

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

TUESDAY, 15 MAY 2007  
3.10 P.M.  
TRIAL (Amended)

TRIAL CHAMBER I

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

SESAY ET AL

1 [RUF15MAY07A - SM]  
2 Tuesday, 15 May 2007  
3 [The accused present]  
4 [The witness entered Court]  
5 [Open session]  
6 [Upon commencing at 3.10 p.m.]  
7 [The witness answered through interpreter]  
8 WITNESS: ISSA HASSAN SESAY [Continued]

9 PRESIDING JUDGE: Good afternoon, counsel. The trial is  
15:09:37 10 resumed. Mr Jordash, is your client sufficiently recovered in  
11 health?

12 MR JORDASH: The messages I have been getting from  
members  
13 of the detention centre, including the deputy chief and also  
Ray  
14 Ewing, is that Mr Sesay has recovered quite well and is raring  
to  
15:10:04 15 go.

16 PRESIDING JUDGE: Thank you. Well, then, proceed with  
the  
17 presentation of your case.

18 MR JORDASH: Thank you.

19 Q. Good afternoon, Mr Sesay?

15:10:16 20 A. Good afternoon, Mr Jordash.

21 Q. I trust you are feeling better now?

22 A. Yes, sir, I feel much better.

23 Q. Good. Let's go on then. We've got a lot to get  
through.

24 I want to ask you about someone called Maada. Do you remember

15:10:37 25 Maada?  
26 A. Yes, I can recall Maada.  
27 Q. Can you just explain who he was, please?  
28 A. Well, Maada was a small boy who came from Kenema with  
some  
29 of his family members and went to Buedu during the  
intervention.

SCSL - TRIAL CHAMBER I

Page 3

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

1 Q. And what was his relation to you?  
2 A. Well, he was just at Buedu in the -- at the house with  
my  
3 security. He was a small boy who did not take part in any  
4 activity which had to do with the front line.  
15:11:38 5 Q. Now, I want to go back to where we left off, but I want  
to  
6 pick up on radio links and radio communications. So I want to  
7 just go a little back, up to the junta period before coming to  
8 Pendembu and Buedu. Now, what were the radio communications  
like  
9 during the junta period? Were they effective or not  
effective,  
15:12:25 10 or what?  
11 A. Well, they were not effective, the first place.  
12 Q. Why not -- sorry?

13 A. Because, during this time, the soldiers with whom we had  
14 been fighting, we had made peace with them. And the radio  
15:12:49 15 communication was not effective, as somebody had told this  
Court,  
16 who was part of the signals unit, he said that, during '97,  
17 communication was not effective.

18 Q. Now, did you have your own radio set in Freetown?

19 A. Yes. I had one set with me, one Thompson radio.

15:13:17 20 Q. Did Sam Bockarie have his own set, in Freetown?

21 A. Bockarie, when he was in Freetown, yes, he had a set,  
with  
22 which he moved up and down, wherever he went.

23 Q. And who were his operators?

24 A. Well, during that time, he had Kabbah, he had Ebony  
Prince,  
15:13:51 25 he had Daff.

26 Q. Were they staying with Bockarie or did they stay in  
27 Freetown? I am thinking of the time when Bockarie left to go  
to  
28 Kenema.

29 A. Well, when Bockarie left they went to Kenema, like, Daff

SCSL - TRIAL CHAMBER I

Page 4 SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

1 came with Mike Lamin. So he was in Kenema all along with

were 2 Bockarie. The same thing with Ebony Prince; his operators  
3 in Kenema with him.

4 JUDGE BOUTET: So what do you mean by -- was the one  
that

15:14:32 5 you called Daff, was he with Sam Bockarie, or he was with  
Lamin?

6 You say he came down with Lamin. I'm not sure I follow what  
7 you're saying.

8 THE WITNESS: My Lord, I said, Daff came along with Mike  
9 Lamin, when they came and met Bockarie in Kenema. So Daff  
stayed

15:14:51 10 and started operating Bockarie's set, when they came from  
11 Liberia, '97, because this was the group which was dislodged  
in  
12 October from Zogoda to Pujehun and to Liberia.

13 THE INTERPRETER: Your Honours, would the witness go  
over  
14 what he said?

15:15:10 15 MR JORDASH:

16 Q. Would you repeat the last two sentences, please?

17 A. I said, when the judge asked, I said, this was the group  
18 which retreated from Zogoda through Pujehun to Liberia, where  
19 they went and surrendered to the ULIMO. So these were the men  
15:15:32 20 who came with Mike Lamin in '97 after the coup. But when they  
21 came, they stopped in Kenema, Daff and Ebony Prince, as radio  
22 operators. So they were in Kenema, '97, with Bockarie, until  
23 January, February '98, when they returned to Buedu.

24 JUDGE BOUTET: Okay. I had understood your evidence to  
be  
15:15:53 25 that Daff had moved with Lamin, to Freetown. He moved from  
26 Liberia to Kenema, but from Kenema --

27 THE WITNESS: No. No, My Lord.

28 JUDGE BOUTET: He was in Kenema and, in Kenema, he  
worked

29 with Sam Bockarie. I am talking of that.

SCSL - TRIAL CHAMBER I

SESAY ET AL

Page 5

15 MAY 2007 (Amended)

OPEN SESSION

3 THE WITNESS: Yes, My Lord. When Bockarie went and  
based  
4 in Kenema, there, Daff came from Liberia and stayed with  
Bockarie  
5 in Kenema. But, Kabbah, he and Tolo, they came to Freetown  
with  
6 Bockarie. Then they went and stayed in Kenema with Bockarie.

15:16:31 7 JUDGE BOUTET: Okay.

8 MR JORDASH: Okay. Let's try to -- I think, for me, I  
am  
9 confused.

10 Q. Can you just say who were Sam Bockarie's operators when  
he  
11 was in Freetown during the junta? Just list the names,  
please?

15:16:49 12 A. It was Tolo who was with Bockarie here, in Freetown.

13 Osman Tolo, he was a signal commander.

14 Q. Well, who else, if any, were operating or responsible  
for

Was 13 radio communications for Bockarie during the junta period?  
14 it just Tolo?

15:17:15 15 A. Well, I said it was Osman Tolo and Selay. They were  
ones  
16 that came to Freetown with Bockarie. So Bockarie went back  
and  
17 based in Kenema where the other operators who came from  
Liberia;  
18 joined him in Kenema.

19 Q. So let me just try to get this clear. Tolo and Selay  
were  
15:17:40 20 in Freetown, when -- is that right?  
21 A. Yes. They were the ones that came from Daru to  
Freetown,  
22 for the first time, with Bockarie.

23 Q. Got you. Now, during Bockarie's time in Freetown, did  
24 anyone else, besides Tolo and Selay, assist him with radio  
15:18:04 25 communications?  
26 A. No, no. It was only two of them that were here in  
Freetown  
27 with Bockarie.

28 Q. Right. When Bockarie went to Kenema, who was there to  
29 assist Bockarie with radio communication?

SCSL - TRIAL CHAMBER I

1 A. Well, when Bockarie was in Kenema, I was not based in  
2 Kenema, but I understood that when Ebony and Daff came, they  
came  
3 and joined Bockarie in Kenema. So these two men had other two  
4 additional men who were with Bockarie in Kenema. Then the  
15:18:38 5 operators in Kenema became four in number.

6 Q. You mentioned Kabbah. What was his role, if any?

7 A. Well, he too was a radio operator, but he stopped in  
Kenema  
8 and went back to Kailahun. He did not come to Freetown.

9 Q. So was he part of Bockarie's team in Kenema or not?

10 A. Well, he used to come and go back to Kailahun. I  
11 understood that he was stationed in Kailahun, but he used to  
12 visit Kenema.

13 Q. Okay. I think that's clear --

14 JUDGE BOUTET: Mr Jordash, if you allow me, just one  
15:19:25 15 question, not on the people, but on the -- I'd like to  
understand

16 what Mr Sesay means by radio set. What is a radio set?

17 THE WITNESS: My Lord, it's a communication set. That  
is

18 what is referred to as a radio set. It's a communication set  
19 which transmitted and received messages. And that is what we  
15:19:45 20 refer to as a radio set.

21 JUDGE BOUTET: How does that work when you say  
transmitted  
22 and received? You transmit how; by coding, or by speaking, or  
by  
23 voice? How does that work?

24 THE WITNESS: Well, My Lord, like this mic that is  
before



15:20:09 25  
and I

me, so you would be in Kailahun and I would be in Freetown,

I

26 would talk through it, and I have the receiver. And, whatever

27 say, you would understand what I say. And, when you speak, I

28 would also understand what you say.

29 JUDGE BOUTET: Thank you.

SCSL - TRIAL CHAMBER I

Page 7

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

1 THE WITNESS: Thank you, sir.

2 MR JORDASH:

3 Q. Just picking up from that, was speaking the only way you

4 could communicate on the radio?

15:20:36 5  
would

A. Well, even message, you would only code it, but you

6 talk. The RUF operators, they did not know how to use Morse

7 communication. They would only speak.

the

8 Q. Well, did anyone else use Morse communications during

9 indictment period?

15:20:58 10  
had

A. Yes. During that indictment period, yes, because you

would

11 the SLAs who knew about the Morse communication. So they

12 use it to monitor the ECOMOG. I mean, their communications in

13 the set.

14 Q. Well, what did they use during the junta period, the  
SLAs?

15:21:25 15 A. Well, you had the set and they would tune to the channel  
16 where the Nigerians used to operate. They would use the Morse  
17 communication. Then they would be able to monitor the  
movement  
18 of the ECOMOG. Then they would tell the commander. For  
19 example --

15:21:53 20 Q. Well, sorry, just be clear. Did they use Morse or did  
they  
21 use other codes?

22 A. Well, I only knew about Morse.

23 Q. When I refer to SLAs, I'm referring to AFRC/SLAs, not  
24 pro-government SLAs. What did they use during the junta  
period?

15:22:25 25 A. Well, you mean the ones -- the AFRC?

26 Q. Yes.

27 A. Among them -- among them, there you had -- Superman had  
one  
28 in Kono who started the monitoring. After that, Superman  
29 communicated with Bockarie. Bockarie said Superman should  
send

SCSL - TRIAL CHAMBER I

1 the guy to Kailahun, and the guy was in Buedu with Bockarie  
2 throughout '98 and '99.

3 Q. I'm not sure I follow your answer. Just try to answer  
the  
4 questions specifically, Mr Sesay, because I want to just try  
to  
15:23:03 5 work out for the Court what the mechanics of the communication  
strictly  
6 were. So avoid the discussion, if you can, unless it's  
code  
7 necessary. Did the AFRC/SLAs use Morse or another form of  
8 when using the radio during the junta period?

9 A. Well, they used both among themselves.

10 Q. Right. And you've told us the RUF didn't understand  
15:23:39 Morse?

11 A. No. No, did not understand.

12 Q. Right. What was the subfrequency?

13 A. Well, I cannot tell you the frequency because I am not  
an  
14 operator. So, I cannot tell you about a set.

15 Q. What's your understanding of a subfrequency? What was  
15:24:04 it;

16 just as much as you're able to assist?

17 A. Well, what I understood, you had channels in the set.  
You  
18 know, if I wanted to talk to you -- for example, you are a  
little  
19 distance from where I am; I would go to those channels. You  
had  
15:24:30 20 different channels and if I told you that we should shoot on  
this  
21 channel, then I would go to that particular channel, and you  
too  
22 would go there and if I talk, both of us would communicate.  
You

23 had different channels in the communication set, different  
24 frequencies.

15:24:43 25 RUF?

26 Q. Why would I, as a commander, go to a subfrequency?

27 want

27 A. Well, maybe I would like to talk to you when I did not

And

28 the other stations, I mean, to interrupt our communication.

say

29 what I would like to talk to you might be private and I would

SCSL - TRIAL CHAMBER I

Page 9

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

have a

1 that let us go to such and such a frequency. So you would

2 dialogue with the fellow whom you want to talk to.

go

3 Q. Now, how would I communicate to the person I wanted to

4 to a subfrequency with where to go? How would that be

15:25:33

5 communicated?

frequency

6 A. Well, the first thing, the set, you will have a

7 which all the operators -- which all the operators call --

8 THE INTERPRETER: Your Honours, would the witness go a

9 little bit slow.

15:25:53 10

MR JORDASH:

11 Q. Go back. Sorry. Just go a bit slower, Mr Sesay. Just  
12 start your answer again.

13 A. Well, I said, you had a permanent frequency which was  
14 called national. That one, every operator, when you put your  
set  
15:26:09 15 on in the morning, it was on that frequency that -- it was  
that  
16 frequency that you used. Because the radio is the one that we  
17 refer to as station. Then all stations reported to the  
central  
18 command. From that national frequency, if I wanted to talk to  
19 you, I would say, I would call a station and, when you  
responded,  
15:26:38 20 I would say, "Let us shoot to such-and-such a channel," which  
was  
21 a code. You knew the channel and you would go there and I too  
22 would go there. And when I called you, you would respond and  
we  
23 would continue that dialogue. Or, if it was a message, then I  
24 would send a message to you. That was how it operated.

15:26:53 25 Q. Okay. Now, how would I tell you where to go to go to a  
26 subfrequency?

27 A. Well, for example, like this pamphlet that I'm holding,  
28 it's like -- it's the code. So anything pertaining to the RUF  
29 would be on that pamphlet, which would be a code, you know.  
And,

SCSL - TRIAL CHAMBER I

SESAY ET AL

say  
had  
know  
15:27:35  
channel.

1 for example, the code, you would say Masingbi, and you would  
2 5-1. 5-1, on the code, means Masingbi. So, if the channel to  
3 which I wanted to go -- I would say channel 65. If you also  
4 a code, you would just look at the code, 65, and you would  
5 the meaning -- the channel name that I want to speak to you  
6 through. But if you do not have the code, then you would just  
7 hear me speak. But you would not be able to go to that

8 Q. Okay. So who had the codes? Did every commander in the  
9 RUF have the same codes? Who had the codes?

15:28:02  
time  
to

10 A. Well, when you talk, it's good for you to show so that I  
11 would be able to respond, because events took place during  
12 frames. But if you just ask general questions, you see, which  
13 one am I going to respond to? And the war took place from '91  
14 2001.

15:28:22  
like  
not

15 Q. I understand your answer and I will come specifics, then  
16 I'll leave that question. Did the AFRC/SLAs, during the junta  
17 period, have access to your codes, the RUF codes?

18 A. Well, from February '98, the ones that were in Kabala,  
19 SAJ Musa, SAJ Musa's group, Brigadier Mani, Bropleh, they did  
15:28:58  
of

20 have access to the codes that Bockarie had prepared.

21 Q. Let's just start then in order, just to keep some kind

the 22 order. 1997 to 1998, junta period, did they have the codes,  
23 SLAs, who formed the AFRC?  
24 A. Well, the codes, during that time, they were not useful  
15:29:16 25 because we and the SLAs were together, so there was a  
possibility  
26 for the RUF operator who was at Daru, during that time, to  
show  
27 the codes to the SLA. Yes, during that time, it was not  
material  
28 in '97. So, in order for the SLAs to know the RUF codes, yes,  
29 that used to happen.

SCSL - TRIAL CHAMBER I

Page 11

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

of 1 Q. Okay. Now, we'll come to what happens after the  
2 intervention in a moment, but let me just return to the issue  
3 radio operators. When Bockarie retreats to Kailahun following  
4 the intervention, who forms his team for operating the radio?  
15:30:18 5 A. Well, you had those that were in Buedu, from '98 to '99:  
you 6 You had Selay; you had Mohamed Kabba; you had Ebony Prince;  
7 had Daff, you had Sebatu.  
8 Q. Now, what was their routine? Would they -- where were  
they 9 based; where were they living?

15:31:03 10 A. They were in Buedu, with Bockarie.

11 Q. And their daily job would be to do what, just briefly?

12 A. Well, they were in a shift. They had been working in  
13 shifts. If two operators were on duty for six hours, the  
others  
14 would come and change them for six hours on daily basis. That  
15:31:31 15 was how it operated.

16 Q. Right. Was there a permanent staffing of the radio set?

17 A. Yes, yes. Any station -- any station -- radio set does  
not  
18 have one operator; at least it would have two. Even  
substations  
19 had two operators. So they were working in shifts; that they  
15:31:50 20 would change.

21 Q. Through the night or through the day, or both?

22 A. Well, during the time of the junta, 8.00, the sets were  
put  
23 off. But, for example, if Bockarie wanted to talk to a  
24 commander, he would say that the radio set should be up to  
9.00  
15:32:09 25 and that he was going to talk to somebody, but it was at 8.00  
26 that they would put off the sets.

27 Q. Okay. Now, your team, if you had a team in the junta  
28 period, was who?

29 A. Well, when I was at Hill Station, '97, I had -- even

SCSL - TRIAL CHAMBER I

SESAY ET AL



1 Benguema, I had Tiger. Then, around November to December '97,  
2 Elevation; they sent Elevation to me, who would join Tiger.

So

3 they became two. So, I had two operators.

4 Q. Right. And who, if anybody, travelled with you to  
Kailahun

15:32:50 5 during the intervention?

6 A. Well, it was Elevation that travelled with me.

7 Q. What happened to Tiger?

8 A. Well, Tiger, he went on a patrol. He said he had his  
9 family in Bo, when he asked for permission and I told him to  
go.

15:33:16 10 When he went, it was during that time that intervention took  
11 place.

12 Q. And what happened when you arrived in Buedu, in terms of  
13 your radio set and your radio operator?

14 A. Well, when I arrived at Buedu, at that time, I parked my  
15:33:38 15 set, because it was not useful for my own set to be on when  
16 Bockarie's set was on, in Buedu, so I did not use my own set.

17 Q. Why was it not useful?

18 A. Well, at Buedu alone, you would not put two sets there.  
I

19 met one set and it was being operated by the commander and I  
15:34:05 20 would not switch on my own set while all the messages were  
being

21 sent to Bockarie's station, so my own set wouldn't be useful.

22 Q. Who was the senior radio operator in the RUF at the time  
of

23 the intervention and the months after that?

24 A. Well, before the intervention, it was Alfred Brown, but,  
15:34:47 25 during the intervention, he was changed by Bockarie and he  
26 appointed Tolo. Then after the intervention, Bockarie changed  
27 him again, and they appointed Selay.

28 Q. Why was Alfred Brown changed?

29 A. Well, Bockarie was angry with him. He said, when Alfred

SCSL - TRIAL CHAMBER I

Page 13

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

So 1 Brown came to Freetown, all his friendship was with the SLAs.  
the 2 he did not keep the RUF anymore. Rather, he did not monitor  
a 3 operators so that was why he was changed by Bockarie. He had  
was 4 certain group of guys who were based at Murray Town; there he  
15:35:39 5 all the time.

role 6 Q. Just listen to the question carefully: What was the  
7 of King Perry in 1998?

for 8 A. Well, King Perry, in '98, he was the station commander  
9 Superman, in Kono.

15:35:58 10 Q. What did it mean to be the station commander, in Kono?  
11 What would his job be?

operators 12 A. Well, that meant that he was senior to the other  
13 that were in Kono, and he had control over the set. He was  
the 14 one that arranged the shifts, and he was the one that showed  
how 15 the operators should change each other. And if the commander  
15:36:24 16 wanted to talk to Bockarie, you would have to tell the station  
17 commander for him to tell Bockarie's station to conduct the  
18 dialogue. Those were the jobs of a station commander.  
19 Q. Thank you. What happened to Alfred Brown after he'd  
been 20 changed? Where did he go, if anywhere?  
15:36:53 21 A. Well, Alfred Brown was just in Freetown in '97. Then,  
when 22 -- during the intervention in February '98, he retreated to  
Kono. 23 From Kono, by then --  
24 Q. So he stayed in Kono for how long?  
15:37:18 25 A. Well, I cannot tell the exact month, but he was in Kono  
for 26 some time, before he left Kono.  
27 Q. We'll come to that later then. Let me ask you another  
28 question. Did you have access or did you use the radio set in  
29 Buedu before you moved to Pendembu?

SCSL - TRIAL CHAMBER I

not  
time  
1 A. Well, the message that I received from Kono, they did  
2 send them to me. The messages went to Bockarie, so I did not  
3 have anything through which I would send messages, so -- the  
4 I was in Buedu before I went to Pendembu.

15:38:18 5 Q. Thank you. Did you have an adjutant when you arrived in  
6 Buedu, after the intervention? You, personally?

not  
7 A. No. At that time, my adjutant was not with me. I did  
8 have --

Sesay,  
15:38:48 9 Q. Sorry, I interrupted. Repeat what you just said, Mr  
10 please?

when  
11 A. I said, during this time, I did not have any adjutant  
12 I was in Buedu.

13 Q. What was the role of an adjutant?

14 A. Well, he's just like a secretary: To write letters; to  
15 know the area in which the commander was based; to know the  
total  
16 manpower; the number of arms; and to take minutes during  
17 meetings.

18 Q. When you moved to Pendembu, did you have a radio set?

19 A. Yes, I had a set.

15:39:25 20 Q. Who was your operator or operators?

21 A. It was -- they were Tiger and Elevation.

22 Q. And did you have an adjutant, at that stage?

23 A. No.

24 Q. Did you ever have an adjutant?

15:39:50 25 A. Yes, I had an adjutant.  
26 Q. When did you get an adjutant?  
27 A. Well, for the first time, it was in December '93, at  
Koindu  
28 area.  
29 Q. Okay. Let's go back to the indictment period. When,

SCSL - TRIAL CHAMBER I

Page 15

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

1 during the indictment period, did you have an adjutant?  
2 A. Say again.  
3 Q. When, during the indictment period, did you have an  
4 adjutant?  
15:40:23 5 A. Well, it was from March '97 when Foday Sankoh promoted  
me  
6 to lieutenant-colonel, battle-group commander. That was the  
time  
7 that I called my adjutant that I was working with when I was  
area  
8 commander, Samuel Jabba.  
9 Q. Samuel Jabba?  
15:40:45 10 A. Yes.  
11 Q. So when did Samuel Jabba stop working for you, then, so  
12 that you didn't have one, as you told us, in Buedu?  
13 A. You mean '98?

14 Q. Yes.

15:41:00 15 A. Well, I did not have any job which an adjutant should  
have

16 done. That was why I did not bother him to stay with me. He  
was

17 in his home town Dia.

18 Q. So when did you, if at all, employ an adjutant after  
your

19 time in Pendembu, or during your time in Pendembu?

15:41:27 20 A. Well, when I went to Kono, in December '98.

21 Q. Well, why did you take one at this stage?

22 A. Well, it was the same man that I called because, during  
23 that time, I was going to take up an assignment. In that  
24 particular assignment, I had the last say in the area and,  
15:41:55 25 because of that, I was supposed to have an adjutant. Because  
I

26 was the commander who was going to base in Kono, or who was  
going

27 for the attack on Kono, so I was supposed to have an adjutant.

28 Q. And when did Superman have an adjutant, from 1996  
onwards;

29 when did he have one?

SCSL - TRIAL CHAMBER I

was  
I  
15:42:40  
the  
but  
before

1 A. Well, I had told you that, I said, all the time the RUF  
2 in the jungle, I was not there, and I wouldn't be able to tell  
3 you the exact month or the year when Superman had an adjutant,  
4 from '94 to '97. I can only tell you that, when I was -- when  
5 met with the AFRC for the first time in Freetown, I saw Jusu,  
6 fellow, they called him JU, who was the adjutant to Superman,  
7 I did not know the exact time that he had been an adjutant  
8 that time.

9 Q. Do you know if he had an adjutant, in Kono, in 1998?

15:43:03 10 A. Well, it was the same JU who was the adjutant for him in  
11 Kono.

12 Q. All right. Now, where was the radio set in Pendembu in  
13 relation to your house?

which  
15:43:31 14 A. Well, it was the house which was before the house in  
15 I lived. There, the set was.

16 Q. Would you go to the radio set personally?

17 A. Well, I used to go there if I wanted to send a message,  
18 which was a quick message, if I did not want to call the  
19 operator, or if the operator -- Bockarie wanted to talk to me,  
15:44:01 20 and the operator would call me and I'll go there. Besides  
this  
21 incident, I would not just sit there to monitor.

22 Q. Well, did you have anybody monitoring the radio set?

23 A. Well, during '98, it was only one monitoring that was in  
24 Buedu. But in Pendembu, we did not monitor. To say that, we  
--  
15:44:24 25 we had a set which was only there to monitor. It was only in

26 Buedu that it was with Bockarie.

27 Q. Now, before I just delve into that in more detail, were  
28 there other radio sets in Pendembu and at those front lines  
we've  
29 heard about, in 1998?

SCSL - TRIAL CHAMBER I

Page 17  
SESAY ET AL

15 MAY 2007 (Amended) OPEN SESSION

1 A. Well, before I went there, yes. Denis Lansana had a  
set,  
2 but when I arrived there --

3 Q. Just give us who was there when you arrived and who  
4 remained, during your time in Pendembu?

15:45:02 5 A. Before I arrived there, it was Denis Lansana that was  
6 there.

7 Q. As a radio operator?

8 A. No.

9 Q. What I'm interested in was whether there were other  
radio

15:45:17 10 sets in Pendembu or at the front lines, which you've told us  
you  
11 were supervising, during your time in Pendembu?

12 A. Well, there was a set at Pendembu before I went there,  
and

13 there was a set in the three targets. Including Baiwala,  
there



14 was also a set there.

15:45:39 15 Q. Is B-E-R-A-W-A -- sorry, my spelling is appalling. Is  
it

16 B-E-W-A-L-A?

17 A. It's B-A-I-W-A-L-A.

18 Q. Okay. Thank you. So there was a radio set in Mobai,  
19 Baima, and Kuiva, and Baiwala?

15:46:08 20 A. Well, there was a set at Baima; there was a set at  
Mobai;

21 there was a set at Kuiva; there was a set at Baiwala. Baiwala  
22 was very close to the borderline, so the set that was at  
Baiwala

23 was for the rear, towards the border.

24 Q. Now, in 1998, how often was your set communicating with  
15:46:35 25 these front line sets? Just give us a picture of the type of  
26 frequency of communications, please.

27 A. Well, just like I told you, I said, I would not be able  
to

28 show how many frequencies were in the set. But the set at  
29 Pendembu had been operating on a daily basis to receive  
messages

SCSL - TRIAL CHAMBER I

Page 18

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

Baiwala 1 and transmit messages to the front line target, including

2 or the set at Buedu.

monthly

3 Q. Well, was there communication on a daily, weekly,

4 basis? What kind of communication between these various sets

15:47:23 5 that you've talked about?

6 A. Well, the set at Baima, Mobai, Kuiva, they communicated

7 with my own set at Pendembu on a daily basis, because every

8 morning they would tell my station, that there was no problem.

9 There has been no attack from the enemies. So, that was on a

15:47:44 10 daily basis.

11 Q. Well, would anything other than -- well, how often would

12 situation reports come in to you at Pendembu from the front

13 lines?

14 A. Well, based on what would happen at the front line, if

15:48:05 15 there was any attack, they would send to me and they would say

or

16 that they had attacked Baima, or that they attacked Benduma,

17 they had attacked Kuiva.

18 Q. And would these communications come through general

19 frequencies or subfrequencies, generally?

15:48:22 20 A. Well, if it was information to only show that enemy had

But

21 attacked, it would be spoken through the general frequency.

22 if they wanted to send a message, they would shoot onto a

general

23 subfrequency, because did not send a message through the

24 frequency, which was the national. So they were only there to

15:48:46 25 contact the stations that you wanted to --

26 THE INTERPRETER: Your Honours, would the witness go a

27 little bit slow.

28 MR JORDASH:

29 Q. Sorry, go back, Mr Sesay, last two sentences.

SCSL - TRIAL CHAMBER I

Page 19

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

1 A. I said, for example, if they attacked Baima, then the  
2 operator at Baima would call my own operator in Pendembu on  
the  
3 national frequency. Then he would say -- he would tell him to  
4 shoot [as interpreted] to another frequency through which he  
15:49:18 5 would send a message, to say that they had been attacked.

6 Q. So what kind of messages would go through the  
subfrequency?  
7 Was it just attack messages, messages about attacks, or were  
8 there other types of communication?

9 A. Well, other type of communication would go through,  
because  
15:49:40 10 the procedure -- the operators were trained, and they would  
tell  
11 them that they should not send a message on the national  
12 frequency.

13 Q. But what kind of detail would be communicated over the  
14 subfrequencies? What kind of detail needed to go on the  
15:49:56 15 subfrequencies rather than the general frequency?

16 A. But if you engage the general frequency, then how would  
the

that's 17 other stations be able to contact the other stations? So  
18 why you should switch over to another frequency.  
question 19 Q. Yes. I am not sure if there is a problem with my  
15:50:19 20 or the translation, or what, but what I'm asking is: you've  
told 21 us that subfrequencies were used for information which was to  
be 22 kept private; am I correct so far?  
23 A. Well, I mean --  
it 24 Q. No, no, don't leap into an explanation, just answer. Is  
15:50:41 25 right that that's what you've said so far?  
26 A. Yes, yes.  
27 Q. Now, when you were in Pendembu, as commander there, what  
28 kind of detail did you have or expect to have communicated to  
you 29 from the front lines on the subfrequencies?

SCSL - TRIAL CHAMBER I

Page 20

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

1 A. Well, my own job was to just receive radio messages from  
2 the operator. Then I would read these messages. If it was a  
3 problem that I was able to solve, then I would take action to

the 4 solve that problem. If I was not able to, then I would pass  
15:51:25 5 information to Bockarie. Like, for example, if it was an  
6 attack -- if it was an attack message, then I would tell the  
7 radio operator to send the same radio message to Sam Bockarie  
so 8 that he would know.

9 Q. No. It's -- I'm going to just try once more: What  
15:51:44 10 information did you regard as private and therefore  
communicated 11 with the front lines on the subfrequencies?

12 A. Well, that was not private. This was about the RUF. An  
13 attack was a general business. It was not private.

14 Q. Right. That's what I'm getting at. What was private so  
15:52:15 15 that you communicated on the subfrequencies?

16 A. Well, for example, if an officer was at Baima, and he  
had a 17 friend that he wanted to talk to at Pendembu, he would talk to  
18 the operator. Then they would talk to the operator in  
Pendembu.

19 Then they would leave the national frequency and they would go  
to 20 the subfrequency. Then they would communicate and they would  
15:52:36 21 converse.

22 Q. Well, what about RUF operations? Was any of that on the  
23 subfrequencies when you were in Pendembu?

24 A. Well, it was the same frequencies, but the problem was  
that 25 the messages were coded.

26 Q. Okay.

27 MR JORDASH: I'll come back to this. I think we've got  
28 some communication difficulties today.

just

29 JUDGE BOUTET: Just to complicate it a bit more, I'm

SCSL - TRIAL CHAMBER I

Page 21

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

there

national

15:53:30  
call

private,

It

15:53:55  
code

the

15:54:18

1 trying to understand this subfrequency and this coding. My  
2 understanding was what has been referred to as the national  
3 frequency, whereas the witness -- as Mr Sesay has said, if  
4 is an attack, they are discussing an attack, it's on a  
5 network, you don't go on private one. But to go on what you  
6 a private one, Mr Sesay, it means that you and the person that  
7 you're calling both have access to the code. So it is  
8 but anybody that would have access to the code could hear what  
9 you are talking; am I understanding what you're saying right?  
10 will not be on the national network, but anybody having the  
11 could, in theory, listen to what you say?  
12 THE WITNESS: Of course, My Lord, as long as you have  
13 code, if a message is transmitted on the code and you had the  
14 code, you would understand what transpired.

JUDGE BOUTET: And the commanders, or the senior

16 commanders, had the code? I mean, if we are talking RUF  
17 commanders, senior RUF commanders would normally have these  
18 codes?

19 THE WITNESS: No, My Lord, it was not we, the commanders  
15:54:32 20 that would have the code. The code belonged to the radio  
21 operators. They were the ones that had the codes. The radio  
22 station commanders, they were the ones that had the code.

When

23 they received a message, they would decode these messages, and  
24 they would write the message and they would give you, the  
15:54:47 25 commander, to read it. And you, the commander, would respond  
and  
26 they would decode it again and send the radio message.

27 JUDGE BOUTET: When I said the senior commander, I mean  
28 your radio operators. Senior commanders had radio operators  
29 assigned to them. And your radio operators or radio operators  
of

SCSL - TRIAL CHAMBER I

Page 22

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

1 senior commanders would get these messages, or will have those  
2 codes and then would decipher the code and give the message to  
3 you; that's the way it worked?

4 THE WITNESS: Yes, My Lord, but it was based on whether  
my

15:55:24 5 own radio operator was monitoring the message. Because, for  
me, 6 example, if I and -- Mr Jordash would send a radio message to  
7 then Sareta, for example -- Sareta, for example, was in Kono,  
was 8 Jordash was in Buedu, and I was in Pendembu. Then if Sareta  
9 going to send a radio message to Wayne, which was coded, if I,  
15:55:50 10 was who was at Pendembu, if I did not monitor the time that  
frequency, 11 Sareta was telling Wayne that -- go to such and such a  
12 I would not be able to monitor that conversation.

13 JUDGE BOUTET: Thank you. Thank you.

14 MR JORDASH:

15:56:05 15 Q. If you did, however, hear the message go out on the  
general 16 frequency, what was the situation in terms of your radio  
operator 17 going, as well, to that subfrequency? Do you understand my  
18 question? If -- just staying with the example, you hear me  
say 19 to Ms Ashraph, "Go to a subfrequency," or your radio operator  
15:56:39 20 hears that message, so you, as the radio operator, know I am  
21 going to communicate with Ms Ashraph on this subfrequency;  
what 22 do you do, as the radio operator who has heard that? Do you  
go 23 to the subfrequency to monitor or do you stay? What's the  
24 situation?

15:56:59 25 A. Well, if my own operator had monitored the message which  
26 you had told Sareta that you -- you had asked Sareta to go to  
27 that frequency, my own operator would go to that frequency and  
28 would monitor the message. But if, like now, you are a  
29 commander, a senior commander, and Sareta was also a senior



SCSL - TRIAL CHAMBER I

Page 23

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

a 1 commander, and I, myself, were a commander, if you would send  
2 message to Sareta, my operator will not be interested in  
3 monitoring the information because, even if he monitored, it  
4 would not have an effect.

15:57:40 5 Q. Well, okay. Let me put a direct question then: What  
kind  
6 of -- we'll come to the specifics later, but what kind of  
7 percentage of messages, say, from Bockarie to Koidu, would  
your  
8 radio operators be monitoring, during your time in Pendembu?  
And  
9 I'm speaking about those which were on the subfrequency. What  
10 kind of percentage; do you know?  
15:58:10

11 A. Well, at this time, my operator, except if you meet him  
12 communicating, then, during that time, he would be able to  
13 monitor. But even if he monitored, I mean, if he felt that he  
14 was to tell me, then he would tell me and if he felt that it  
was

15 not necessary because the operator himself, my operator  
16 himself,  
17 knew that the operation in Kono, in '98, it was directed from  
Buedu, it was Bockarie who directed the operation --

18 THE INTERPRETER: Your Honours, would the witness go a  
19 little bit slow so as to give the interpreter the opportunity  
to  
15:58:56 20 interpret accurately.

21 MR JORDASH:

22 Q. Just go back a few sentences, Mr Sesay, please?

23 A. Should I repeat what I said?

24 Q. Yes, please.

15:59:14 25 A. Yes. I said, for instance, when I was at Pendembu, then  
26 Superman was in Kono, Bockarie was in Buedu. The operation in  
27 Kono, it was controlled by Bockarie and all messages that came  
28 from Kono were to -- straight to Buedu, and the message from  
29 Buedu were to go straight to Kono. So these kinds of  
operation,

SCSL - TRIAL CHAMBER I

SESAY ET AL

Page 24

15 MAY 2007 (Amended)

OPEN SESSION

1 during that time, were not necessary for -- to be monitored by  
my  
2 operator, because he knows that I was not part of the  
operations  
3 in Kono.

4 Q. Now, it may be an obvious question, but if your radio  
15:59:52 5 operator in Pendembu was monitoring a subfrequency message  
6 between Bockarie and Superman, could your operator monitor, at

Kuiva 7 the same time, messages from the front lines, Mobai, Baima,  
8 and Baiwala, could that be done at the same time or would, by  
9 monitoring a message between Bockarie and Superman on the  
16:00:19 10 subfrequency, that would mean no other messages could be  
listened  
11 to? A long question, I know.  
12 A. Yes, but I'll respond to that. My operator would not be  
13 able to monitor, I mean, Bockarie's set and Superman's set and  
14 receive messages from Baima; he would not be able to. His own  
16:00:43 15 operation was purely to receive messages from the front line  
and  
16 send instructions. So if he left that and monitored the  
17 subfrequency between communication in Kono and Buedu, then he  
18 would not be able to, even he is contacted from Baima, they  
will  
19 not be able to get him.  
16:01:01 20 Q. Now, we'll come back to some specifics later. Let's  
just  
21 remain in Pendembu, and if you can explain to us what you were  
22 doing in Pendembu on a day-to-day basis, please? What would  
be  
23 your day?  
24 A. Well, in the morning when I got up, I would, at times --  
16:01:28 25 because, during the time that I went to Pendembu, it was  
during  
26 the rainy season. When I got up in the morning, I would wash  
my  
27 face and we'd go to parade. And after the parade, I would  
come  
28 and I would wash, and I would have breakfast.  
29 Q. What would happen at parade?

from 1 A. Well, all the RUF that were at Pendembu would queue,  
2 after that, we'd pray. And, if it is Muslim, we would read  
3 Alfatiya. From that, we would say the Lord's Prayer. So both  
4 Muslim and Christians, one RUF would lead the prayers, and the  
16:02:07 5 Muslim and the Christians would also lead the prayers. After  
6 that, the commander would report the parade to me. When the  
7 commander reported the parade to me, then I would take over  
the 8 parade, then I would greet the men. Then they, themselves,  
would 9 respond to my greetings. Then, if I had anything to talk, and  
I 10 will say it. If I had spoken, then I would ask if there was  
16:02:29 11 any problem. So if there was any RUF fighter within that  
formation, 12 who had a problem, he'd say that, "Yes, sir. I am ill-  
disposed, 13 I have such-and-such a problem." So it was like passing  
14 information and knowing how the men were doing on the ground.  
16:02:52 15 You see, that was what was in the parade.

16 Q. And, after parade, what would you do?

17 A. I'd walk back to my house because the distance where the

18 parade was, '98, when I was in Pendembu, the distance was just  
19 like -- the distance was like the gate to Kingharman Junction,  
16:03:19 20 almost to Kingharman Junction. That was the distance. So I  
21 walked from there, go to the parade and return.  
22 Q. Well, what did you do? I'm interested in your function,  
23 Mr Sesay, within the RUF, at this time.  
24 A. Well, that's what I'm explaining. After the parade,  
I'll  
16:03:38 25 go to my house, then I can take a bath. I had breakfast and,  
if  
26 there was a radio message from the front line, the radio  
operator  
27 would bring it and I would respond to the front line  
commanders  
28 that were in Mobai, Baima and Kuiva. Then if there were no  
29 problems at the front line, during the daytime, we used to

SCSL - TRIAL CHAMBER I

Page 26

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

1 play --  
2 Q. Did you say if there were no problems at the front line?  
3 A. Yes. I said, if there was no problem at the front line.  
4 [RUF15MAY07B-MC]  
16:04:05 5 Q. Did you say: "If there was no problems at the front  
line"?  
6 A. Yes. I said if there was no problem at the front line,

7 then we would sit together with my colleagues. We would play  
8 draught, but if there was a problem, then I would organise men  
9 from Pendembu to go and reinforce Baima, but if it was Kuiva I  
16:04:39 10 would organise men to go and reinforce the target, so that  
they  
11 would repel the attack.

12 Q. And what was the frequency of attacks on these front  
lines  
13 during this period?

14 A. Well, the ECOMOG and the CDFs were attacking, they were  
16:05:02 15 attacking these positions from Baima, during '98. Mobai,  
Kuiva  
16 and Baima.

17 Q. Now, let me just try to go through -- right. How often  
18 was -- was there an Alpha Jet attacks during 1998?

19 A. Yes. The Alpha Jet gave us hard time more than the  
front

16:05:37 20 line because it used to come almost, sometimes on a daily  
basis,  
21 sometimes a day would past. It came and it used to attack  
22 Pendembu, Kailahun, Giema. In fact, it used to drop cluster  
23 bombs even in the farms. Wherein they saw civilians, they  
24 dropped cluster bombs there.

16:06:01 25 Q. Was there a set procedure when the Alpha Jet came?

26 A. Well, for example, if it came through Daru, then the  
27 operator at Baima would -- would talk through the national  
28 frequency and call to all stations and inform everybody that  
the  
29 Alpha Jet had come and it was heading towards Pendembu, we at

Page 27

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

1 Pendembu got the information and those in Kailahun and Buedu  
2 would also get the information. That was the procedure when  
the  
3 bell was rung because we passed -- we would pass the  
information  
4 like Pendembu.

16:06:45 5 Q. What did you do as commander, if anything?

6 A. Well, when I was at Pendembu, I told the G5 to inform  
all  
7 the civilians that were in Pendembu if they heard the sound of  
8 the bell during the day, then they should know that the Alpha  
Jet  
9 have come. So if my radio operator received a message from  
16:07:14 10 Baima, then he could inform me then the bell would be rung, so  
11 everybody in the town would know that the Alpha Jet was on the  
12 way coming.

13 Q. And what would they do?

14 A. Well, they will -- they used to run and get into the  
bush

16:07:34 15 and during that time the jet caused some problems, so I used  
to

16 tell the civilians that the best way that they were to protect  
17 themselves from the jet, 6.00 in the morning, let everybody

enter

18 the bush around Pendembu, or in the surrounding villages or,  
if

19 you have your farm, you go to your farm. Then they would stay  
16:08:07 20 there for the whole of the day. Then they would start  
returning  
21 to the Pendembu Town from 6.30 in the evening. That was what  
was  
22 happening.  
23 Q. Okay. Let me just take you through, if I can, some of  
the  
24 administration there. You've told us that John Gavawo was G5;  
is  
16:08:31 25 that right, sorry, was IDU?  
26 THE INTERPRETER: The interpreter did not get the name  
of  
27 the IDU.  
28 MR JORDASH: John N-G-E-V-A, sorry, Gavawo, I think is  
how  
29 you say it. And it was spelt on Friday G-A-V-A-W-O.

SCSL - TRIAL CHAMBER I

Page 28

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

commander 1 THE WITNESS: Yes, I said John Gavawo was the IDU  
2 in Pendembu in '98.  
3 MR JORDASH:  
4 Q. How often did you see him during 1998?  
16:09:09 5 A. Well, from May to November 1998, we would see each other  
on



6 a daily basis because every morning we met at the parade,  
except  
7 when he was ill or I fell ill, or when I am not in Pendembu  
and  
8 not going on parade, but we would see each other.  
9 Q. Did he report -- what kind of things did he report to  
you?  
16:09:48 10 A. Well, for example, if his IDU agent who was at Baima --  
11 Q. Who was that?  
12 A. I said for example. Mr Jordash, I think this thing has  
living  
13 taken a long period. I wouldn't be able to recall every  
14 RUF's name. How many years now since we disarmed? This event  
16:10:17 15 occurred in '98. I wouldn't be able to recall all the names.  
16 Q. Okay. If you can't remember that is perfectly  
acceptable.  
17 Well, let me ask you this: Just a moment please. You were  
just  
18 in the middle of saying what he reported to you concerning an  
19 agent from Baima?  
16:10:47 20 A. Yes. I said John Gavawo got an IDU that was at Baima,  
you  
21 know. If any problem happened between the RUF, amongst the  
RUF  
22 at Baima or fighters left Baima, or the command -- the  
commander  
23 did not give the ration that was due the RUFs at Baima, that -  
-  
24 the IDU agent will send information to John Gavawo at Pendembu  
16:11:19 25 and John Gavawo would explain to me that such-and-such a thing  
26 had happened at Baima.  
27 Q. Okay. And what was your role? Were you expected to  
28 intervene with all complaints or not?  
29 A. Well, when I got the report, it the problem -- I, as the

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

1 commander in Pendembu, if I was able to solve the problem I'll  
2 drive to Baima and I'll call the commander and officers  
together  
3 and talk to them about how to solve the problem. I will solve  
4 the problem and return to Pendembu. But if it was a problem  
that  
16:11:56 5 needed the attention of Bockarie then I will send a message to  
6 Bockarie for his own approval.  
7 Q. Okay. How many G5 members were there in Pendembu and  
the  
8 front lines, during your time there?  
9 A. Well, we had Foray, then we had --  
16:12:18 10 Q. Is that F-O-R-A-Y?  
11 A. F-O-R-R-A-Y, Forray.  
12 Q. Is that his full name?  
13 A. Well, I -- I know his first name. I've just forgotten.  
14 Q. Go on.  
16:12:40 15 A. I said you had Forray, you had this other man.  
16 Q. How many in total, do you think, G5?  
17 A. Well, the ones -- these were the two men that worked  
with

Forray 18 me in Pendembu. There were two G5 that were in Pendembu.  
19 and, oh my God, I think I can recall his name later.  
16:13:23 20 Q. Okay. What about in the front lines, were there G5  
there?  
21 A. Well, these front lines, we did not have G5 there  
because  
22 G5, G5 was between the RUF fighters and the civilians. And  
these  
23 front lines contained purely RUF fighters: Mobai, Baima and  
24 Kuiva. So you would only find G5 where -- in the same, the  
safe  
16:13:59 25 zone behind the RUF, behind the front line. That was where  
the  
26 G5 were. The G5's man, yeah, I have recalled his name. His  
name  
27 was Jameru.  
28 Q. Can you spell that, please?  
29 A. I think it's J-A-M-A-R-U. Or J-A-M-E-R-U. Jameru.

SCSL - TRIAL CHAMBER I

Page 30

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

to 1 Q. Did you -- does the name Mohamed Bockarie mean anything  
2 you? Did you know him?  
3 A. Yes. He was the MP clerk at Pendembu MP station. But  
he  
4 left Pendembu in September with Mohamed Jalloh when Bockarie

16:14:56 5 transferred Mohamed Jalloh from Pendembu to Kono.

with 6 Q. Right. Did the G5 in Pendembu have any role to play

7 the farming?

8 A. Well, I did not see RUF farms in Pendembu in '98. The

9 farms that were in Pendembu were civilians' farms.

16:15:24 10 Q. Well, was there any farms, RUF farms, just outside of

11 Pendembu?

RUF 12 A. Well, Pendembu and the surrounding areas, there were no

13 farms there. I said, it was the civilians who were in the

14 surrounding villages, who had farms and swamps by themselves.

16:15:54 15 Q. Well, did the G5 have anything to do with these farms?

16 A. No. G5 had nothing to do with the farms. The G5s were

17 responsible for coordinating the civilians in terms of

religious 18 matters, because they used to make the Muslims gather

together. 19 They read the Koran on Fridays, for the RUF. And -- and if a

16:16:30 20 village, from Pendembu to the village, the bush road was bushy

21 then the G5 would coordinate the civilians to brush their bush

22 roads.

23 Q. Does the place Sogbagbehun mean anything to you?

24 THE INTERPRETER: The interpreter cannot get the name

16:16:48 25 exactly.

26 MR JORDASH:

27 Q. Sogbagbehun. S-O-G-B-A-G-E-H-U-N?

28 A. So, what?

29 Q. Let me try and make myself clear because it is probably

my

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

1 pronunciation but a witness said that there was forced farming  
2 between Pendembu and Gihun?

3 A. No, that I don't know.

4 Q. Well --

16:17:28 5 A. And that's why I've said, and that was what I knew, it  
6 wasn't the RUF commanders or fighters that were responsible

for

7 farms. It was the agric unit that was responsible for farming  
8 and all members in the agric unit were civilians.

9 Q. But if there was any farming in that region, in between  
16:17:58 10 Pendembu and Gihun?

11 A. When I used to drive from Pendembu to Gihun, very close  
to

12 Gihun, civilians had their farms. I used to see them working  
in

13 their farms and civilians had their farms between Gihun and  
14 Mende Buima.

16:18:32 15 Q. Okay.

16 A. And before I arrived in Kailahun in February, most of  
the

17 civilians had cleared their farms because people cleared their  
18 farm from January to February.

arranging 19 Q. Did the G5 in Pendembu have anything to do with  
16:18:55 20 work?  
21 A. I said the only work I knew about the G5, if a bridge  
was 22 damaged, they will talk to the civilians to resuscitate that  
the 23 bridge. And if the road got bushy between the villages where  
24 civilians lived, the G5 would organise the civilians. This  
16:19:31 25 village will clear halfway distance and the other village will  
do 26 the same, just like that. That was what I knew, but the G5  
was 27 not in charge of farming.  
28 Q. The type of work you've just talked about, was this --  
were 29 the civilians compensated for this work?

SCSL - TRIAL CHAMBER I

Page 32 SESAY ET AL  
15 MAY 2007 (Amended) OPEN SESSION

themselves 1 A. Well, this, it was for the safety of the people  
2 because, for example, like Gihun and Mende Buima in '98, or  
bushy 3 Gihun and the bush road to go to Giema, if the road became  
to 4 and the grass covered the road, the people would not be able  
16:20:22 5 walk through that road. It became dangerous because you find

6 snakes there. So, even today, they're brushing their bush  
roads.

7 It was in their own interest.

8 Q. Well, was it forced work?

9 A. Well, they would not force them. The G5 will tell them  
16:20:42 10 that, look at your road, it is now bushy. It is better for  
you

11 to brush it so that you will avoid snakes on the road.

12 Q. And -- right. Yep, good question. What happens when  
the

13 roads get bushy? Why was it important that they didn't?  
Sorry,

14 can I just take a moment?

16:21:08 15 PRESIDING JUDGE: Leave granted.

16 MR JORDASH:

17 Q. Did RUF in Pendembu have anything to do with medical  
18 treatment?

19 A. Well, let's go through the road issue before we can  
proceed

16:21:38 20 because you asked -- you said how many times. And you can  
only

21 brush a bush road only once in a year. During the rainy  
season

22 it becomes bushy and after which you do it next year.

23 Q. Is this done now or was it just done then? Is this  
24 something that has to be done regularly or something to do  
with

16:22:02 25 the war, or --

26 A. Well, I believe that even now, I strongly believe that  
even

27 now, like between Giema and Sembahun or Talia, they are bush  
28 roads. You wouldn't expect the civilians in Pendembu to go  
and

29 brush the road for those in Giema and Talia. They themselves

SCSL - TRIAL CHAMBER I

Page 33

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

1 will have to brush the roads and stop at the boundaries.

do

2 Q. Right. Medical treatment. Did the RUF have anything to

3 with that when you were there?

he

4 A. Yes. Dr Kuragbanda was with me in Pendembu in '98 and

16:23:01

5 used to give free medical treatment to both civilians and the

6 RUF.

7 Q. What's -- can you spell his name?

8 A. K-U-R-A-G-B-A-N-D-A, Kuragbanda.

9 Q. Was there a hospital in Pendembu?

16:23:23

10 A. Well, they used one house because the jets had destroyed

11 the hospital, the hospital. That was what I said four or five

12 days ago.

there?

13 Q. Where were the drugs coming from? Were there drugs

14 Where were they coming from, if there was?

16:23:45  
That

15 A. Well, Dr Kuragbanda used to take supplies from Buedu.

16 was where the medicine store was located.

17 Q. Did all the supplies for the RUF activities and civilian



18 activities come from Buedu?

19 A. Well, only medicines, only medicines. Because civilians  
16:24:20 20 used to take their produce to the Guinea borders. There they  
21 bought basic needs, condiment for themselves, and it was only  
22 medicine that the RUF gave out free to the civilians.

23 Q. Was there a school in Pendembu?

24 A. Well, in late -- in early '98, because of the air raid,  
no.

16:24:46 25 But late '98, there was schooling, continuously in '99, until  
the

26 end of the war.

27 Q. When -- where was the school in late 1998? Did it have  
a

28 name?

29 A. Well, the name was a general name. Free primary school.

SCSL - TRIAL CHAMBER I

SESAY ET AL

Page 34

15 MAY 2007 (Amended)

OPEN SESSION

1 RUF free primary school for the poor; something like that.

2 Q. And who went; which pupils went to the school?

3 A. Well, children between 6 years and 15 years used to go  
4 there. Even 17 years used to go there.

16:25:44 5 Q. Civilians and fighters or what?

6 A. Well, we -- the fighters' children and the civilians'

his 7 children all attended that school. Even my own child started

8 class one in Buedu in '98.

9 Q. Was there a church in Pendembu or a mosque?

16:26:38 10 A. There was a church, there was a mosque, but because of  
the

11 air raid in '98 people were afraid to live in the town but  
from

12 late '98 until '99 people went for services in the church and

13 people offered prayers in the mosque on a daily basis.

14 Q. Sorry, I should have asked this: Were the schools --  
did

16:27:12 15 the schools charge for education or did the school charge for  
16 education?

17 A. No, no. They didn't pay; it was free. It was the RUF  
who

18 provided the school materials, and the RUF provided food for  
the

19 teachers, and the teachers were not paid by the RUF because it

16:27:42 20 was voluntary but the RUF provided food and condiment for

21 teachers, and the head of the education was a woman called  
Jemba

22 Ngobeh.

23 Q. Can you spell that, please?

24 A. I think it is J-E-M-B-A, Jemba. N-G-O-B-E-H. Jemba

16:28:06 25 Ngobeh.

26 Q. Do you know, are you able to say now how often you went  
to

27 Buedu, during your time in Pendembu?

28 A. Well, from May to September I did not go to Buedu. I  
can

29 only go to Buedu if I'm called by Bockarie but if he did not  
call

Page 35

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

1 me I wouldn't go there. I think you -- you got some document  
2 wherein some important meeting occurred in Buedu. I did not  
3 attend there. I did not attend those meetings. Bockarie did  
not  
4 call me.

16:29:16 5 Q. Well, I'd invite you to have a look at the document  
since  
6 you've mentioned it. This is not a document which is on the  
7 Defence exhibit list.

8 MR JORDASH: I understand it arrived after -- sorry, can  
I  
9 just speak to my colleague, please? Actually, I think I've --  
16:29:49 10 well, let me deal with it in this way: I've got an exhibit  
which  
11 isn't on the Defence exhibit list. We've informed the  
12 Prosecution that we want to tender it. They don't object to  
it  
13 and I would invite the Court to allow us to put it to Mr Sesay  
14 and in due course exhibit it.

16:30:10 15 PRESIDING JUDGE: Proceed, counsel.

16 MR JORDASH: Thank you. I've got copies for Your  
Honours  
17 and for my learned friends and also for the learned legal

informed,

18 officer. It was -- it was, I have just been reliably  
19 disclosed to us by the Prosecution after the exhibit filing.

16:30:57 20 PRESIDING JUDGE: Very well.

Thank

21 MR JORDASH: I've given them to my learned friends.  
22 you.

23 THE WITNESS: I think I should be given a copy.

24 MR JORDASH: I thought you had been given a copy; I beg  
16:31:46 25 your pardon.

26 PRESIDING JUDGE: Your client wants a copy.

27 MR JORDASH: I completely agree with you.

28 PRESIDING JUDGE: Yes.

need

29 MR JORDASH: I've just actually noticed that we might

SCSL - TRIAL CHAMBER I

Page 36

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

1 to see the original, just to confirm.

of

2 PRESIDING JUDGE: Yes, I could see the incomplete copy  
3 original.

4 MR JORDASH: Yes. A bit sloppy on my part, it has to be  
16:32:06 5 said. But it will serve its purpose, I think.

Because

6 PRESIDING JUDGE: So what would be your procedure?

it 7 if it's incomplete, then it might not be advisable to tender

8 at this point in time.

couple 9 MR JORDASH: Well, if I could simply ask Mr Sesay a

16:32:28 10 of questions --

11 PRESIDING JUDGE: Yes. Quite, quite.

12 MR JORDASH: -- I will have a look at the original, if I  
13 can, overnight and then I don't envisage there will be a  
problem

14 in exhibiting it tomorrow.

16:32:38 15 PRESIDING JUDGE: Well, we are entirely in your hands.

16 JUDGE ITOE: But don't you think that it would be better  
17 for you to embark on this exercise when you have seen the  
18 original? You are to do all of it at once, instead of  
starting

19 today and breaking up and coming back.

16:32:59 20 MR JORDASH: Well --

21 JUDGE ITOE: You may go on if you --

22 MR JORDASH: Only because the issue has come up so --

23 PRESIDING JUDGE: Well, let me ask: Are you certain  
that

24 there is in fact a complete original somewhere?

16:33:06 25 MR JORDASH: No, I'm not certain of that.

26 PRESIDING JUDGE: That is the difficulty so --

27 MR JORDASH: But what I am certain of is that --

28 PRESIDING JUDGE: But you think it contains matters that  
29 are relevant to your client's case?

1 MR JORDASH: Well, the point is a simple one: There's a  
2 meeting held in Buedu in August 1998. The man that the  
3 Prosecution says is second in command isn't there.

4 PRESIDING JUDGE: Yes.

16:33:29 5 MR JORDASH: The reason for that is because he is in  
6 Pendembu.

7 PRESIDING JUDGE: According to his answer he has  
8 volunteered some familiarity with this document.

9 MR JORDASH: Well, I'm not sure it's -- well, if I can  
ask  
16:33:40 10 the questions and elicit the answers --

11 PRESIDING JUDGE: Yes.

12 JUDGE BOUTET: I think it would be better that it comes  
13 from the witness than from you. This is, I would imagine, a  
14 fairly important issue.

16:33:47 15 MR JORDASH: Yes.

16 JUDGE BOUTET: If you want to put that to the witness.

17 PRESIDING JUDGE: Yes.

18 JUDGE BOUTET: I would prefer to hear that from the  
witness  
19 if this is part of his evidence.

16:33:56 20 MR JORDASH: Well, he has just said that.

21 PRESIDING JUDGE: Yes, quite.

was 22 MR JORDASH: That he wasn't in Buedu when this meeting  
23 held, but I take Your Honour's point.  
24 PRESIDING JUDGE: You can -- go ahead.  
16:34:06 25 MR JORDASH: But I --  
26 Q. You've seen that document before?  
27 A. Yes.  
28 Q. When did you first see the document, please?  
29 A. This? This was -- the first time I saw the document was

SCSL - TRIAL CHAMBER I

Page 38

SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

was 1 the time when you presented it to me at the detention. That  
2 the very first time I saw it.  
3 Q. Right. Were you aware of this meeting which it appears  
to 4 describe, in August of 1998, in Buedu?  
16:34:42 5 A. Well, really, this is not what -- you have an exhibit  
which 6 you had shown to me which contained the names of a lot of  
7 Vanguards that came from Kono when they came for a meeting at  
8 Buedu.  
9 Q. Well, I know -- I think I know what you're referring to  
but

16:35:04 10 we'll come to that shortly. But let me just ask you about  
this

11 meeting: Do you recall hearing about this meeting?

12 A. Yes. Bockarie used to hold meetings at Buedu and I  
recall.

13 So, if -- that I can recall that he had meetings in Buedu from  
14 May to November 1998. He held various meetings.

16:35:40 15 Q. Well, do you recall this particular meeting, which  
appears

16 to be a meeting about the movement in which these various  
17 characters attended, including Koker, Eldred Collins,  
Bockarie,

18 SYB Rogers and so on. Were you aware of this specific  
meeting?

19 A. Well, as I told you, a lot of meetings took place in  
Buedu

16:36:16 20 from May to November '98. There were various meetings held  
21 there.

22 Q. All right. I hear what you're saying but I'm asking you  
a

23 specific question. If you're not aware of it, you're not  
aware

24 of it. That is perfectly acceptable. Just say yes or no:  
Are

16:36:35 25 you aware of this meeting?

26 A. Yeah. I knew that Bockarie held a meeting in August in  
27 Buedu.

28 Q. Were you present at the meeting?

29 A. I wasn't there. Those that were present, their names  
are



1 on this list.

2 Q. And you are not present?

3 A. Because Bockarie did not call me. I wouldn't go there  
4 since Bockarie did not call me.

16:37:07 5 Q. Well, why did he not call you; do you know?

6 A. Well, yes. When I -- when I had lost the diamonds, I  
only

7 had the title of DFC, but during that time Bockarie  
marginalised

8 me and he did not allow me to take part in any important  
meetings

9 in Buedu, and I did not have decision during that time for me  
to

16:37:36 10 take any decision on anything pertaining the RUF, except I had  
to

11 seek advice or approval from Bockarie while I was in Pendembu.

12 Q. Okay.

13 PRESIDING JUDGE: So, have you now established some  
14 foundation for -- some evidentiary foundation for tendering  
the

16:37:59 15 document? You don't think so?

16 MR JORDASH: I hope so.

17 PRESIDING JUDGE: Well, I mean, under 89, it's relevant,  
18 but the question of what evidentiary purpose, or have you --  
it

19 is entirely up to you, I mean, quite frankly.

16:38:14 20 JUDGE ITOE: And there is no objection.

21 PRESIDING JUDGE: Yes.

22 MR JORDASH: I would invite Your Honours to have this  
23 document exhibited, please.

24 PRESIDING JUDGE: Right. Well, having regard to our  
16:38:24 25 flexible doctrine of admissibility of evidence, I don't see  
any  
26 difficulty if you want to tender it.

27 MR JORDASH: Well, I would hope even if it was an  
28 inflexible doctrine that this would be probative --

29 PRESIDING JUDGE: Well, we have adopted that all along.

SCSL - TRIAL CHAMBER I

SESAY ET AL

Page 40

15 MAY 2007 (Amended)

OPEN SESSION

be  
1 MR JORDASH: -- probative. But, yes, I would like it to  
2 exhibited, please.

3 PRESIDING JUDGE: Any objection, Mr Nicol-Wilson?

4 MR NICOL-WILSON: None, Your Honour.

16:38:45 5 PRESIDING JUDGE: Mr Cammegh?

6 MR CAMMEGH: No, on the contrary, Your Honour.

7 PRESIDING JUDGE: Prosecution, any objection?

objection  
8 MR HARRISON: I was just going to say there is no

9 but if the Court wishes the Prosecution to try to find a more  
16:38:54 10 complete document, we'll do that this -- well, unfortunately,

the 11 they are closed in 20 minutes but I'll do it first thing in  
12 morning to see if I can find a more perfect document.  
13 PRESIDING JUDGE: Well, that would be your preference;  
is 14 that satisfactory?  
16:39:08 15 MR JORDASH: It certainly is, and I will wait to --  
16 PRESIDING JUDGE: So we'll hold this in abeyance until  
we 17 have the original.  
18 MR JORDASH: I am grateful. Thank you.  
19 PRESIDING JUDGE: Let's proceed, counsel.  
20 MR JORDASH:  
21 Q. Did --  
22 MS KAMUZORA: Your Honour.  
23 PRESIDING JUDGE: Yes, Madam Courtroom Officer.  
24 MS KAMUZORA: The exhibit will be number --  
16:39:25 25 PRESIDING JUDGE: No, we are not going to. We will just  
26 hold it in abeyance until tomorrow morning.  
27 MS KAMUZORA: Thank you, Your Honour.  
28 MR JORDASH:  
29 Q. You've talked about muster parades in Pendembu: Were  
there

SCSL - TRIAL CHAMBER I

1 muster parades in Buedu during your time at Pendembu?

2 A. What the interpreter is saying I don't understand.

3 Q. Let's try again. You've talked of muster parades you  
held

4 in Pendembu during your time as commander there. Were there

16:40:03 5 muster parades held in Buedu?

6 A. Yes, yes. There were muster parades at Buedu.

7 Q. How often, as far as you are aware, were these held?

8 A. Well, muster parades were held at Buedu and they, too,  
had

9 muster parades held at the MP office.

16:40:29 10 Q. And what kind of people would attend these parades?

11 A. Well, the unit members who were in Buedu, and the MPs  
and

12 officers that were in Buedu, including Bockarie's bodyguards.

13 Q. How often were they held?

14 A. Well, the parade was held every day, morning and  
evening.

16:41:06 15 That was the way it was done at the MP office.

16 Q. And do you know the purpose of the parades?

17 A. Well, one, to pray in the morning and for the men to  
come

18 together, the MP commander or the adjutant to Bockarie, they

19 attended those parades.

16:41:34 20 Q. Did you ever attend the parade after your assignment to

21 Pendembu?

22 A. Yes. When I was in Buedu in late November '98, I  
attended

23 a parade until the time when I left in December '98.

24 Q. Was this when you were still assigned to Pendembu or  
after

16:42:04 25 that?

26 A. Well, it was the time when I had been withdrawn from

27 Pendembu in November late '98 when Sam Bockarie called me to  
go

28 from Pendembu to Buedu.

29 Q. Right, okay.

SCSL - TRIAL CHAMBER I

SESAY ET AL

Page 42

15 MAY 2007 (Amended)

OPEN SESSION

1 A. Sorry, sorry, the --

2 PRESIDING JUDGE: We'll take the break.

3 [Break taken at 4.40 p.m.]

4 [Upon resuming at 5.10 p.m.]

17:14:33 5 PRESIDING JUDGE: Continue, counsel.

6 MR JORDASH: Thank you, Your Honour.

7 Q. I want to ask you about, I want to ask you, in fact,  
8 about -- I'm sorry to do this, I've just realised I would like  
to  
9 apply to go into closed session. I know this is late in the  
day.

17:15:18 10 PRESIDING JUDGE: At this juncture?

11 MR JORDASH: Yes. I just -- if I can just have one  
moment

12 to see if I could do it without, because I note the time and  
no,

13 I don't think I can, I'm afraid.

14 PRESIDING JUDGE: Is it quite a big segment of your  
17:15:32 15 examination-in-chief? Take us about how long in closed  
session?

16 MR JORDASH: Well, in truth, I think I'm coming to a  
point

17 where I could need to be in closed session for maybe up to two  
18 hours.

19 PRESIDING JUDGE: Yes. Well then, I mean, and that's  
why I

17:15:46 20 wanted some candour about it because if that is the case I  
don't

21 see any purpose being served in going into closed session now.

22 MR JORDASH: Perhaps I may --

23 PRESIDING JUDGE: Except we take the application, and  
then

24 we commence post-haste in the morning in the session.

17:16:03 25 MR JORDASH: Yes. In fact, it may be even up to three  
26 hours.

27 PRESIDING JUDGE: Well, good. Quite.

28 MR JORDASH: We need to go through several witnesses and  
29 what they have to say about --

SCSL - TRIAL CHAMBER I

Page 43 SESAY ET AL

15 MAY 2007 (Amended)

OPEN SESSION

1 PRESIDING JUDGE: Good. Well --

2 MR JORDASH: -- Mr Sesay.

3 PRESIDING JUDGE: With that estimation, we'll ask the  
4 members of the public to retire and, please, come back  
tomorrow.

17:16:27 5 Well, I doubt, whether, in fact, we should ask you to come  
back  
6 tomorrow because tomorrow is a half a day. Let us ask you to  
7 come back on Thursday morning, at 9.30. We thank you for your  
8 patience. Madam Courtroom Officer, please switch us to -- ask  
9 the experts to switch us to closed session hearing.

17:17:29 10 Yes, Mr Harrison.

11 MR HARRISON: During the brief break, I retrieved the  
12 original of the document that I think the Defence was seeking  
to  
13 tender as an exhibit and, as we are not quite in closed  
session  
14 yet, I was just wondering if this might be a way to use some  
of

17:17:50 15 the --

16 PRESIDING JUDGE: Yes. Perhaps we should conserve as  
much  
17 time as possible. Is the document available there?

18 MR JORDASH: It is, and I'm grateful to my learned  
friend.

19 PRESIDING JUDGE: The records show that there has been -  
-

17:18:02 20 there is no objection from anybody, so the best thing now is  
to  
21 receive it in evidence.

22 MR JORDASH: Yes, Your Honour.

23 PRESIDING JUDGE: And mark it Exhibit 199.

24 MR JORDASH: Just to be clear: The Prosecution want to  
17:18:10 25 tender the copy, rather than the original, which I'm content

but 26 with. The copy is a fuller copy than the one we had before,  
27 it's still an incomplete document. But it serves its purpose.  
copy? 28 PRESIDING JUDGE: So we are receiving in evidence the  
29 MR JORDASH: A copy, yes, without the edited section of  
--

SCSL - TRIAL CHAMBER I

Page 44 SESAY ET AL  
15 MAY 2007 (Amended) OPEN SESSION

nexus 1 PRESIDING JUDGE: Very well. Madam Courtroom Officer,  
2 please make some indication on that document to establish a  
3 between the document and this witness.

4 [Exhibit No. 199 was admitted]

17:19:09 5 MS KAMUZORA: Your Honour, I will be guided whether this  
is 6 a confidential or public exhibit.

7 PRESIDING JUDGE: Yes, it certainly is.

Prosecution 8 MR HARRISON: It's a public document, from the  
9 point of view, and I leave it to Defence counsel to --

17:20:04 10 PRESIDING JUDGE: Do you want it to be a confidential  
11 document?

12 MR JORDASH: No. It's public and there's nothing on  
there



13 that --

14 PRESIDING JUDGE: That's fine.

15 [At this point in the proceedings, a portion of the  
16 transcript, pages 45 to 51, was extracted and sealed under  
17 separate cover, as the proceeding was heard in a closed  
session]

18

19

20

21

22

23

24

25

26

27

28

29

SCSL - TRIAL CHAMBER I

Page 51

SESAY ET AL

15 MAY 2007 (Amended)

CLOSED SESSION

p.m.,

1 [Whereupon the hearing adjourned at 5.35

of

2 to be reconvened on Wednesday, the 16th day

3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

May, 2007, at 9.30 a.m.]

EXHIBITS:

Exhibit No. 199

44

WITNESSES FOR THE DEFENCE:

WITNESS: ISSA HASSAN SESAY

2