I not been wounded, I would have put pressure  
so  
19 that we could take Kono and continue our movement to Kailahun.

10:12:46 20 But since I had been wounded, and was not physically fit and I

and  
organising

21 was in pain, he told me that he and Johnny Paul had discussed  
22 Superman -- he had spoken with Superman and they were  
23 the movement so that we can take Kono and go to Kailahun.  
24 Because, at that time, it was the CDF that were in control of  
10:13:04 25 Kono. They had driven the AFRC and the few RUF who were in  
Kono.

26 Q. So did you communicate with Superman, at this time?  
27 A. At that time, for the rest of the day, I did not see  
28 Superman. I was at the house. I did not communicate with  
him.

29 Q. Did you communicate with him by radio?

1 A. No, no. I said, it was only Mike Lamin that I spoke to  
2 that day.

3 Q. So apart from speaking to Mike Lamin that day, did you  
go  
4 anywhere or do anything else?

10:13:48 5 A. Well, that day, I did not go anywhere. It was on the  
next  
6 day that Mike Lamin and Eldred Collins came to me. So, when  
they  
7 came, I asked Mike, "So, is JPK still in his village?" And he  
8 said, "Yes." And I, too, said that I want to go there to  
greet  
9 him. So we all drove from the house to the village where JPK  
10:14:10 10 was. That was 10 miles from Makeni, just after Binkolo.

11 Q. Can I just ask this question: Why is it, as a senior  
12 commander, you didn't, on the day you met Lamin, do anything  
13 else?

14 A. Well, I said, I was in pain. I was in pain. I had just  
10:14:44 15 been wounded one day, to that day that I met with Mike in  
Makeni.  
16 And Mike Lamin was the most senior officer in the RUF because  
he  
17 trained us; he taught us the rules.

18 Q. Did Mike Lamin tell you what he was doing, if anything,  
in  
19 relation to RUF command and control?

10:15:02 20 A. Well, he did not tell me anything pertaining to control.

21 But, I have been saying in this Court, at this time, I did not  
22 see -- when I arrived in Makeni, there was no control.

23 Q. Now, the next day, then --

Paul's  
24 A. I said, the other day we went to Mabonkani, Johnny  
10:15:37 25 village.

26 Q. Can you spell that, please?

27 A. I think it is M-A-B-O-N-K-E-N-I [sic].

anyone  
28 Q. Before going to see Johnny Paul Koroma, did you see  
29 else?

1 A. Yes. When we left the house, I met Isaac and Superman -  
-  
2 Superman, at the roundabout in Makeni. Then we greeted one  
3 another.  
4 Q. Well, what conversation was had, if any?  
10:16:12 5 A. Yes. I said, we stopped and we greeted. Then Isaac  
said,  
6 "Mike Lamin told me yesterday that you were wounded from Bo."  
7 They asked me how I was feeling, and I said, "I thank God".  
And  
8 Superman sympathised with me. And I asked Superman, "I and  
9 Bockarie spoke yesterday and he told me that he was going to  
talk  
10:16:35 10 to you." And he said, yes, he and Bockarie spoke. And  
Bockarie  
11 said we should try to go to Kono, so that we'll find a way of  
12 reaching Kailahun. But he said, he, too, went to JPK  
yesterday  
13 and they had already started making the arrangements.  
14 Q. Well, what did he say the arrangement was, that had been  
10:16:57 15 made?  
too,  
16 A. Well, he said Mosquito spoke to him and JPK. So he,  
said,  
17 went and met JP, and JP too accepted to go to Kailahun. He  
18 he, too, wanted to go to Kailahun. That was where he would  
feel  
19 safe. That was the discussion he told me about.

10:17:16 20 Q. Well, was there a set plan? Was there a time, for  
example,  
21 when it was supposed to happen? What were the details that  
you  
22 learnt, if any?

23 A. Well, at that time, he did not tell me whether it was  
24 tomorrow or today that we'll be going. He did not tell me  
that.

10:17:37 25 He just told me that the discussion was on floor for them to  
be  
26 able to arrange for troops to leave Makeni to go and drive the  
27 CDF from Kono, so that we'd get our way to Kailahun.

28 Q. What happened when you visited JPK?

29 A. Well, when I went, I met FSY Koroma there; I met SO

1 Williams; I met Jas Conteh; I met Brigadier Mani, with other  
2 officers whose names I am unable to call. But SAJ Musa was  
not  
3 there.

4 Q. And what happened when you were there?

10:18:31 5 A. Well, when I went, I greeted them. I greeted Johnny  
Paul,  
6 and Johnny Paul asked me where I had been wounded. And I  
raised  
7 my T-shirt and showed them the place, and they sympathised  
with  
8 me, together with the other officers.

9 Q. What discussion was had?

10:18:51 10 A. Then Johnny Paul told me that Mosquito had told him that  
he  
11 had been unable to recapture Kenema, so he had retreated to  
12 Kailahun. So he and Mosquito had been talking for us to be  
able  
13 to move from Makeni to Kono, and then Kailahun. So, that is  
the  
14 communication that had been between him and Mosquito.

10:19:17 15 Q. Were any decisions made during this meeting with JPK,  
16 concerning yourself?

17 A. Well, the discussion that I met was the way -- how the  
18 officers could go to Kono and to Kailahun. That was the  
19 discussion I met them on.

10:19:44 20 Q. Well, can you give us the details, please?

21 A. Well, I met the discussion almost at the end. The only  
22 thing Johnny Paul told me was that he and Bockarie were in  
23 constant communication, so that we would leave Makeni for  
Kono,  
24 and then to Kailahun. That was what he told me.

10:20:09 25 Q. And, after the meeting, where did you go?

26 A. Well, I returned to the house where I had lodged in  
Makeni.  
27 That was where I, Mike and Collins, returned to Makeni. And I  
28 went to my own house and they, too, went to where they were  
29 staying.



1 Q. And what happened next?

2 A. Well, on that very day, we slept in Makeni. And, the  
next  
3 day, Superman and other commanders assembled troops, and they  
4 said they were advancing on Kono. But soldiers had come to  
10:20:51 5 Makeni, who had retreated from Kono, those who had been pushed  
6 out of Kono. There was a lot of information about how the CDF

--

7 THE INTERPRETER: Your Honours, can he repeat that last  
8 bit?

9 PRESIDING JUDGE: Mr Sesay, please repeat the last  
portion  
10:21:11 10 of your testimony.

11 THE WITNESS: My Lord, I said, they had driven out the  
AFRC  
12 and the RUF who were in Kono during this time. And the AFRC  
and  
13 the SLA had a battalion that was in Kono. They were based in  
14 Gayia. But when the CDF and the youths in Kono attacked them,  
10:21:35 15 they, too, dispersed. They were divided. One group went from  
16 Kono towards Kabala, through Yamandu. And the other group  
came  
17 from Kono, through Masingbi, to Magburaka, to Makeni. And the  
18 other group left from Kono.

19 PRESIDING JUDGE: Pause a bit. Right. Right, take it  
from  
10:21:55 20 there.

21 THE WITNESS: I said, the other group left from Kono and  
22 they went by Gandorhun to Kailahun. So that was how they  
23 withdrew from Kono, three groups: One went Kono, through  
24 Yamandu, to Kabala; Kono, through Masingbi, to Makeni; Kono,  
10:22:20 25 through Gandorhun, to Kailahun. And those who arrived in  
Makeni,  
26 they brought an information that they had arrested some  
soldiers  
27 and burnt them alive in Koidu Town.  
28 MR JORDASH:  
29 Q. Who'd arrested some soldiers?

attacked  
burning,

1 A. Well, they said it was the CDF and the youths who  
2 the AFRC and RUF in Kono. So they had carried out this  
3 when they burnt soldiers alive.

--

10:23:05

4 Q. Was there any news, at this time, about what the CDF had  
5 what else the CDF had done, when entering Kono?

family  
the

6 A. Well, this was up on the entry of the CDF in Kono, after  
7 they had driven out these men. So the soldiers and their  
8 members, because they were not able to pull out, when they  
9 captured them, they were the ones whom they burnt. This was

10:23:30

10 information that met us in Makeni.

at

11 Q. Well, was there any information about civilians in Kono,  
12 this time?

10:23:55  
unfortunate,

13 A. Yes. There were civilians there. There were civilians  
14 there, but those who had links with the AFRC and RUF, some of  
15 them ran away from Kono. And some of them, who were  
16 who were captured, were killed; some of them were burnt alive.

17 Q. And who did you hear this information from?

one

18 A. Well, I said, it was the soldiers who had retreated from  
19 Kono to Makeni, they brought this information. For instance,

10:24:25 20       honourable called Honourable Cobra, who had left Kono and came  
to

21       Makeni, they were the ones who brought that information.

22       Q.       Now, at what stage was there -- at what stage did the  
23       advance to Kono take place or begin?

24       A.       Well, I believe it was on the fourth day, when I was in  
10:25:20 25       Makeni.

26       Q.       When you say you believe, what do you mean; where did  
you  
27       get the information from?

28       A.       Information about what?   What information?

29       Q.       When the advance began.

1 A. Well, that was not -- it was not a hidden information.

2 Q. Well, were you in communication with Bockarie?

3 A. Yes. Bockarie used to send messages to me.

4 Q. Well, what messages was he sending to you?

10:26:04 5 A. Well, it was just -- because, I said, the first day that  
I

6 arrived, we spoke on the next day. So, from that day, after  
one

7 day, and the other day the advance group left from Makeni to

8 Kono. So Bockarie was just saying, "My man, you should talk  
to

9 Johnny Paul and Superman, so that this movement could be made

10:26:28 10 faster for you to leave Makeni". And, at this time, too, the  
air

11 raid had started in Makeni, the jet had started raiding  
Makeni.

12 So that was what Bockarie -- Bockarie was just pressurising us  
to

13 leave Makeni.

14 Q. Were you in communication with Superman?

10:26:45 15 A. Well, Superman was in Makeni. So, when he was ready  
that

16 day for them to leave Makeni, he came and he told me that he  
and

17 Isaac, and other commanders, were leaving for Kono, including

18 some AFRC commanders.

19 Q. Sorry, Mr Sesay, could you just repeat that last  
sentence?

10:27:18 20 A. I said, on the fourth day, when Superman and some of the  
capture 21 commanders were getting ready to leave Makeni, to go and  
22 Kono, Superman and Mike came to the house, to me, and Superman  
23 told me that they were going ahead, to go and capture Kono.  
24 Q. Did you give him any orders?  
10:27:40 25 A. Well, the orders -- they had been giving him orders  
26 already. Bockarie had given him orders, Johnny Paul had given  
27 him orders to go to Kono. I did not give him orders.  
28 Q. Do you know what had been going on in those four days  
you 29 were there in Makeni, in terms of the RUF troops?

Makeni,  
Makeni.

1 A. Well, as I had said -- I said, before I arrived in  
2 they had looted Makeni. So, the four days that I spent in  
3 Makeni, the people, the civilians, most of them had left  
4 So the town was full of AFRC/RUF, and our sympathisers who had  
5 retreated from Freetown, and some family members. Although,  
6 some civilians of Makeni were there, but the town did not look  
7 normal, like, how it was before the intervention. Because,  
8 during this time, no shops were selling anything; they had  
9 the shops.

10:28:29  
yes,

looted

10:28:59 10 Q. Did you take any steps to stop this?

11 A. Well, the acts has already happened before I arrived at  
12 Makeni. How would I stop it?

13 JUDGE ITOE: He has said he was in pain.

14  
bit

14 MR JORDASH: But I wanted to hear him explain, just a

10:29:25 15 more directly, but --

16  
there.

16 JUDGE ITOE: [Overlapping speakers] Mike Lamin was

17 That is what is on record, as having come from him.

18 MR JORDASH: Your Honour, yes. I will move on.

19 Q. There is a witness, TF1-360, described a meeting at the

10:29:45 20 Flamingo Nightclub, in Makeni. And that witness said you were

21 there; Morris Kallon was there; Isaac was there; Superman was  
22 there. And, on the AFRC side: Five-Five; Bazzy; and JPK. Do  
23 you recall a meeting such as that?

10:30:21 25  
have

is

to

24 A. Well, I'm not disputing the fact that Superman and other  
25 people did not have any meeting before leaving. They must  
26 discussed. But I did not attend any meeting at Flamingo, that  
27 one point. Two, Johnny Paul, from the time he went to his  
28 village, he only left there when they captured Kono. He left  
29 go to Kono. Three, Morris Kallon, he did not come to Makeni.



1 Q. Where was Morris Kallon?

2 A. Mr Lawyer, I have told you that Morris Kallon came to  
3 accompany me at Mile 91, and he went back to Bo. The four  
4 days I spent in Makeni, Kallon did not come to Makeni. He came --

10:31:04 5 Kallon came and the group retreated from --

6 THE INTERPRETER: My Honours, the witness is a bit fast.

7 PRESIDING JUDGE: Mr Sesay, again, make an effort to  
8 speak a little more slowly, so that the entire testimony can be  
9 recorded, faithfully and accurately.

10:31:26 10 THE WITNESS: Yes, My Lord.

11 PRESIDING JUDGE: Just go over that again.

12 THE WITNESS: I had said in this Court yesterday, that  
when

13 I got wounded from Bo, Kallon and Peter Vandj brought me to  
14 Mile 91. Kallon returned back to Bo. So, Peter Vandj and I

10:31:44 15 continued through Masiaka to Makeni. I was in Makeni for four  
16 days. Kallon did not return from Bo yet.

17 MR JORDASH:

18 Q. Okay.

19 A. So, upon Superman capturing Kono, he came and gave the  
10:32:01 20 message to Makeni, that they have captured Kono, and he went  
to

21 collect JPK. So, me and Mike Lamin and Eldred Collins, we  
left

22 from Makeni. Then we came and met Morris Kallon at Magburaka,  
23 because Kallon used the road from Mile 91 to Magburaka; he did  
24 reach Makeni. So, if the witness said I had a meeting with  
these  
10:32:35 25 people at Flamingo, it was not true; that is a big lie.

26 PRESIDING JUDGE: That was very helpful. Carry on,  
27 Mr Jordash.

28 MR JORDASH: I would like to apply to go into a closed  
29 session just for, I think, probably 30 minutes. I would just

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him

1 like to put to Mr Sesay various, specific accounts, then ask  
2 to give his responses. It is probably best.

to

3 PRESIDING JUDGE: Right. Consistent with our tradition

ask

4 hear applications for closed session in closed session, we'll

10:33:22

5 the members of the gallery to retire for about 40 minutes.

6 Mr Courtroom Officer, please see that we are switched on to

7 closed session.

8 MR GEORGE: Yes, sir.

9 THE WITNESS: Yes, My Lord.

10:33:45

10 PRESIDING JUDGE: Yes, Mr Sesay.

minutes.

11 THE WITNESS: I want to use the restroom for two

12 PRESIDING JUDGE: Okay. We'll stand down the trial for

13 about five minutes. Leave is granted.

14 THE WITNESS: Thanks, My Lord.

10:34:11

15 [Break taken at 10.35 a.m.]

16 [At this point in the proceedings, a portion of the

17 transcript, pages 23 to 35, was extracted and sealed under

session]

18 separate cover, as the proceeding was heard in a closed

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1 [Open session]

2 PRESIDING JUDGE: The trial resumes in open session.

3 Continue, Mr Jordash.

4 MR JORDASH: Thank you.

11:18:06 5 Q. So the beginning of the advance to Kono took place, you  
6 tell us, four days after you had been to Makeni. Can you  
7 describe what happened, please?

Teko 8 A. Well, I was -- I just know that there was a meeting at  
9 Barracks. He said, at that meeting, they left for Kono.

11:18:30 10 Q. Who left for Kono?

11 A. Superman; Isaac; from the RUF, a senior commander; and  
12 other commanders; and the AFRC.

just 13 Q. But how many men set off with these commanders you've  
14 named?

11:18:59 15 A. Well, My Lord, I was not there when they organised the  
men.

at 16 It was from the meeting that this movement took place. I was  
figure 17 my house where I was staying, so I cannot tell exactly the  
plenty 18 that left. But I know there was a large group of men with  
19 of vehicles.

11:19:18 20 Q. Well, do you know what happened along the way?

21 A. Well, that time, I was not able to know. It was when I  
22 left, myself, on the way to Kono that I knew.

23 Q. And how did you know, at that stage?

24 A. Well, the group from the RUF was led by Superman from  
11:19:55 25 Makeni. From the AFRC, it was Honourable Papa, while we were  
26 advancing to Kono. The following day, Superman returned to  
27 Makeni, and said, they've captured Kono. And he has come  
back  
28 to collect Johnny Paul from his village.

29 Q. Did you see Superman when he returned?

1 A. Yes, yes. He went to the compound where I was staying,  
2 because he was boasting that the Kamajors were not able to  
stand 3 us, so we've pushed them out of Koidu.

4 Q. But did he say what the situation was in Kono, at that  
11:20:44 5 time?

6 A. Well, he did not tell me any other thing. But he just  
told 7 me that he has come to collect Johnny Paul, and Koidu Town is  
8 under their control. That was what he told me and he left.

9 Q. Did he say anything about any fighting or events along  
the 10 way to Kono?  
11:21:08 10

11 A. Superman did not tell me anything but I came to know  
about 12 it later.

13 Q. Well, after Superman came to see you, where did he go?

14 A. As for me, I have just said it. As for me, he left to  
11:21:34 15 collect JPK from his village. That was what he told me.

16 Q. What happened after he left you? What did you do?

17 A. Well, I was eager too to go to Kono, so I made my way to  
18 Kailahun. When he left, I and my bodyguards, my wife, then we  
19 drove to Mike Lamin. Then Mike Lamin said, "I was on my way  
to

11:22:04 20 you, for us to go." There, I met Eldred Collins with his  
wife.

when

21 In fact, Eldred Collins drove the vehicle that I was in. So

all

22 we reached Magburaka, at the junction, we met Kallon. So we

23 drove to Kono. So the only site I saw destructions, it was

24 between Masingbi and Sewafe. The only place I saw destruction

11:22:43

25 was between Masingbi and Sewafe, that some villages were burnt  
26 down.

27 Q. Was that Sewafe or Sewafe Junction, Mr Sesay?

28 A. I said, where I saw villages burnt down, it was between

Sewafe

29 Masingbi and Sewafe Junction, on the main road to Kono.



1 Town is out of the main road. We have to take a drive before  
2 entering into the town, but we passed through the junction to  
3 Koidu Town.

4 Q. And did you know what had had happened in those  
villages?

11:23:32 5 A. Yes. When I got to Koidu Town, one of the junior  
6 commanders told me -- he was called Korankay -- he said,  
"There,  
7 we fought on the way. We met some Kamajors who had blocked  
8 between Masingbi and Sewafe Bridge." Then I asked him, "So  
you  
9 were the ones who burnt down the villages?" He said, "Well,  
we  
11:24:05 10 met the Kamajors occupying the villages and they stopped us.  
It  
11 was there the fighting took place."

12 And when I entered Koidu Town, I saw two houses burnt  
down  
13 at Tankoro Junction, and two cars. And when I asked the boys  
I  
14 met at the junction, they said, it was during the fight that  
the

11:24:33 15 CDF lighted the houses and vehicles. That was all they told  
me,  
16 because I was querying them, why did they burn down the  
houses.  
17 Then they said it was not they who did it; it was during the  
18 fighting that the houses were burnt. Then I drove -- I went  
on

a 19 the way to Gandorhun to a place called Kimberlite. There was  
11:25:09 20 civilian house where no one was occupying; that was the house  
I 21 lived in.  
22 Q. Before we get there, a witness -- it doesn't matter who,  
at 23 the moment -- said that he saw a couple of bodies, not more  
than 24 five, on the outskirts of Kono township when he travelled from  
11:25:45 25 Makeni to Kono. Did you observe any such bodies?  
26 A. Yes. I saw a few dead bodies around Mortema, where he  
said 27 CDF and Kamajors fought. I saw the two wearing ronkos, which  
28 they wear.  
29 Q. Now, before we arrive in Kono, which we'll do very  
shortly,

1 describe what is happening when you drive to Kono, in terms of  
2 people on the road, whether civilians or fighters. What are  
the 3 circumstances of your journey to Kono?

4 A. Well, like, when I go to Magburaka, civilians were  
11:26:49 5 occupying the town. Then we were on the way -- on the way,  
the 6 villages and the road, there were civilians, and the same at  
7 Masingbi. So where there were no CDF on the roads, there was  
no 8 problem, there was no fighting. It was only where they met  
CDF 9 that fighting took place and they burnt down the villages.

11:27:11 10 Q. Now, when you travelled, were there any other AFRC  
11 travelling at the same time, or did you travel with just the  
12 convoy that you've described?

13 A. Mr Lawyer, from the time Superman brought the  
information 14 to Makeni, they were controlling Kono. That was just the  
15 routine. Vehicles were travelling from -- both AFRC and RUF  
11:27:36 16 were intending to go to Kono. So it was not just one group  
just 17 plying the roads.

18 Q. So was it a busy route or not busy? Try and give us a  
19 picture of when you travelled.

11:27:55 20 A. Yes, yes. The road was busy, as RUF/AFRC were trying to  
go

their 21 to Kono, when they heard that Kono has been captured with  
22 family members and civilians. It was just like that, but they  
23 are not walking, as all the vehicles in Makeni, Lunsar, Port  
24 Loko, they were looted. So they were using these vehicles to  
11:28:16 25 board people to go to Kono.

the 26 Q. Did you do any fighting on the way, you, personally, or  
27 group you were with?

when 28 A. Well, that time I was wounded, I couldn't fight, and  
29 the men have captured Koidu Town, there was no fighting going  
on.

at 1 Q. You remember a witness -- again, it doesn't matter who,  
2 the moment -- do you remember a witness saying that something  
3 happened at Bumpeh, and you shot somebody?

4 A. That is not true. I did not fight anybody at Bumpeh. I  
11:29:05 5 did not shoot anybody at Bumpeh.

6 PRESIDING JUDGE: We will take the morning break at this  
7 point.

8 [Break taken at 11.30 p.m.]

9 [RUF09MAY07C - MC]

11:54:36 10 [Upon resuming at 12.05 p.m.]

11 PRESIDING JUDGE: Counsel, let's proceed.

12 MR JORDASH: Thank you.

13 Q. What happened after Superman had stated his intention to  
14 fetch JPK? Did that happen or not?

12:05:01 15 A. Well, it happened. Superman went to the village to  
collect  
16 JPK, while we were leaving from Makeni to Kono.

17 Q. And how do you know this?

18 A. Well, because, late in the evening, I heard that JPK,  
when  
19 I arrived in Kono, it was then I understood that JPK has  
arrived,

12:05:33 20 too, because they passed through the house where I was living.

21 Then JPK lived in another house on the way to Gandorhun at

22 Kimberlite, in Koidu Town.

23 JUDGE ITOE: So JPK's village was Mabonkani, or so, is  
it?

24 THE WITNESS: Yes, My Lord.

12:06:02 25 MR JORDASH:

26 Q. So let's go to your arrival in Kono. You arrive in  
Koidu

27 Town, and what's the first thing you do?

28 A. Well, I said, "When I got to Koidu Town, I met two  
houses

29 burned down at Opera." So that was a concern to me, about who

1 did the burning of houses and the two vehicles.

2 Q. So what happened; what did you do?

3 A. Well, I asked. When I asked, then they told me that it  
was

4 during the fight, when they were fighting the CDF, when they  
were

12:06:45 5 leaving the town, then they lighted the two houses. That was  
6 what they told me.

7 Q. Well, did you find out which specific people had done  
that?

8 A. Well, I had nobody else to find that from, except the  
9 groups who went to attack the CDF at Kono. They were the ones

12:07:09 10 who told me that it was the CDF who lighted the houses. So I  
11 relied on the people who I met there.

12 Q. After that inquiry, what did you do?

13 A. I lived at the house at Kimberlite on the way to  
Gandorhun.

14 Q. Were you in touch with Mr Bockarie?

12:07:38 15 A. Well, yes. The very day when I arrived in Kono, I told  
16 him. And he had got the report from Superman that they have  
17 captured Kono, since Superman had related to the message to  
him.

18 So I just told Bockarie that I've arrived at Koidu Town.

19 Q. Can you try to remember what the details of the

12:08:00 20 communication were?

that I

21 A. Well, I sent a message that they -- I sent a message

22 and Mike Lamin, Kallon, we've all reached Koidu Town. And the

23 operator just told me that Bockarie says he has received the

Superman

24 message. And he has earlier on received a message from

12:08:27

25 when they've captured Koidu Town.

26 Q. But what was the plan, if any, at this stage?

27 A. Well, as I told you earlier on, before I left Bo, when I

28 got home to Makeni, when I was wounded, there had already been

and

29 discussions between Superman and JPK to get Kono, so that JPK



1 others would be able go to Kailahun. That was the plan.

2 Q. Well, when you arrived in Kono, what was your intention?

3 A. Well, my plan was to go to Kailahun. That was my  
4 intention. That was why I went to Bo. And that was the

12:09:20 5 instruction, again, from Bockarie.

6 Q. So what happened?

7 A. Well, when I got to Kono, Koidu Town, the whole -- the  
8 thousands of civilian who were in Kono, nobody was in Kono at  
9 that time because of the fight between the RUF/AFRC from

Makeni,

12:09:43 10 when they attacked the CDF at Kono. And that was why all the  
11 civilians had moved out of Kono to the surrounding villages

and

12 the bushes, and thousands went to Guinea.

13 Q. So what happened after you had found this house?

14 A. Well, nothing has happened, really. I was in the house

12:10:11 15 and, the next morning, I went to greet JPK, and JPK told me  
Mike

16 Lamin, Collins --

17 Q. Well, let's break this down. You're in the house.

18 A. Yes.

19 Q. JPK is with Mr Bockarie.

12:10:29 20 A. Yes.

21 Q. Talk us through what happened.

22 A. Well, when I communicated with Bockarie, late in the

slept 23 evening when JPK arrived, nothing had happened that day. I

24 in the house where I was living.

12:10:51 25 Q. What, did you not go outside that day?

26 A. Well, that day when I reached Kono, I communicated with  
27 Bockarie, I did not go anywhere. It was the other day that I  
28 went around Koidu Town.

29 Q. Well, was there any reason why you didn't go out around

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1 Koidu Town that day?

2 A. Well, Mr Lawyer, at that time I reached Koidu Town, it  
was  
3 going on to 4.00, after 4.00. The operator lighted the set,  
you  
4 know. I hadn't much time to pass all around Koidu Town  
because I

12:11:41 5 felt that the day has almost ended, and my sore has not healed  
up  
6 yet. So I just decided to stay home where I lived.

7 Q. The next day, you woke up; what happened then?

8 A. Well, when I woke up, I had my breakfast. From then, I  
was  
9 on the road where Mike Lamin was --

12:12:15 10 Q. Well, talk us through this, what you do; what happened?

11 A. Well, I said, in the morning, I had my breakfast. Then  
the  
12 doctor came to change my dressing at the sore. After that,  
Mike  
13 Lamin and Collins came, and we went all to JPK to greet him,  
that  
14 morning. We were there for over an hour, about an hour.

12:12:45 15 Q. How did you know where JPK was?

16 A. But I had said earlier on that JPK arrived late in the  
17 evening, and the house where I was living, he passed through  
that  
18 house to his own place at Kimberlite. That was what I just  
said.

19 So I had no reason to know when he came or how he came.

12:13:09 20 Q. What do you mean he passed through?

21 A. Well, the man had series of vehicles. He had security  
22 vehicle, family members, and he was collected by Superman. It  
23 was on the road there, at Kimberlite. He passed through where  
24 they went to find a house for him at the edge of Kimberlite,  
12:13:33 25 where JPK was living.

26 Q. But what does "passed through" mean; he came into your  
27 house or not?

28 A. Oh, Mr Lawyer, passed through means, in Krio -- means,  
in

29 Krio, I was in my house, sitting on the veranda; the vehicles

1 passed through the house. The road and veranda, it was just a  
2 distance, like, from here I am sitting, to this table in front  
of  
3 me.

4 Q. Okay. Thank you. Sorry, my Krio, lets me down. So the  
12:14:06 5 next day you then go to see him. What happened?

6 A. We went to greet him, and he spoke to us that, the next  
7 day, he would want to talk to all commanders, both AFRC and  
RUF,  
8 at his house. So it was like a meeting, he called for.

9 Q. And what happened then?

12:14:35 10 A. Well, we spent some time there, after having a talk with  
Yadu  
11 him. We left; Mike and I drove from Koidu Town. We went to  
12 Road and came back to Tankoro. And then I went back to Mike  
13 Lamin's place at Dabundeh Street, where he was putting up.

From  
14 Mike Lamin's house, I went to my own place.

12:15:05 15 Q. Well, what happened when you met JPK and there was a  
16 meeting?

17 A. It was the next morning when we had the meeting, around  
18 10.00.

19 Q. What happened?

12:15:25 20 A. Well, there were certain things here that happened at  
the

21 meeting. I do want the judges to grant me -- to ask me -- to

22 allow me to write down these things. I have certain names I  
23 would want to write down.

24 PRESIDING JUDGE: Leave is granted.

12:15:52 25 THE WITNESS: Thank you, sir.

26 PRESIDING JUDGE: Mr Jordash, do you wish to exhibit  
that?

27 MR JORDASH: I'm not sure yet.

28 PRESIDING JUDGE: Right, let's proceed then.

29 MR JORDASH:

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1 Q. Can you explain --

2 A. So the next morning, at 10.00, all the AFRC commanders  
and  
3 RUF commanders assembled at Johnny Paul's house. So Johnny  
Paul  
4 chaired the meeting, and he spoke to us, and he addressed the  
12:18:45 5 meeting. He told all the commanders that, now, we have got  
Koidu  
6 Town. And he, himself, and other people are going to  
Kailahun.  
7 But he's going to appoint commanders to take over Kono, and  
what  
8 he's interested in is that he wants unity amongst the two  
groups,  
9 the RUF and the AFRC. He said, they won't continue to run  
from  
12:19:20 10 ECOMOG, so the war should stop at Kono. So that they'd be  
able  
11 -- we would be able to defend ourselves. We will not continue  
to  
12 be on the run.

13 And when he gets to Kailahun, he is going to arrange  
with  
14 Mosquito, for them to make sure that they maintain the welfare  
of  
15 the men in Kono, and to maintain a fighting force against  
12:19:49 ECOMOG.  
16 And discipline should exist between the rank and file. And he  
17 appointed the first team that I called as the overall  
commander

Kono. 18 of Kono on the list, and the second man was the deputy in

19 So, from then, the meeting was closed, and he said we  
12:20:27 20 should move. And then he said, "Since Issa is not too well,  
his

21 sore is not yet healed, Isaac should lead to open the way to  
22 Gandorhun."

23 Q. Just pause there. I'm not altogether sure why you've  
24 written those names on the piece of paper, Mr Sesay?

12:20:53 25 A. Well, I'm facing a trial, and we all have people out  
there

I 26 who are sympathisers and family members, so that is my reason.

27 don't want to go too far.

28 Q. Okay. I understand.

29 MR JORDASH: Can I ask, please, that those two names be



1 exhibited, please?

2 PRESIDING JUDGE: Right. Mr Courtroom Officer.

3 MR GEORGE: 194, Your Honour.

4 PRESIDING JUDGE: Right, but let me -- before we --  
counsel

12:21:36 5 for the second accused, any objection?

6 MR NICOL-WILSON: None, Your Honour.

7 PRESIDING JUDGE: Counsel for the third, any objection?

8 MR CAMMEGH: No.

9 PRESIDING JUDGE: Prosecution, any objection?

12:21:46 10 MR HARRISON: No.

11 PRESIDING JUDGE: We'll receive it in evidence and mark  
it

12 Exhibit 194.

13 [Exhibit No. 194 was admitted]

14 PRESIDING JUDGE: Let's proceed, counsel.

12:22:02 15 MR JORDASH:

16 Q. What happened after?

17 A. After what?

18 Q. What happened after the meeting?

19 A. I said, before the meeting ended, Johnny Paul said  
Colonel

12:22:27 20 Isaac Mongor should open the road to lead men from Koidu Town

21 towards Kailahun. Then Isaac Mongor moved with the advance  
team

to  
I,  
12:23:04 fighting  
before

22 to Gandorhun. Then, that was the end of the meeting. I went  
23 my house, got my bodyguards to get ready for us to move. So  
24 Peter Vandi, Kallon -- Morris Kallon -- we all left from Koidu  
25 Town to Gandorhun, where we met Isaac and others. But  
26 took place in Gandorhun between the CDF and advance troop  
27 we got there, when they pushed the CDF out of Gandorhun. So,  
28 they went and built up themselves at a junction called Koindu  
29 Gieya, just three miles from Gandorhun.

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1           So when I, Peter Vandí, Kallon arrived at Gandorhun,  
these  
2           men were already at Koindu Gieya. So Isaac explained to me,  
and  
3           said, "The CDF has retreated from Koindu to Gieya." So I,  
Isaac  
4           and Kallon arranged that, the next morning, we should attack  
them  
12:24:10 5           back at Koindu Gieya, so we have routes to Gandorhun -- to  
6           Kailahun.

7           Then, in the evening, on that same day that I reached  
had  
8           Gandorhun, I received a radio message from Bockarie that he  
9           dispersed a group from Kailahun, about 60 men, to come and  
12:24:43 10          receive us, because he had understood that the CDF had  
occupied  
11          Bunumbu and Bandajuma Yawei.

12          So, upon receiving this information from Bockarie, I,  
too,  
13          suggested to Isaac and others that the attack that we should  
have  
14          launched in the morning, we should hang on, so that we could  
12:25:27 15          discuss with the group. Because that group from Kailahun, the  
contact  
16          receiving team, had a set. So that we would be able to  
able  
17          them through their set, and so that we could -- we would be  
18          to carry out a joint attack from Gandorhun on the CDF at  
Koindu

19 Gieya. And, luckily, we were able to get the men on the air,  
the  
12:25:53 20 receiving team. And they told us that they were at Boama  
21 [indiscernible], five miles to Koindu Gieya.  
22 Then I, too, gave the information to my operators, which  
he  
23 communicated to the receiving team, that those of us coming  
from  
24 Gandorhun, so that those could go up to Koindu Gieya to wait.  
12:26:29 25 And those coming from Kailahun, through Boama [indiscernible]  
26 would be the first to attack, and the group from Gandorhun  
would  
27 respond. So they were to pursue the men to the junction. But  
28 the attack went on and we were not able to empower --  
overpower  
29 the men at Koindu Gieya. They wounded and killed some people

1 from Kailahun and those of us who came from Gandorhun also  
lost  
2 some men. So, the group from Gandorhun retreated to Koindu  
group  
3 Giema, just one and a half mile from Gandorhun. Then the  
4 from Kailahun, the receiving team, bypassed Koindu Gieya and  
12:27:20 5 surfaced at -- between Koindu Buma and Gandorhun.  
6 So, when they arrived, I communicated to Bockarie what  
the  
7 situation was. So, Bockarie said, "Well, if we cannot open  
the  
8 road, we should use a bush path." Then I said, but Mike Lamin  
9 and JPK were all in Koidu. So, he said he was going to  
12:27:55 10 communicate to Kono, in order to communicate with JPK. And he  
Lamin  
11 said we should stay in Gandorhun. Upon the arrival of Mike  
12 and JPK, we would use the bush path.  
13 So, around -- between 6.00 and 7.00, JPK and Mike Lamin  
14 arrived in Gandorhun from Koidu Town. So, when they arrived,  
we  
12:28:28 15 all slept at Gandorhun. And Bockarie told me, on the radio,  
that  
16 he doesn't want the CDF or the government troops to know that  
17 Johnny Paul was retreating to Kailahun. So that we cannot  
take a  
18 long -- a large troop. We should only take JPK's family,  
Mike's

had 19 family, my own family and our bodyguards, he said, because he  
12:28:56 20 sent a receiving team to receive us. So there was no need for  
21 armed men from Kono to join us to go to Kailahun.  
22 So, the next morning, we prepared ourselves to leave  
bush 23 Gandorhun around 8.00 in the morning, when we set out on the  
Eldred 24 road, right from Gandorhun. And even some officers, like  
12:29:25 25 Collins, Peter Vandi, all wanted to go. But I said, no,  
Mosquito 26 had said these are the people that he had named that should  
go. 27 So I don't want to go with anybody that would offend him.  
28 So the only civilians who were in this group that left  
29 Gandorhun for Kailahun, were only Johnny Paul's family, my own

1 family and Mike Lamin's. But all the other people were  
2 bodyguards and the receiving team that had come to collect us.

3 Q. Just a couple of questions. Was Johnny Paul Koroma  
4 disguised in any way?

12:30:18 5 A. Johnny Paul had on a jeans suit. It was not like he was  
6 disguised into another person. He had on an ordinary jeans  
7 suit,  
8 and jean trousers and a jacket.

9 Q. Now, before we enter Kailahun, I want to go back to a  
10 few  
11 Makeni  
12 things in Kono. A witness said that, on the retreat from

13 12:30:51 10 to Kono, Sam Bockarie gave an order to Superman, Operation No  
11 Living Thing; is that something you heard?

12 A. No. I heard Operation No Living Thing, but not at this  
13 time.

14 Q. At what time did you hear that?

15 12:31:15 15 A. Well, I heard Eldred Collins, when I was in Pendembu in  
16 September '98 while Collins and Bockarie were in Buedu, when  
17 Collins spoke over the BBC about Operation No Living Thing,  
18 that  
19 was my first time of hearing of that operation.

20 Q. The first time you'd ever heard of it?

21 12:31:40 20 A. Yes, September '98.

22 Q. And what was it in reference to, do you know?

22 A. Well, at that time --

23 Q. Sorry. What I mean is: In what context did Collins use  
24 it?

12:31:59 25 A. Well, when I met with Collins later, he told me that he  
had

26 used that purely for the mercenaries who was fighting against  
us

27 and ECOMOG. Because even the journalist on that day, who was

28 interviewing him, asked him what he knows about Operation No

29 Living Thing? Does that mean you are going to kill all the

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no. 1 civilians in Sierra Leone? Then Collins responded, saying,  
RUF 2 He was referring to the mercenaries who had come to fight the  
Operation 3 in Sierra Leone. He was referring to them in terms of  
the 4 No Living Thing. That is what I heard when they spoke over  
12:32:41 5 BBC.  
6 Q. Why was Collins making that announcement? Do you know?  
7 A. Well, he was with the boss in Buedu. What I understood  
8 from Collins, was that it was Bockarie who gave him the  
9 instruction to say that. Because Collins hadn't a satellite  
12:33:02 10 phone on his own. It was Bockarie who had the sat phone.  
11 Q. Well, was that an order given over the radio or a  
threat?  
12 I am trying to understand how it was used; why it was said?  
13 A. Well, I personally did not receive it on a radio set,  
that  
14 Mosquito ordered me for Operation No Living Thing. I did not  
12:33:31 15 receive that on a radio.  
16 Q. But what was Collins saying about Operation No Living  
17 Thing, as far as you were aware?  
18 A. Well, the man was referring to the ECOMOG and the CDF,  
19 ECOMOG especially, who was fighting against the RUF. They  
were

12:33:52 20 not citizens of Sierra Leone. They were the ones he was  
classing  
21 as mercenaries, and we also had the Sandline.  
22 Q. Sandline. Now, I understand what you are saying as to  
what  
23 it referred to, but I don't understand the context in which it  
24 was used?  
12:34:12 25 A. Well, what I assessed of all the interview on that day,  
it  
26 was like a threat to the government and the troops who were  
27 fighting for the government. That was what I understood.  
28 Q. Thank you. Another witness said that he had been told,  
by  
29 a man called Wallace, that you ordered Operation No Living  
Thing.

1 A. No, no. That's what I told you, that this Operation No  
2 Living Thing, the first time I heard about it was in September  
3 '98. This witness who said that -- you said -- what was his  
4 name, that witness who said that? I was in Court. I know the  
12:35:13 5 witness --

6 Q. But --

7 A. But --

8 Q. Sorry, go on. I interrupted you.

9 A. I know that witness. He was in Buedu, as an MP, but  
when  
12:35:24 10 he was in Kailahun --

11 Q. Careful about identity.

12 A. Yes, My Lord, but the MP in Buedu were many, so you  
13 wouldn't just say MP and you would know that person. There  
are  
14 many MPs.

12:35:41 15 Q. Okay. Go ahead.

16 A. That man was in Buedu as an MP. But that man, everybody  
17 who was in Buedu knew that he was mad. He looked -- he looked  
18 like a madman.

19 JUDGE ITOE: Which man looked like a madman?

12:36:10 20 THE WITNESS: Well, My Lord, the man who said Issa and  
21 other people, Mike Lamin and others, that we were living like  
22 Gods in Buedu, that is the witness I am referring to. That

23 witness, his brain is not quite -- he hasn't got a good brain.

24 And people in Buedu knew that he was a madman. He was not a

12:36:32 25 sober man.

26 MR JORDASH: Can I just have a moment, please?

27 PRESIDING JUDGE: Leave granted.

28 MR JORDASH: Thank you.

29 Q. Let me ask you this, Mr Sesay: At the time you arrived

at

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1 Koidu Town, did you observe crimes being committed during your  
2 stay there?

3 A. My Lord, what I saw, yes, they burst into some shops  
before

4 I arrived there. They looted some shops. And that situation  
12:37:51 5 continued until the time I left Kono, because they were  
entering

6 into houses that did not belong to us, the RUF and the AFRC.  
But

7 civilians were not there for those three days that I was in  
8 Koidu, for them to commit crimes against civilians. But  
looting  
9 was going on.

12:38:13 10 Q. Well, was there anybody in your control who was looting?

11 A. Well, I hadn't people under my own perfect control.  
Those

12 I had under me were my bodyguards. We left Makeni and came  
13 together. And those who were carrying on the looting were not  
14 under me.

12:38:43 15 Q. Well, who were they under?

16 A. Well, My Lord, they were senior commanders, many of  
them,  
17 who were in Kono. Even the AFRC were not under my control.

18 Q. Well, did you identify any of these people who were  
19 looting?

12:39:02 20 A. Well, because they captured Kono before I arrived there,

of 21 but if I went and saw shops opened, and I know that the owner  
22 the shop was not there, I would know that it is the men who  
23 captured Kono that had looted the shop.

24 Q. While the RUF were there, what kind of authority did you  
12:39:31 25 have over the RUF men who were there? Can you try and  
describe  
26 it?

27 A. Well, yes. We had senior commanders, even some middle  
28 Vanguards, who were majors. I hadn't control over them. And  
the  
29 commanders, like Superman, I had no control over him. I had  
no

1 control over Mike. I had no control over Isaac.

2 Q. Well, what was your relationship with Superman at this  
3 time?

4 A. Well, our relationship was not good, but we were on  
talking

12:40:11 5 terms. But the way I had a relationship with Kallon, it was  
not

6 the same like with Superman. Or the way I had a relationship  
7 with Vandi, was not the same like that of Superman.

8 Q. Well, how were the RUF organised, if at all, in Koindu,  
9 when you were there? Try and give us a picture of the varying  
12:40:37 10 commands.

11 A. Well, at this time, there was no command structure in  
Kono.

12 As I had said, I said, the groups from Makeni did not leave in  
13 one day from Makeni to Kono; it was a continuous process.

They  
14 would come all by themselves. The three days that I was  
there,

12:41:00 15 it was not all RUF that left Makeni to come to Kono. It was  
not

16 all AFRC that left Makeni to Kono. It was after we had left  
that

17 everybody reached Kono. But, indeed, some Lebanese shops were  
18 burst open before I arrived Kono.

19 Q. We were not there, so we rely upon you to try to  
describe

12:41:24 20 it. How was Superman's men arranged in Kono; did you notice?  
21 A. Well, those who captured Koidu Town, after they had  
22 captured the town and the CDF had retreated out of the town  
with  
23 the civilian population, there was no command to say this is  
24 where RUF is, this is where AFRC is. No. The entire place  
was  
12:41:56 25 all mixed up. Everybody went there to stay. That was the  
26 situation that we left in Kono. I and Johnny Paul left in  
Kono  
27 for Kailahun. And even one witness, who had said in this  
Court,  
28 that I gave instruction to Kallon to burn down Kono, it was  
not  
29 Kallon that Johnny Paul appointed as commander at the meeting.



1 He was not the commander. How would I give -- I wouldn't give  
2 instruction to Kallon.

3 Q. Well, who was the top man in Buedu, at the time you were  
4 there, from what you observed?

12:42:32  
Then

5 A. Well, the top man was JPK. After JPK, you had Mike.

was

6 you had the rank: Superman; you had Isaac; and I, lieutenant  
7 colonel; then Peter Vandi, lieutenant-colonel. That is on the  
8 side of the RUF. But on the side of the AFRC, they, too, had  
9 their own commanders. But the most senior man at that time

12:43:05

10 JPK.

11 Q. So, who was reporting to you at that time?

Johnny

12 A. Well, at this time, to report what? The problem is, the  
13 CDF was in Kono, and they have pushed the CDF out of Kono and  
14 Superman had reported to Bockarie. He had gone and taken

12:43:37  
time,

15 Paul. There was nothing to report to Issa. And, at that

reported

16 those two days, two and a half days that I spent in Kono,  
17 civilians had left Kono. And, burning, there was no burning  
18 going on, minus the two houses that were burned during the  
19 fighting. So -- so, I do not see what they should have

12:44:00

20 to me at that moment.

Your  
me  
start

21 MR JORDASH: Your Honours, could I respectfully invite  
22 Honours to rise just 15 minutes early? It would assist me. I  
23 have moved a bit quicker than I anticipated. And it will help  
24 if I just stop now and I organise myself this afternoon to  
12:44:25 25 off tomorrow morning.

26 PRESIDING JUDGE: Right. Any objection, counsel?

27 MR NICOL-WILSON: None, Your Honour.

28 MR CAMMEGH: No.

29 PRESIDING JUDGE: Prosecution?

1 MR HARRISON: No, Your Honour.

2 PRESIDING JUDGE: The trial is adjourned to tomorrow,  
3 Thursday, 10 May 2007, at 9.30 a.m.

4 MR JORDASH: Thank you.

5 [Whereupon the hearing adjourned at 12.45 p.m.,  
6 to be reconvened on Thursday, the 10th day of May  
7 2007, at 9.30 a.m.]

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EXHIBITS:

Exhibit No. 194

WITNESSES FOR THE DEFENCE:

WITNESS: ISSA HASSAN SESAY 2

EXAMINED BY MR JORDASH: 3