

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

FRIDAY, 18 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 Mr Christopher Boies
For the Registry:	Ms Advera Kamuzora
For the Prosecution:	Mr Peter Harrison Ms Penelope-Ann Mamattah Mr Karim Agha Ms Shyamala Alagendra
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

1 [RUF18MAY07A - MC]
2 Friday, 18 May 2007
3 [Open session]
4 [The accused present]
5 [The witness entered court]
6 [Upon commencing at 9.30 a.m.]
7 [The witness answered through interpreter]

8 WITNESS: ISSA HASSAN SESAY [Continued]

9 PRESIDING JUDGE: We're resuming the proceeding in open
09:48:42 10 session since we adjourned last night in open session. And do
I
11 recall correctly that you had indicated, Mr Jordash, that
you'll
12 want to move the Court into closed session this morning at
some
13 point in time?

14 MR JORDASH: At some point in time, yes; almost for
09:49:02 15 certain.

16 PRESIDING JUDGE: Right. Well, then we'll proceed in
open
17 session until you so indicate.

18 MR JORDASH: Thank you.

19 PRESIDING JUDGE: Right.

09:49:10 20 MR JORDASH: Yesterday, Mr Sesay wrote two names on a
piece
21 of paper. He subsequently referred to them in open session,
so

22 I'd invite Your Honours to exhibit the two names.

23 PRESIDING JUDGE: Very well. Did we go through the
usual

24 ritual? Well, let me for an abundance of caution, ask

09:49:36 25 Mr Nicol-Wilson whether he has any objection?

26 MR NICOL-WILSON: No objection, Your Honour.

27 PRESIDING JUDGE: And Mr Cammegh?

28 MR CAMMEGH: No, thank you.

29 PRESIDING JUDGE: Mr Prosecuting counsel?

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1 MR HARRISON: There is no objection. But can I just ask
if

2 Mr Jordash remembers where -- whether this is the two names
that

3 immediately subsequent to writing them we then -- the Court
then

4 did go into closed session?

09:49:56 5 MR JORDASH: It is.

6 MR HARRISON: Yes. There's no objection. I have all
the

7 names.

8 PRESIDING JUDGE: Right. We'll receive it in evidence
and

9 mark it -- Madam Courtroom Officer, what's the number?

09:50:04 10 MS KAMUZORA: Exhibit 200, Your Honour.
11 PRESIDING JUDGE: Exhibit 200. And please indicate
12 somewhere on that document the nexus between the exhibit and
the
13 witness.
14 [Exhibit No. 200 was admitted]
09:50:33 15 JUDGE ITOE: Please, let me have a look at Exhibit 200,
16 please. Here, here.
17 PRESIDING JUDGE: Yes, Mr Jordash.
18 MR JORDASH: Thank you, Your Honour.
19 EXAMINED BY MR JORDASH: [Continued]
09:51:14 20 Q. Good morning, Mr Sesay.
21 A. Good morning, Mr Jordash.
22 Q. Are you well?
23 A. Yes, I'm okay.
24 Q. Now, I want to continue asking you questions about the
09:51:33 25 attack from -- on Koidu Town then on to Makeni. I just want
to
26 ask you about the evidence given by TF1-141. Obviously, be
27 careful about saying anything which might reveal the witness'
28 identity; although I think the risk is less than with some of
the
29 other witnesses we were discussing yesterday. Now, this
witness

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remember 1 said that he was on the attack with you to Koidu; do you
2 this witness?

3 A. Yes. I can recall him, one four.

went 4 Q. And he described the attack as saying that the attack

09:52:41 5 to Gandorhun and at the point of Gandorhun the group was
divided 6 into further groups; did that happen?

7 A. Well, from -- it was a lie, but I'll explain. Because
8 February '98 to 2001 disarmament, Gandorhun was under our
9 control. So it was not possible for a fight -- for fight to
09:53:21 10 ensue in --

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

13 MR JORDASH: Right. I think we are just going to have
to 14 slow it down even more today, else we just -- everyone is
going

09:53:35 15 to get frustrated. It seems unnatural and it is unnatural but
do 16 your best, okay? It's not your fault. Start that answer
again.

17 THE WITNESS: I said that this witness lied because
18 Gandorhun was under RUF control in December '98, so there was
no 19 need for any fighting to have taken place.

09:54:05 20 MR JORDASH:

21 Q. Well --

22 A. Because it was in Gandorhun -- it was through Gandorhun

23 that we passed to go to Superman's Ground before we attacked
24 Kono. And if you recall that witness's testimony in this
Court,
09:54:19 25 he said before the attack at --
26 Q. Go back a sentence, please.
27 A. I said if you could recall that witness's testimony in
this
28 Court, the witness said before the attack in Kono he was with
the
29 group that I was heading. We cleared Bunumbu up to Koidu
Gieya

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1 and all this was a big lie, because at this time --
2 Q. I think there has been some confusion caused by me.
This
3 witness said that he was on the attack to Koidu, December
1998;
4 okay? He said that he left Buedu and he went with your group
to
09:55:15 5 Gandorhun; are you with me so far?
6 A. Yes. That was a lie. And I could recall that witness's
7 testimony. He said when we came from Buedu we came and
crossed
8 the Moa River and we went to Manowa. Then we cleared the road
up

was 9 to Koindu Gieya, through Bunumbu, Bandajuma, Yawei, and that
09:55:39 10 a big lie because, when we attacked Kono, on 16 December '98,
it 11 was ECOMOG that was -- it was ECOMOG and the CDF that had been
said 12 occupying Manowa, Bunumbu and Bandajuma, Yawei. So, if he
from 13 that we fought at Koindu Gieya, it was a big lie. Because
controlling 14 March 1998, to December '98, it was RUF that had been
09:56:22 15 the Koindu Gieya.

the 16 Q. This witness said that you passed through Gandorhun on
17 way to Koidu Town and said that at Gandorhun there had been a
the 18 division into groups, an advance group and a bulldoze team in
19 middle and a team at the rear.

09:56:56 20 A. That was a lie. That was a lie. We did not even hold a
We 21 meeting at Gandorhun. I did not spend a night at Gandorhun.

we 22 only passed through Gandorhun. It was at Superman Ground that
23 went and organised everything about the attack and there we
24 divided the men and we made a plan and we gave the standing
09:57:15 25 orders.

was 26 Q. And this witness says that in Gandorhun the ammunition
27 shared between the groups?

28 A. That was a big lie. If he -- if you look at the
29 Prosecutor's witness, he was at Superman's Ground before the

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1 attack, and he himself said that he took part in the attack on
2 Koidu. And he did not mention that we divided the group at
3 Gandorhun. He said that it was at Superman's Ground that we
held
4 the meeting and from there we left and went and attacked Koidu
09:57:55 5 Town, and that was the fact. And let me just look at his TF
6 number.

7 JUDGE BOUTET: I'm really getting confused now. Are we
8 talking the same witness when the accused is saying that the
9 Superman Ground the witness was there and so on. So are we
09:58:11 10 talking of the same witness or another witness? He did refer
to
11 the Prosecution witness. I'm guessing it's a different
witness
12 that he is making reference to, but it's getting very
confusing,
13 I must say now. Your client also said before it was a big lie
14 and he went to give that he was not there because the highway
was
09:58:27 15 controlled by CDF and so on. I don't think that was the
16 proposition you put to him but that's why I'm saying I'm
getting
17 confused in this. I know --

18 THE WITNESS: My Lord.

19 JUDGE BOUTET: Just wait, Mr Sesay. I'm just trying to

09:58:41 20 follow what's going on. So I know what you're doing; you are
21 putting allegations and evidence as it was led by the
Prosecution
22 and ask the witness if he agrees or disagrees and so on, but
to
23 be able to make sense of it it has to follow in some order.
24 Otherwise, I don't understand what is a lie and what's not.
So

09:59:01 25 it's up to you, Mr Jordash. I would imagine that you would
like
26 at least one of the judges to understand what the witness is
27 saying.

28 MR JORDASH: Point taken.

29 THE WITNESS: Mr Lawyer, would you please allow me to

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1 explain to the judge what I am saying so that he would
2 understand?

3 JUDGE BOUTET: Yes.

4 THE WITNESS: Thank you. The lawyer asked me, said that
09:59:31 5 141 said, 141 alleged that it was at Gandorhun that we divided
said 6 the group for the attack on Kono and I said it was a lie. I
7 if the Court would recall one of the Prosecution witnesses who

was 8 was TF -- who was TF -- TF1-367, he told this Court that he
9 at Superman Ground where we held the meeting and it was from
09:59:59 10 there that we left for the attack on Koidu Town. I said that
was 11 the truth. But for 141 to say that we divided the group at
12 Gandorhun. I said that was a lie. That was what I said, sir.

13 JUDGE BOUTET: Thank you, Mr Sesay.

14 MR JORDASH: I think you've already dealt with the point
10:00:23 15 about what the witness said about staying for one night in
16 Gandorhun, which you say you didn't.

17 THE WITNESS: That was a lie. We did not spend a night
at 18 Gandorhun.

19 Q. This witness said that when you and the group that he
10:00:47 20 claims to have been in attacked Koidu Town, the group was
divided 21 into companies. The first company was A Company; that was the
22 advance team. Those, the bulldoze team and the rear team.

The 23 question is: When you or your group attacked Koidu Town, was
24 there ever a division into the advance bulldoze and rear
teams?

10:01:37 25 A. Well, I just want to understand the question. You said
the 26 witness said that the advance team, the rear team and the
27 bulldoze team; is that what you mean?

28 Q. Yes, this is what the witness said was the division when
29 the group attacked Koidu Town?

1 A. That was a lie because I had explained yesterday how we,
2 how I divided in the groups. There were five groups and we
did
3 not give them names that this was the advance, this was the
rear,
4 this was the bulldoze team. That was a lie, because we were
not
10:02:17 5 moving. This was an attack. So that we would be able to
attack
6 the base. So it was different from what he said.

7 Q. Okay. Did you use a tactic referred to as the bulldoze
8 team; is that something that is familiar with you?

9 A. Well, we did not have any bulldoze team. The group that
I
10:02:48 10 knew about, which I divided, the ambush and the four groups
which
11 attacked Koidu Town. And the groups were five. This witness
was
12 talking about three groups. So all this will prove that he
was
13 not there. He did not know anything about this attack. We
had
14 five different groups. The ambush; the group that attacked
10:03:10 15 Kimberlite; the group that attacked Five-Five Spot; the group
Kuyor
16 that attacked the DO Barracks; and the group that came from
17 that attacked Hill Station.

18 JUDGE BOUTET: Now, Mr Jordash, I don't have the

19 transcript, I cannot check what you're saying, I accept what
10:03:32 20 you're suggesting to the witness, but you make reference to
the
21 evidence of that witness to be saying that the group was
divided
22 in company. The first, A Company, was -- I am just
paraphrasing
23 what you've said -- was composed of the advance team, the
24 bulldoze team and the rear team, which would seem to mean
that, I
10:03:55 25 don't know, if that witness, I don't have the evidence as I
say,
26 testified that there were more than one company. So, it's
just
27 that the witness said this is not the way it was structured
and I
28 recall the witness saying that they were divided in five
groups.
29 The evidence you're making reference to talks of one company
but

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more
1 it would appear that that witness testified that there was
2 than one company and the companies would appear to have been
3 subdivided in these type of groups. Do I -- do you understand
4 what I mean, Mr Jordash?

10:04:31 5 MR JORDASH: I think so. But the evidence I am afraid
6 isn't --
7 JUDGE BOUTET: I don't know. I'm just quoting from your
8 quote where you say the witness testified that the group was
9 divided in company. The one was -- first A Company was
composed
10:04:47 10 of -- so I'm just reporting what you've said.
11 MR JORDASH: Well, what the witness appears to have
said,
12 which is a bit unclear, is that the group was divided into
13 companies and the first company was the A Company, which
14 consisted of the advance team, the bulldoze team and the rear
10:05:08 15 team. I think Your Honour's understanding is how it was meant
to
16 be.
17 JUDGE BOUTET: Yes. Okay. As I say, I don't have that,
18 and I haven't checked that evidence to see what it is, because
I
19 just want to make sure that what you've been putting to the
10:05:22 20 witness is what that witness has testified to. That is what
you
21 have and that is what he said, that's fine with me.
22 MR JORDASH: What I'll do is I will check that. If, for
23 everyone's reference, it is evidence from 15 April 2005, page
107
24 of the transcripts.
10:05:41 25 JUDGE BOUTET: 107?
26 MR JORDASH: Page 107.
27 JUDGE BOUTET: Yes, thank you.
28 MR JORDASH: And I'll have that checked as well.
Because I
29 am working from summaries.

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1 JUDGE BOUTET: Thank you, Mr Jordash.

2 MR JORDASH:

3 Q. I want to ask you about some other evidence that that
4 witness gave, Mr Sesay, which is not strictly concerning Koidu
10:06:09 5 Town. Before I ask you that, can you ask you this: After the
6 attack on Koidu Town was there a plan, a new plan?

reported

7 A. Yes. I said that when I had captured Koidu Town I

was

8 to Sam Bockarie. Sam Bockarie gave instructions to me that

9 the new plan. He gave instructions to me. He said -- he said

10:06:39

10 Akim Turay should head the group to go to Tongo, through Jiama

he

11 Nimikoro, and we should go with 100 armed men. Then Kallon,

12 was already in the ambush position with 100 armed men. Then

another

13 Bockarie said Rambo should join Kallon at Gold Town with

road

14 150 armed men. So they were the ones that moved on the main

10:07:15

15 towards Makeni. That was the new plan.

new

16 Q. Let me be a bit clear: What was the objective of the

17 plan?

18 A. Well, the instructions that I got from Bockarie, and we
19 were fighting a war. If you attacked your enemy and your
enemy
10:07:34 20 had been running from you, what you would do is that you
pursue
21 him, because it was to gain ground. That was why we had been
22 fighting. If the enemy had put up resistance then we wouldn't
23 have been able to pursue them. But since they had been
running,
24 so Bockarie said we were to pursue them.

10:07:50 25 Q. Which ground were you seeking to take?

26 A. Well, the ground that they had been leaving when they
were
27 running. If when they arrived in Masingbi and they put up a
28 strong resistance so that we wouldn't be able to capture
29 Masingbi, then we would not have reached Masingbi. But since

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pursuing 1 when they saw us, they ran away, then we too continued
2 them.

3 Q. Was there a plan to go to Freetown, at this stage?

4 A. Well, before the attack on Kono --

10:08:51 5 PRESIDING JUDGE: Yes, Mr Prosecutor.

6 MR HARRISON: Your Honour, the Prosecution is mindful it
is
7 important for all of the evidence to be heard. In this
8 particular instance, it is a leading question in this
particular
9 context. We just ask if, in future, perhaps, a little bit
more
10:09:06 10 caution could be taken. We realise this is an accused and he
11 ought to be given latitude.

12 PRESIDING JUDGE: Thank you. Counsel, there is a veiled
13 objection that you've been leading this particular area. But,
of
14 course, I don't think it's been -- it's not stated as a formal
10:09:26 15 objection but, rather, a gentle or mild advice that you avoid
any
16 tendency to ask questions which might amount to leading
questions
17 and, therefore, infringe the rule of impermissibility against
18 leading questions. What is your response?

19 MR JORDASH: My understanding of a leading question is
that
10:09:58 20 the answer is suggested by the question.

21 PRESIDING JUDGE: And, of course, it could also be a
22 question on a contentious issue.

23 MR JORDASH: Well, I don't think it's contentious in the
24 sense the Prosecution allege that there is a plan to go to
10:10:14 25 Freetown. I simply asked Mr Sesay if that was true or not.
If
26 I'd said to Mr Sesay, it's true isn't it, that there wasn't a
27 plan to go to Freetown, then that would be a leading question.
28 But, "Was there a plan to go to Freetown," simply -- I don't
29 understand the objection.

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been
at
exist

1 PRESIDING JUDGE: Yes. Right. Well, since it hasn't
2 stated as a formal objection. Perhaps, all I think I can do
3 this stage is to remind you that, of course, these rules of
4 impermissibility in respect of examination-in-chief still
10:10:54 5 and are still in operation; notably the one against leading
6 questions. We can go on.

7 MR JORDASH: Your Honour, yes.

of

10:11:13
law,

8 PRESIDING JUDGE: Counsel, of course, is saying that he
9 recognises the there may well be some latitude here in respect
10 an accused testifying on his own behalf but, as a matter of
11 I don't think there is any such degree of latitude but, in any
12 event, I think we can proceed and hopefully that some of the
13 questions conform with the basic principles. All right.

14 MR JORDASH: I hope all of them do.

10:11:35

15 Q. Mr Sesay, was there a plan? I hope that's not
16 objectionable. Was there a plan, was there an objective?

this

17 A. Well, we did not have a plan to attack Freetown during

18 time. We did not have a plan to -- they did not give me any
19 instructions that we were to attack Freetown. No.

10:12:02 20 he

Q. Now, you recall this witness, TF1-141, who claimed that

said

21 had been on various attacks in Kailahun. Now, this witness

at

22 that he had been staying at Bunumbu and he went on an attack

was

23 Daru, and the witness said that the order to capture the town

24 given by Sam Bockarie. And the way in which the witness gave

10:13:00 25

evidence must have meant that that attack took place in 1998,

26 before he left to go on the attack with you to Koidu Town.

CDF

27 A. Well, from March to December '98, it was ECOMOG and the

28 that had been controlling Bunumbu. RUF did not attack Bunumbu

29 from March '98 to December.

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1 Q. I think there is no dispute about this. This is a
2 different Bunumbu to the place where the training base was.

3 A. No. This -- I think this was Bunumbu Teachers' College,
4 that was where the witness meant. Because I can recall his

10:13:58 5

testimony in this Court.

6 Q. Is that the same place where the training base was?

7 A. No. The training base -- the Bunumbu is between
Kailahun

8 Town and Buedu and it is off the main road. It is a small
9 village and this is a big town, Bunumbu.

10:14:21 10 Q. When was there an attack on Bunumbu, if at all, by the
RUF?

11 A. Well, the RUF, under Sam Bockarie, supervised by 371,
they

12 carried on that attack when we had attacked Koidu Town in
13 December. That was the time they attacked Manawa, Bunumbu and
14 Segbwema. After we had captured Makeni, we had been moving
10:15:00 15 towards, I mean, when we had captured Kono, we had been moving
16 towards Makeni. That was the time Mosquito and 371 organised
17 those attacks, and it was 371 who supervised that operation.
The

18 attack on Manawa, Bunumbu and Segbwema. That was late
December

19 '98.

10:15:23 20 Q. So, just to be as clear as we can, where would you have
21 been at that point, you, personally?

22 A. Well, at that time, I was in Makeni, late December '98.
So

23 if 141 said that he took part in those attacks, then he alone
24 would not be in those attacks and be in the Kono attack; it
was

10:15:50 25 not possible. And I want to let you recall, Mr Lawyer, to
recall

26 that witness's testimony. He said to the Court that he left
27 Superman's Ground in May when I gave them order to go and
train

28 in Bunumbu, and he said that he spent eight months in the

from 29 training base. That was what he said in this Court. Well

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feel 1 May to December, then he said he spent eight months. Then I
2 he should have graduated from the base in '99.

3 Q. This witness said that the attack on Daru that he took
4 place -- that he took part in had a commander called War
Eagle.

10:16:46 5 Do you know of anyone called War Eagle?

6 A. I knew Eagle, who was Kamoh Kanneh, that was his real
name.

7 He was the battalion commander at Baima but, from March '98,
8 ECOMOG and the CDF captured Daru Barracks and the town. They
9 occupied there up to December. So for the whole of '98, from
10:17:17 10 March to December, RUF did not attack Daru.

11 Q. Were there people in -- sorry, were there civilians in
12 Daru, during 1998?

13 A. Yes, there were civilians with ECOMOG and CDF.

14 Q. How was it organised? Where were the civilians in
relation
10:17:51 15 to ECOMOG?

16 A. Well, the ECOMOG were at the -- at Daru Barracks. The

guard 17 civilians and the CDF were at Daru Town, but ECOMOG had a
18 post from Daru Town towards the two roads that went to -- the
one 19 road that went to Baima, ECOMOG had a guard post there; and
the 10:18:19 20 one that went towards Bombahun to Kuiva, ECOMOG had another
guard 21 post there. Because I came to know that in '99 when I passed
22 through Daru, after the Lome.
23 Q. Did you know someone called Gassimu, in 1998?
24 A. Yes. I knew Gassimu.
10:18:52 25 Q. Who was he?
26 A. Gassimu was a black guard; he was one of Foday Sankoh's
27 bodyguards.
28 Q. Where was he based in 1998?
29 A. Well, first, after the retreat, he was at Mobai. But

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at 1 around June, it was then that Sam Bockarie posted him to Kono,
Gassimu 2 Superman's Ground, from Mobai, 1998. So, from June '98,
3 was in Kono, up to the time that I met him in December 1998
for 4 the attack on Koidu Town.

10:19:36 5 Q. What happened to him then?

6 A. Well, after the attack, he stayed in Kono and we came to

7 Makeni. Bockarie said that he was to be the deputy brigade

8 commander -- the brigade major for Kono. So he was based in

Kono

9 as a brigade major for the whole of '99, 2000 and 2001, up to

the

10:20:02 10 time of disarmament.

11 Q. TF1-141, who we were discussing, said that Colonel

Gassimu

12 took part in an operation to capture Segbwema, which, again,

on

13 the timing he gave, was around 1998. Do you know if that's

true?

14 A. That's a big lie because Gassimu, I met him at

Superman's

10:20:41 15 Ground, December '98, and all of us attacked Koidu Town. So

it

16 was not possible for him to have left there to go back to

17 Segbwema. And, as I knew, nobody came from Kono to go on the

18 attack on Segbwema. The Segbwema attack, it was Bockarie and

371

19 that organised the men in Kailahun when they carried out that

10:21:02 20 attack. Gassimu was not part of it.

21 Q. Do you know, or did you know, someone called Papay

Francis

22 or Colonel Francis?

23 A. Yes. I knew him.

24 Q. Where was he in 1998?

10:21:21 25 A. Well, he was in, in '98, he was at Balahun, but I later

26 came to know that they were the ones that carried out the

attack

Segbwema,

27 on Segbwema. He was at Segbwema during that attack.

28 Bunumbu and Manawa, late December '98.

29 Q. Do you know what happened during the attack on Segbwema?

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to

he

wouldn't

10:22:26

that

10:22:53

10:23:34

1 Do you know what kind of attack it was?

2 A. Well, I was not there and the operation was not reported

3 me. I said that it was 371 who supervised the operation, and

4 had been reporting to Bockarie. It was not to me, so I

5 be able to know exactly what transpired at Segbwema, because I

6 was in Makeni, and that is a considerable distance and 371 did

7 not report to me. It was Bockarie who made him supervisor for

8 that attack and he was reporting to Bockarie.

9 Q. Do you know what the objective of that attack was?

10 A. Well, what I understood later, it was to cut off the

11 ECOMOG, cut off their supply route between Kenema and Daru,

12 was why they went and occupied Segbwema up to Bendu Junction.

13 Q. Do you know of an attack on Nayiama Juru in and around

14 1998/99?

THE INTERPRETER: Your Honours, would -- Your Honours,

16 would the learned attorney be asked to repeat the name.

17 MR JORDASH:

18 Q. Excuse my pronunciation, Nayiama Juru. N-A-Y-I-A-M-A,
19 second word "Juru."

10:23:41 20 A. Nayiama, Nayiama.

21 Q. Thank you. Do you know of an attack on that place?

22 A. Yes, that was in August to September '98. That was then
23 that I was at Pendembu. It was Bockarie. He was the one that
24 said men should go and attack Nayiama, because ECOMOG was

based

10:24:19 25 there and, indeed, they did attack the place; and they burnt
one

26 armoured car.

27 Q. Was anyone killed during the burning of that armoured
car?

28 A. You mean from the RUF or from the ECOMOG side?

29 Q. Let's start with the ECOMOG side.

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1 A. Well, this was war. It was fighting. When you went to
2 fight, you are either killed or you kill your enemy. That was
3 what used to happen. Or you were either captured or you

captured

report 4 your enemy. That was what war involves. But they did not

10:25:14 5 to me that they killed civilians, and they did not kill any
6 civilians there. It was ECOMOG and the CDF that occupied the
7 town.

8 Q. How are you so sure that civilians were not killed?

And 9 A. Well, during that time I was at Pendembu as commander.

10:25:37 10 the men that went, other senior officers, were there on the
11 attack and did not report any such things to me.

12 Q. Who went; can you remember? Which senior commanders?

who 13 A. Well, Lion was there as the adviser to Mohamed Gaddafi,

if 14 was the commander. And even Vandi Kosia also went there. So

10:26:14 15 anything had happened which had to do with civilians, I would
16 have known, but they did not report anything to me saying that
17 they had killed civilians there.

18 Q. What job did Vandi Kosia have at that time?

who 19 A. Well, at that time he was the adviser to Denis Lansana

10:26:35 20 was the brigade commander based in Pendembu with whom we were
all

the 21 in Pendembu. So he was the one that said that I was to join

22 men to go to Nayiama.

of 23 THE INTERPRETER: Your Honours, I don't get the last bit

24 the witness's testimony.

10:26:50 25 MR JORDASH:

26 Q. Repeat the last sentence, please, Mr Sesay.

as 27 A. I said -- I said I was the one who said Kosia should go

the

28 senior man with Lion so there they would be able to be with
29 men, so that there would be control, and they did not report

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--

1 anything to me that they killed civilians. They only fought
2 against the CDF and ECOMOG, and they pushed them out of Kenema
3 out of Nayiama, sorry.

Nayiama,

10:27:26

4 THE INTERPRETER: Correction interpreter: Out of
5 instead of Kenema.

6 MR JORDASH:

in

7 Q. This witness also claimed that he'd been on an operation
8 called Operation Spare No Soul ordered by you who was present
9 Buedu, and the operation was an operation on Bunumbu?

10:28:03
if

10 A. You've confused the question. You are talking about --

of

11 the witness is talking about Nayiama, let me respond about
12 Nayiama first, then you come to Bunumbu, because this was one
13 the witness's who did not make any head and tail about his own
14 story.

10:28:20

15 Q. Okay. Go ahead.

16 A. Because the witness told the Court that he left
Superman's
17 Ground in May, then August, how would he be able to come from
the
18 training base and go and take part in an attack on Nayiama?
And
19 he said that he spent eight months in the base. And it was in
10:28:41 20 this same 1998. See, see?
21 Q. Okay. Operation Spare No Soul ordered by you from Buedu
22 involving an attack on Bunumbu; is that correct?
23 A. Mr Lawyer, minus 141, and 141, I feel that the judges,
you
24 the Defence lawyers, you saw 141.
10:29:22 25 JUDGE ITOE: Mr Sesay, please answer the question.
Answer
26 the question. A question has been put to you. Before you
make
27 any commentaries on questions put to you, on any replies you
28 make, you should first of all answer the question. They said
you
29 ordered Operation Spare No Soul which was supposed to -- and
that

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1 you ordered it from Buedu, involving an attack on Bunumbu; is
2 that true or false? Answer the question before you make any

3 commentary on what the witness is, or what he may have said;
4 will you please?

10:30:01 5 THE WITNESS: My Lord, my previous -- all my previous
ECOMOG 6 responses about this, I said from March to December it was
7 that had been controlling Bunumbu, so no attack took place on
you 8 Bunumbu by the RUF. And this Operation Spare No Soul, which
I 9 have been talking about, I had never given such instructions.
10:30:25 10 never gave instructions, and what brought about this operation
11 Spare No Soul, which I have told the Court about, that it was
in 12 September that I heard about it on BBC, when I was at
Pendembu. 13 It was based on -- when they returned Foday Sankoh from
Nigeria 14 to Sierra Leone, that was why Bockarie gave that instruction
to - 15 Eldred Collins to talk about operation Spare No Soul.

16 MR JORDASH: Okay, thank you.

17 Q. Now, I want to ask you about somebody else. And please
18 don't mention any witness in relation to this person. I just
19 want to ask you, first of all, whether you know this person:
Do 20 you know somebody called or did you know someone called Tiger?

21 A. He was a radio operator.

22 Q. Whose radio operator was he?

operating 23 A. I said yes, he was a radio operator. He had been
with 24 with me at Giema before the coup and he had been operating
10:31:55 25 me in '97 in Freetown here, when I was at Hill Station, and he
26 had been operating with me in '98 when I was at Pendembu.

27 Q. Did you know anyone else called Tiger?
28 JUDGE ITOE: Was he a radio operator? He had been
29 operating with you. Was he a radio operator?

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1 THE WITNESS: Yes.
2 JUDGE ITOE: Thank you.
3 MR JORDASH:
4 Q. Do you know any other person called Tiger?
10:32:48 5 A. Only -- only the radio operator, Tiger, that I knew.
6 Q. Okay. Thank you. What happened to Tiger after you went
to
7 Koidu Town?
8 A. Well, Bockarie said that Tiger should remain at
Pendembu,
9 so he was with the brigade commander at Pendembu. There I
left
10:33:37 10 him while I left for Buedu and from Buedu I went to Kono.
Tiger
11 remained in Pendembu in November, December '98.
12 Q. And what happened to him after that?
13 A. Well, he was in Kailahun. He was in Kailahun. He did
not

in 14 come to Kono and he did not come or to Makeni with me. It was
10:34:15 15 October '99 when I was leaving Buedu to come to Makeni. That
was 16 the time that he joined me and we came to Makeni, so he was in
17 Makeni from October '99 to 2000.
18 Q. So do you know what he was doing from January to -- from
19 December 1998 to October 1999?
10:34:42 20 A. Well, he was in Pendembu. He would go to Buedu. He was
21 assigned to Pendembu.
22 Q. Doing what?
23 A. As a radio operator they used to change the commanders
on 24 Bockarie's orders.
10:35:11 25 Q. Radio operator to who?
26 A. To the brigade commander at Pendembu; Denis Lansana.
27 Q. Now, I want to return now to the advance towards Makeni.
28 You gave us details yesterday about what you did in various
Koidu 29 towns. Now, how many RUF men do you estimate advanced from

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1 Town towards Makeni?

2 A. Well, I said when we had captured Kono Bockarie sent

Jiama 3 instructions so that Akim could lead 100 armed men through
Town 4 Nimikoro to Tongo. Then Kallon had already been around Gold
10:36:16 5 with 100 armed men, so Bockarie said: Let another 150 armed
men 6 join the advance team towards Makeni. So we had 250 men that
had 7 taken the highway.
8 Q. And these 150 men, did they advance towards Makeni?
9 A. They joined the men at Gold Town and then they moved
10:36:49 10 towards Masingbi, Magburaka, then to Makeni. But we were
doing 11 deployments on the way.
12 Q. So how many men advanced eventually towards Makeni, do
you 13 think?
14 A. I said there were about 250 armed men. They were the
ones 15 that moved towards Makeni, whilst 100 armed men moved towards
16 Tongo; 150 stayed for Kono. Those were the armed men, not the
17 unarmed men.
18 Q. Now, before we get to Makeni, can I ask you this: When
did 19 Morris Kallon come to Kailahun from Kono, in 1998?
10:38:01 20 A. Well, Kallon came first of all to go and leave his
family 21 because he had his mother and other people in May. Then he
was 22 withdrawn from Kono when he went under punishment from
Bockarie 23 in August 1998.
24 Q. So that was in August. But where did he go after that?

10:38:34 25 A. Well, he was in Buedu under punishment. After that he
was
26 posted by Bockarie so that he could join me at Pendembu in
August
27 '98.
28 Q. Do you recall the evidence of TF1-334 who claimed that
he'd
29 heard a communication between you and Gullit and the troops

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1 whilst they were at Rosos?
2 A. That was a lie. That was a big lie. And I and this
group
3 that was at Rosos, we never had any communication, so it --
4 THE INTERPRETER: Your Honours, would the witness be
asked
10:40:13 5 or instructed, you know, to repeat the last bit of his
testimony.
6 MR JORDASH: Go back over the last answer.
7 THE WITNESS: I said the group that was in Koinadugu,
8 Kurubonla, SAJ Musa, we never had any communication, and the
9 group that was at Rosos, we never had any communication, and
mind
10:40:32 10 you, this witness who said so, he was a radio -- he was not a
11 radio operator. And even if you listened to 360, 360, he was
12 part of that system.

13 Q. Okay. This witness -- let me ask you this: What
14 nationality was Alfred Brown?

10:41:28 15 A. Alfred Brown was a Liberian. Alfred Brown was just an
16 operator; he was not a commander within the rank and file of
the
17 RUF.

18 Q. TF1-334 said that Gullit had communicated with Mosquito
19 whilst he was at Major Eddie Town. Did you -- were you aware
of
10:42:15 20 that?

21 A. I was not aware of that. I never heard about that.

22 Q. Do you know what Sam Bockarie's attitude was at that
stage,
23 around September, October 1998, to -- towards the group of
SLAs
24 in the north?

10:42:51 25 A. Well, Bockarie was disgruntled with these men because
these
26 men are not been taking instructions from him, and these men
were
27 on an independent operation. Bockarie did not have any
control
28 over them and I did not understand about any communication
that
29 took place between them. I did not know anything about that.

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and
1 Q. 334 spoke about SAJ Musa arriving at Colonel Eddie Town
2 at some stage whilst at Colonel Eddie Town SAJ Musa heard an
3 said interview by Robin White for the BBC in which Mosquito had
4 Freetown. that the troops under his command were moving towards

10:43:52 5 Were you aware of any such announcement by Mosquito?

6 A. Well, Mosquito made a lot of interviews, you know, so he
7 that had just been trying to please himself, or please the people
8 had been listening but he was not in control; the men had not
9 been taking orders from him. But since he had access to

10:44:11 10 satellite phone, that was why he was talking but when it came
11 to the reality SAJ Musa and this of his group had not been taking
12 that instructions from Bockarie at all. And even 360 confirmed

13 who was with this group until the time that they came to
14 Freetown -- he testified to that. He said when they captured
10:44:45 15 Masiaka, when Alfred Brown tried to communicate with Bockarie,
16 SAJ Musa said, he seriously beat Alfred Brown --

17 Q. Wait wait wait; the translation.

18 THE INTERPRETER: Your Honours, I did not get the last
19 bit of the witness's testimony.

10:45:08 20 PRESIDING JUDGE: Well, we'll ask him to repeat that
21 segment and please translate very carefully. Mr Sesay, please
22 repeat the last segment of your testimony.

23 THE WITNESS: Yes, My Lord. My Lord, I said -- I said
that

24 these men had not been communicating with Bockarie and even
10:45:33 25 according to -- according to this 360, he was with this group,
26 and he said that on the arrival of SAJ Musa at Major Eddie
Town,
27 from Koinadugu, he said no RUF operator should go near the
set.
28 MR JORDASH:
29 Q. You mentioned Sam Bockarie having -- sorry, did I
interrupt

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1 you?
2 A. I'll come to that; just hold on. So even when they
3 captured Masiaka when Alfred [as interpreted] Brown was trying
to
4 pass this information to Bockarie. Then he was caught where
they
10:46:16 5 said that SAJ slapped him and he threatened that the next
time,
6 if he went near the set, he will do something bad to him; he
7 would kill him. But, 360 said that SAJ beat Alfred Brown
because
8 he caught him communicating with Bockarie. So if there was
any
9 communication between Bockarie and SAJ, that wouldn't have
10:46:38 10 happened.

11 MR CAMMEGH: Your Honours, I'm so sorry to interrupt.

12 PRESIDING JUDGE: Yes, Mr Cammegh.

13 MR CAMMEGH: I need to print a document in my office and
14 bring it straight back.

10:46:51 15 PRESIDING JUDGE: So you're seeking leave of the Court?

16 MR CAMMEGH: To leave the Court. Fine.

17 PRESIDING JUDGE: Leave is granted.

18 MR CAMMEGH: Thank you.

19 MR JORDASH:

10:47:01 20 Q. You mentioned Sam Bockarie having a satellite phone at
this

21 stage; do you know where he got the satellite phone from?

22 A. Well, Bockarie had been going out and coming in and he
had

23 people that had been visiting him in Buedu. He had a
satellite

24 phone. And he told me that he had a friend who was a Canadian

10:47:28 25 who gave him a satellite phone, they called him Michel. It
was

26 this same Canadian man who brought the radio broadcast set for

27 Bockarie, the FM station and this man used to come to Bockarie
at

28 Buedu.

29 Q. He brought the radio FM set; just briefly tell us about

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1 that?

2 A. Yes. That was January '99. The man was not Michel.
The
3 man was called Carlos. Carlos. He came with this from
Canada.
4 He came with this FM station for Bockarie. It was the same
man
10:48:13 5 who had been giving Bockarie satellite phone.

6 Q. 366 claimed that you had a satellite phone on the attack
to
7 Koidu, and that you were communicating with Charles Taylor
during
8 the attack; is that correct?

9 PRESIDING JUDGE: Well, I think there are two questions.

10:48:32 10 THE WITNESS: This is a wicked lie.

11 PRESIDING JUDGE: Let him answer the first part. Did he
12 have a satellite phone? Now, there are two parts of the
question
13 and I thought you could have different answers.

14 MR JORDASH: Well, I am happy to deal with it in that
way
10:48:50 15 but I think Mr Sesay's pretty good at answering --

16 PRESIDING JUDGE: No, that's fine. Okay. It's just
that
17 sometimes, as you yourself have observed, the answers get so
18 conglomerated and we seek clarification. It is either because
he
19 seeks to link together ideas which could clearly be separate
for
10:49:06 20 the purpose of evaluating the evidence.

21 MR JORDASH: Well, in a way they are together because
this

high

22 is a -- the witness is trying to implicate Mr Sesay in being

23 up in the command structure communicating things.

24 PRESIDING JUDGE: No, but it's just the manner of --

10:49:18 25 MR JORDASH: I will separate it.

the

26 PRESIDING JUDGE: -- examination-in-chief, just to help

27 Court, so that we get the answers different, you know,

28 separately.

29 MR JORDASH: Certainly.

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1 Q. Did you have a satellite phone on the attack?

2 A. No, no. No. And I can explain.

do

3 PRESIDING JUDGE: Okay. Right. Yes, go ahead. Let him

4 that. Yes, right.

10:49:48
three

5 THE WITNESS: Thank you, My Lord. My Lord, there are

6 witnesses whom the Prosecution had brought, who knew very much

within

7 about this attack on Kono, and all of them were commanders

they

8 the rank and file of the RUF. So if I had a satellite phone

only

9 should have said it. They should have said it. But it was

10:50:12 10 Bockarie that had a satellite phone in '98. Nobody else. And
11 even in '99, it was only Bockarie that had a satellite phone;
no
12 other person had a satellite phone in the RUF. I, in January
13 2001, that was the time that Foday Sankoh sent one of his
14 bodyguards with a satellite phone for me. But this phone it
was
10:50:35 15 not I that was operating it. It was the operator whom -- who
16 Foday Sankoh sent with the satellite phone, who was his
17 bodyguard, he was the one that had been operating this
satellite
18 phone, and this satellite phone did not have any unit in it,
19 except if Foday Sankoh called me but I did not --
10:50:56 20 Q. Can we have the date again? When did you get the
satellite
21 phone?
22 A. In January 2000. That was the time that Foday Sankoh
sent
23 his bodyguard, who was Jabbati, to come with satellite phone
to
24 Makeni.
10:51:17 25 Q. Why did -- sorry, go on.
26 A. I am not sure of January, but maybe it might be between
27 November, December '98 -- I mean December '99, sorry, December
28 '99 to January 2000. It was between those two months that I
had
29 this satellite phone from Foday Sankoh in Freetown.

stage? 1 Q. Why did he give you the phone, do you know, at that

He 2 A. Well, at that time, Bockarie had resigned from the RUF.

3 had appointed me as battle-field commander and he felt that he
4 should be communicating some things to me which he did not
want

10:52:04 5 done on the radio. That was why he said that use a satellite
6 phone and the phone was only useful to Foday Sankoh and me.

7 Q. Did you know how to operate the phone; you personally?

not 8 A. I did not know how to operate it and I believe -- I did
sounded 9 know. That -- that was the one. And two, it was -- it

10:52:28 10 to me that Foday Sankoh did not even trust me for the phone.

the 11 That was why he sent his bodyguard to operate the phone. And
calls 12 phone did not have any unit. It was only there to receive

bodyguard, 13 from Foday Sankoh. Because if he had trusted me, his

me 14 who knew how to operate the phone, he would have just taught

10:52:58 15 how to operate the phone but the man was permanently assigned
to 16 the operation of the phone.

17 THE INTERPRETER: The last part was not clear; he said
18 something that I did not get, Your Honours.

they 19 PRESIDING JUDGE: Mr Sesay, try again and see, so that

10:53:17 20 can get the last part clearly.
Foday 21 THE WITNESS: My Lord, I said, it sounded to me that
if 22 Sankoh did not trust me to have the phone on my own, because
have 23 he had given the phone to me as something personal, he would
24 just sent this bodyguard to teach me how to operate the phone.
10:53:37 25 But he assigned the bodyguard to this phone to be with me.
And 26 the phone did not have any unit; it was only there to receive
27 calls from him, Foday Sankoh.
28 PRESIDING JUDGE: Thank you.
29 THE WITNESS: Thank you, sir.

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1 MR JORDASH:
2 Q. When you attacked Koidu Town, were you in touch with any
3 communication with Charles Taylor?
4 A. No. No. And --
10:54:15 5 Q. Can I ask you this --
6 JUDGE ITOE: Mr Sesay, when he was where did he have
7 communication with Charles Taylor? Was it in Freetown or so?
8 MR JORDASH: No. I was asking whether he had any

9 communication with Charles Taylor --

10:54:29 10 JUDGE ITOE: With Charles Taylor.

11 MR JORDASH: -- when he was on the attack to Koidu.

12 JUDGE ITOE: Okay. Thank you.

13 THE WITNESS: My Lord, I did not have any communication
14 with Charles Taylor when I was attacking Kono. And, from
1991,
10:54:44 15 Charles Taylor did not know me and I did not know him. The
first
16 time I came to know Charles Taylor, when I communicated with
him
17 and he knew me was in May, late May 2000. That was the first
18 time that I came in contact with Charles Taylor.

19 MR JORDASH:

10:55:01 20 Q. Okay. We'll come to that. 334 --

21 A. Yes.

22 Q. -- said that you'd communicated with Gullit on the
advance
23 to Kono and that, at the time, your call sign was Jaffa.

24 A. Well, you see now, Jaffa, the code name is xxxxx
10:55:43 25 xxxxxxxx. Just know now how these people came to lie in this
26 place. Jaffa was what they called xxxxxxxx. He was the
27 one that had that code name. So that alone had proved that I
had
28 not been communicating with Gullit. And, even at this time,
29 xxxxxxxx, he himself who had this name, Jaffa, was under

1 custody at Pademba Road Prisons.

2 Q. What was your code name at that time?

3 A. You mean what time?

4 Q. At the time you're heading to Koidu, at the time you're
10:56:26 5 heading to Makeni?

6 A. Well, from '94, my code name, up to December '98, was
7 Survival. That was the code name that was given to me by
8 Sankoh.

9 JUDGE ITOE: From 1994, up to what date?

10:56:48 10 THE WITNESS: From 1994, My Lord, up to December '98, my
11 code name was Survival.

12 MR JORDASH:

13 Q. But in 1998 did it change?

14 A. Yes. After I had captured Koidu Town from Buedu, they
said
10:57:09 15 my new code name, was Solar System; SSS.

16 Q. Why were you given that name?

17 A. Well, they said that I had charged ECOMOG's battery in
18 Kono. Bockarie said that I had charged ECOMOG's battery in
Kono,
19 so that was my code name, Solar System.

10:57:56 20 Q. Do you recall who you were communicating with when you
were
21 moving towards Makeni from Koidu?

22 A. Yes, I communicated with Rambo's Station; I communicated

who

23 with Bockarie, and it was Bockarie's station, it was Bockarie

to

24 told me on the radio that he had given instruction to Superman

10:58:32 25

join Rambo so that they could capture the barracks, Teko, in

26 Makeni.

27 Q. Now, was there an attack on Makeni?

28 A. Well, the fight really took place in the barracks.

29 Barracks.

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slowly

1 Q. Right. Let's start from the beginning and take it

2 and explain what happened. Let's start with the outskirts of

3 Makeni?

4 JUDGE BOUTET: The time frame, Mr Jordash.

10:59:25 5

MR JORDASH:

6 Q. The outskirts of Makeni, when do --

minutes

7 A. Well, I only want -- I want you to help me with two

8 so that I can use the bathroom.

9 PRESIDING JUDGE: Leave is granted.

10:59:40 10

THE WITNESS: Thank you, sir.

11 PRESIDING JUDGE: We can have a short stand down.

12 [Break taken at 11.00 a.m.]

13 [Upon resuming at 11.10 a.m.]

14 PRESIDING JUDGE: Yes, Mr Jordash.

11:11:50 15 MR JORDASH: Thank you, Your Honour.

16 Q. Before I ask about Makeni, one thing I wanted to ask you
17 about quickly: Which village -- if you don't want to answer
this in public, just write the name down -- which village is your
18 mother from?
19

11:12:26 20 A. Well, I will write it.

21 JUDGE BOUTET: Wasn't it on the personal data that you
gave us at the beginning the trial, Mr Jordash?
22

23 MR JORDASH: I think it probably was. I forget,
actually, and I don't have a copy.
24

11:12:42 25 PRESIDING JUDGE: The trouble is, even in his summary of
26 the statement, his testimony, it's still possible that --

27 MR JORDASH: I'll leave this. I'll deal with it in
closed later.
28

29 PRESIDING JUDGE: Okay.

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1 MR JORDASH: Thank you.

2 Q. Let's go back to Makeni.

3 JUDGE ITOE: Mr Sesay.

4 THE WITNESS: Yes, My Lord.

11:13:03 5 JUDGE ITOE: There is a grandmother's village there, in
6 that document.

7 THE WITNESS: My Lord, my grandmother's village is not
in
8 that document. Her village of birth, it is not there. There,
my
9 grandfather transferred there, in that document. But where my
11:13:35 10 grandpa [as interpreted] gave birth to my mother. That was
what
11 the lawyer was asking me to write.

12 PRESIDING JUDGE: All right. Let's not get
argumentative
13 on it.

14 JUDGE ITOE: I wanted to consult your document, just to
11:13:52 15 facilitate matters for you. It doesn't prevent you from
writing
16 what you want to write.

17 MR JORDASH: We'll come back to this issue in a closed
18 session.

19 PRESIDING JUDGE: Okay.

11:14:02 20 MR JORDASH:

21 Q. Let's go to Makeni.

22 JUDGE ITOE: If I may ask, Mr Sesay, the FM radio which
was
23 given to Mr Bockarie, was it in use? Was it -- did it
function?

24 THE WITNESS: My Lord, I have just forgotten the date,
but

11:14:28 25 it was during the Lome negotiations that Bockarie installed
this
26 radio at Dodo Kotuma, so it worked during that time. When
27 Bockarie resigned in December, then he packed all the station
and
28 went with it to Liberia. So, it would be around -- I think it
29 would be around June, August to June, when they opened that

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is
1 station. In fact, a radio message, that the Prosecutor gave
2 there to that effect; the messages the Prosecutor disclosed to
3 the Defence.

4 JUDGE ITOE: It opened in August, June? What month?

11:15:12 5 THE WITNESS: My Lord, I cannot be specific about the
6 month, but I think --

7 JUDGE ITOE: No, don't be specific. You think, yes?

the
8 THE WITNESS: I said, I think it was in June, because
9 station was opened before the Accord was signed.

11:15:29 10 JUDGE ITOE: June of what year, please?

the
11 THE WITNESS: June '99, sir. May or June '99, one of
12 two.

13 JUDGE ITOE: Okay. Thank you.

14 MR JORDASH: Could I just --
11:15:47 15 THE WITNESS: Thank you, sir.
16 JUDGE BOUTET: This radio that you're talking about,
this
17 is a radio station? This is a radio from where you can
18 broadcast; is that what you mean by this?
19 THE WITNESS: Well, My Lord this station was
broadcasting
11:15:59 20 from Dodo, Buedu, Balahun, but people in Kailahun Town did not
21 receive the transmission. So I am saying it just went around
22 five miles, to six mile distance because of the antenna's
23 problem.
24 JUDGE BOUTET: That's right. That answers my question.
11:16:20 25 Thank you very much.
26 MR JORDASH: Could I just wrap up one point about TF1-
141.
27 If I can read you the section of the testimony, which I was
28 referring to concerning the companies.
29 JUDGE BOUTET: The one that I raised this morning?

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1 MR JORDASH: Your Honour, yes. It says the witness
said,
2 "It's like a city attack. They divided us into companies. It

3 wouldn't be that when they say company it would be the actual
4 number to complete a company. But it was shared into
companies.

11:17:07 5 The first company which is "A" Co [phon] - that was the
advance
6 team, bulldoze team and the rear team." A little unclear, but
--

7 MR HARRISON: I'm sorry, could I just ask for the
8 reference?

9 MR JORDASH: Sorry, yes. 15 April 2005, page 107, at
11:17:47 10 17:32:26.

11 Q. Now, Mr Sesay, let's deal with the attack on Makeni,
which
12 is the next subject. Now, what date did the attack, the first
13 attack, by any armed group, on Makeni or the Makeni Barracks
take
14 place?

11:18:35 15 A. Well, I came to understand later that Superman and the
STF
16 and Brigadier Mani's group, from Koinadugu, they attacked Teko
17 Barracks on 23rd of December 1998, but they were not able and
18 then they retreated to Binkolo.

19 Q. Now, where were you on 23 December 1998?

11:19:24 20 A. I was in Koidu; I was in Kono.

21 Q. Where had the men from the attack on Koidu reached, in
any
22 advance to Koidu -- to Makeni?

23 A. Well, on the 23rd, in the evening, the men from Kono
24 arrived in Magburaka, so they slept in Magburaka on the 23rd.

11:19:55 25 Q. Now, I want to take it step by step. How do you know
that?

26 A. Well, the advance team, which was Boston Flomo, aka
Rambo,

27 he was communicating with me, so I knew.

28 Q. What did you know, if anything, of the location of
29 Superman, around the 21st or 22nd of December?

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1 A. I didn't know the location of Superman. I knew the
2 location of Superman on the 24th when Bockarie told me that he
3 had given instruction to Superman to join up with Rambo and
4 others, in Makeni, so that they could pursue the ECOMOG out of
11:20:49 5 Makeni.

6 Q. Right. On the 23rd, did you hear anything about any
attack
7 on Teko Barracks?

8 A. Well, I didn't hear.

9 Q. So take us then through -- when did you hear on the 24th
11:21:16 10 from Sam Bockarie?

11 A. It was around 3.00 p.m. on the 24th of December '98 when
12 Rambo sent a message to me that they had reached Makeni
Teachers'
13 College, so the ECOMOG had withdrawn and they had gone to the
14 barracks. So, as I was sending the radio message to Bockarie,
11:21:54 15 Bockarie received the message, and he said he wanted to talk
to

16 me. Then Bockarie told me that he had instructed Superman to
17 join with Rambo and others, who had reached Makeni, so that
they
18 would be able to attack the enemy, the ECOMOG and the CDF, at
19 Teko Barracks so that Makeni would be under our control.

11:22:22 20 So, I told him, what are we to do? I asked him what to
do.

21 He said, I should move to join Rambo and others in Makeni.
And I

22 said, "Well, before leaving, I would like to send these 12
23 prisoners of war, these ECOMOG, to you at Buedu." He said, I
24 should dispatch them before leaving Kono to go.

11:22:55 25 Q. Who did you dispatch them with?

26 A. I dispatched them with the MP and a few fighters who
27 escorted him to the Moa River, when Bockarie sent other MPs to
28 receive them at the Moa River.

29 Q. What happened after you dispatched them; what did you
do?

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1 A. Well, when I dispatched them, I slept. The next
morning,

2 early in the morning, I left Kono to come to Makeni. That was

on

3 the 25th of December.

4 Q. Did you communicate with any of the commanders, such as
11:23:45 5 Rambo?

6 A. Yes. I communicated with Rambo, I communicated with
7 Kallon.

8 Q. What was the nature of the communication?

9 A. Because I asked Kallon whether what I heard from Rambo
was
11:24:00 10 true. Kallon said, "Yes, it's true." He said, "Our men have
was
11 reached Makeni." And Kallon was in Magburaka by then. That
12 on the 24th, in the evening.

13 Q. Was there any further news about the whereabouts of
14 Superman and Mani?

11:24:26 15 A. Well, at that moment, Rambo only told me that they heard
16 firing beyond Makeni, but they never knew the exact town. But
17 Rambo, himself, told me that he also received instruction from
18 Bockarie that he and Superman should meet at Makeni Town, so
that
19 they could join together to attack the barracks.

11:24:53 20 Q. Where, exactly, was Rambo at this point?

21 A. At this time, Rambo had controlled from the college to
the
22 junction which would enter Makeni Town, called Magburaka Road.
23 That was the junction, Rambo had controlled up to Makeni
24 Teachers' College on the 24th, evening.

11:25:18 25 Q. Did he say to you what had happened during his attack on
26 Makeni?

27 A. Well, he told me that the civilians were moving out of
28 Makeni and that ECOMOG had withdrawn to the barracks, that
they

the 29 had withdrawn to the barracks; the whole troops had gone to

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1 barracks, both ECOMOG and CDF.

there. 2 Q. There's something -- there's something a bit unclear

3 Are you saying that ECOMOG and CDF had withdrawn from the
4 barracks or to the barracks?

11:25:55 5 A. Well, ECOMOG had a checkpoint, where there was an ECOMOG
6 deployment, to enter Makeni from Magburaka, that is at the
7 college. And when they were attacked there, Rambo told me
that 8 they all -- they have all gone to the barracks. He said they
9 withdrew to the barracks.

11:26:20 10 Q. Was there any other report by Rambo about the situation
in 11 Makeni, at that stage?

12 A. Well, Rambo never -- he only told me about the situation
of 13 the ECOMOG when they went to re-org themselves at the
barracks.

14 Because he, himself, had not controlled the whole town yet, so
he

11:26:52 15 could not give me details about the town; he could only give
me a

Makeni, 16 the part of where he had captured, which was, if you know
17 from that junction to the barracks, on the road to Magburaka,
18 it's a very short --
19 Q. What happened then?
11:27:09 20 A. So, in the morning, on the 25th, I left from Kono, when
I
21 made some stops 'till I arrived in Makeni in the afternoon.
22 Around 4.00 or around 4.30, when I arrived in Makeni. At that
23 time --
24 Q. Go on, sorry.
11:27:32 25 A. I said, at that time, they had just captured Teko
Barracks
26 when I reached Makeni.
27 Q. Who did you reach Makeni with; who did you travel with?
28 A. Well, it was I and my bodyguards, in a pick-up van.
29 Q. Had you heard any communication between Bockarie and

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1 Superman, either -- what, at any stage?
2 A. Well, I had told you that it was Bockarie who told me
that
3 he had given instruction to Superman. When I spoke to
Bockarie
4 on the 24th in the evening, that was the time I heard about

11:28:30 5 Superman.

operator 6 Q. Did you hear any communication, or did your radio

any 7 monitor any communication between Bockarie and Superman, at

8 time, around these dates?

9 A. Well, my operator never monitored the conversation. But

it 10 was Bockarie himself who told me that he had given instruction

11:28:56 10 to

11 Superman, but the operator did not tell me that he monitored

12 conversation between Bockarie and Superman. No.

13 Q. Just dealing with what you may have heard since then,

14 you ever find out more details about the nature of the

11:29:19 15 communication between Bockarie and Superman, around this time?

16 A. Well, I knew that from August, September to December,

there 17 had been no communication between Bockarie and Superman. It

was 18 this Makeni attack that caused Bockarie to start talking to

19 Superman again.

11:29:48 20 Q. Do you know, or did you find out since these events,

where 21 it was Superman was when Bockarie and him first communicated?

22 A. Well, Bockarie told me that Superman and others had

23 attacked, but were unable to take the barracks, so they had

24 withdrawn; they were around Makeni. He said, so that was why

he 25 had instructed him to join Rambo so that they would be able to

11:30:19 26 capture Makeni. But he never told me this particular town.

It 27 was when I arrived at Makeni, that I knew it.

when 28 Q. Okay. Well, let's go then to Makeni. What happened
29 you arrived at Makeni; what do you find?

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Teko 1 A. When I reached Makeni, I met -- they had just captured
2 Barracks. So I drove to the barracks. I too drove to the
3 barracks there for us to be able to get control of the
4 ammunition, arms and medicine and food that was in the
barracks.

11:31:07 5 Q. Well, who do you meet in Makeni? Do you speak to anyone
in 6 Makeni before going to Teko Barracks?

7 A. Yes. I met Kallon in the college, and we all drove to
8 Teko. He said -- he too confirmed to me that they had
9 Teko, so we all drove there; the two of us went there. We met
11:31:35 10 Rambo at Teko and we met Superman there.

11 Q. Right. What was the situation, in Makeni, when you
12 arrived? What was the state of Makeni?

13 A. Well, after I had come out of the barracks, I drove to
14 Makeni. And then, during this time, the civilian population
had
11:31:55 15 left the town; they had gone to the surrounding villages.

fact 16 Q. And what was the situation, in Makeni? Aside from the
17 it was empty of civilians, what was -- what did you observe?
18 A. Well, I observed that we had met with a group whose
19 attitude were completely different from us coming from Kono,
11:32:26 20 because I saw some shops open. Some things were scattered in
the
21 street, especially at Rogbane Road, where you have the park.
22 Q. Where you have the?
23 A. Where you have the lorry park.
24 Q. Okay. Let's then deal with who is in Makeni when you
11:32:53 25 arrive.
26 A. At that time, when I arrive at Makeni, you had a group
that
27 came from Kono. You had the STF --
28 Q. I want you to describe what you see. What do you see
when
29 you arrive in Makeni? Which groups are there? Tell us what
you

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1 see.

2 A. Well, I have told you that I met the civilians; they had
3 moved out of Makeni. I met armed and unarmed men in the town,

District, 4 especially because the group that came from Koinadugu
11:33:32 5 it was three times, the group that we came with from Makeni.
So 6 the group from Koinadugu was the largest group now.
7 PRESIDING JUDGE: Mr Jordash, he can save the rest until
we 8 come back after the break. We'll take a short break now.
9 [Break taken at 11.37 a.m.]
11:33:49 10 [RUF18MAY07B-SM]
11 [Upon resuming at 11.55 a.m.]
12 PRESIDING JUDGE: Let us continue, counsel.
13 MR JORDASH: Certainly.
14 Q. The Rambo group which had entered Makeni was something,
11:56:07 15 from what you've told us, less than 250; is that correct?
16 A. Yes. I said the men who left from Kono were 250 armed
men.
17 But before they reached Makeni, it was not up to that figure
18 because we captured and we did some deployments. And when the
19 group arrived at Magburaka, one group went towards Mile 91
Road,
11:56:45 20 and they sent other men on the road towards Bumbuna while
Rambo
21 headed the other group to Makeni.
22 JUDGE ITOE: How many went to Makeni? That's the
question.
23 How many went to Makeni?
24 THE WITNESS: My Lord, about this time, it was about two
11:57:06 25 platoons; about 120 men arrived in Makeni with Rambo, Boston
26 Flomo.
27 MR JORDASH:
28 Q. And you said before the break that when you arrived in

29 Makeni the group from Koinadugu was about three times as
large.

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1 What were these men --

2 A. Yes, that was what I said.

3 Q. Where were these men when you arrived in Makeni?

4 A. These men were all over Makeni Town.

11:57:51 5 Q. And when you arrived in Makeni did you observe what they
6 were doing, if anything?

7 A. Yes. This group from Koinadugu, they were looting
shops,
8 especially around the park, around the lorry park at Rogbane
9 Road.

11:58:11 10 Q. Well, was this going on when you arrived or had it
11 happened? What is the situation?

12 A. This had been going on before I arrived, so when I
arrived,
13 I said no. I told Superman that we should not encourage these
14 type of things.

11:58:34 15 Q. Let's take it one step at a time. So you go with Kallon
to

16 Teko Barracks; what happened when you arrived at Teko
Barracks?

his
have
11:59:04 town."

17 A. Well, we met. Superman had been taking ammunitions on
18 own, according to what Rambo told me. He said, "Colonel, I
19 been trying to pack the ammunitions we have captured, but
20 Superman had taken a lot in his own car and he's gone to

21 Q. He's gone to which town?

of
22 A. He had gone to Makeni Town, because the barracks is out
23 the town.

24 Q. So when you arrived at Teko Barracks, who do you meet?

11:59:24 25 A. I met Rambo there, and I met Colonel Tee, who is now a
26 major in the army. He was an AFRC man. I met them all at the
27 barracks.

28 Q. And how many men -- how many fighters were there?

29 A. Well, this time I will not be able to tell you. During

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were
1 that time I was not able to know the figure that came from
2 Koinadugu, but all I know is they were more than us. They
3 in the town and in the barracks.

4 Q. Now, how long did you stay at the barracks?

12:00:00 5 A. Well, I just told Rambo that he has done well. All the

drove
6 ammunition that he knows are useful, let him pack them, then
7 about -- about an hour I was in the barracks, and then we
8 to the town.

under
9 Q. And where were the -- where were the men who had been
12:00:23 10 Rambo's command? I know you've just said there was men at the
11 barracks; were there any elsewhere?

12 A. Well, it's only the few that I met at Makeni Teachers
13 College, but the rest were in the barracks with Rambo.

town?
14 Q. So, what did you do when you -- when you went to the

12:00:46 15 A. Well, I told Superman that this is a big town. Since we
16 have all come --

town.
17 Q. Let us take it step by step. You were going to the
18 You drove to the town. What did you do when you arrived at
the
19 town? Let's take it step by step.

12:01:13 20 A. Thank you. This was in the evening hours on the 25th.
I
21 drove, I and Kallon drove from the barracks. We drove to Teko
22 Road. As we reached the paramount chief's compound, then we
saw
23 somebody who was trying to escape from a vehicle, but I
spotted
24 him, because I was driving opposite the paramount chief's
12:01:45 25 compound, so I stopped.

26 Q. Who was this person trying to escape from a vehicle?

27 A. Well, this person, I later discovered that he was a
28 civilian, and he was called Sakito.

29 Q. Well, what happened with Sakito?

call
out
told
civilian,
12:02:28
house?"
called
12:02:56
our
So
13

1 A. Well, I stopped and talked to him. I said, let them
2 him. And then they called him out of the house, and he came
3 of the house, and I asked him why was he hiding from us? He
4 us that, "We have just seen a lot of armed men. I am a
5 so I just had to hide." And I said, "No." I said, "No. You
6 don't need to hide." I said, "Are you alone here in this
7 I asked him. He said "No." He said his wife is at the back.
8 Then I said, "Call her." And he went to the back and then
9 his wife whose name was Mariama. So the wife too came. We
10 greeted, and I said, "Don't be afraid to talk to us. You are
11 people." And then the woman said, she said we have -- we have
12 cause to fear because of the gunshots that we were hearing.
13 we were to be afraid.

14 Q. What happened then?
15 A. Then, I asked, "Where are the other people who are your
16 neighbours?" She said a lot of them had gone to the
surrounding

was
said,
Sakito
12:03:39
out,
want
-
to
12:04:08
on

17 villages, but the Pa, who had the next building, said the Pa
18 in his house. He said he was called Pa Conteh. And then I
19 "Will you go and call her so that I will greet him?" Then
20 went. He knocked at the door. Pa Conteh opened and he came
21 and Pa Conteh also spoke to us. So I asked Pa Conteh: "If I
22 the civilians to come to town," I said, "How would you assist
23 us?" And he said, "Well, a lot of the people of Makeni have -
24 have gone to Yele Sanda, so if you go to Yele Sanda and talk
25 them" --
26 Q. Can you spell Yele Sanda, please?
27 A. Y-E-L-E, Yele, S-A-N-D-A.
28 Q. Which is where?
29 A. That was just two miles out of Makeni on the road to --

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1 the road to Kamakwie.
2 Q. Before we continue the story, we have another Conteh.
3 There seems to be a lot of Contehs in Bombali.

12:04:57 4 A. Yes, yes. This was a popular surname in the Bombali and
5 Tonkolili districts.

6 Q. Right. Go on.

7 A. So I spoke to Pa Conteh, and then Pa Conteh said: "In
8 fact, one man is in my house who is my wife's relative. Let
me

9 call him and let you talk to him so that you can talk to him
12:05:17 10 too." Then Pa Conteh called this man who was called Mr Also.

11 Mr Old Soul too came, and the civilians became four, I and
Kallon

12 spoke to them. We said: "I want" -- "We want you to spread
this

13 message to your people, so that they would come back to the

14 town." And then Mr Old Soul said, "Most of the people are
behind

12:05:42 15 Mena Hills. Some of them are behind to the hills at
Waterworks."

16 He said, "But" --

17 Q. Mena Hills?

18 A. M-E-N-A, yes.

19 Q. Where is that in relation to Makeni?

12:05:55 20 A. Well, it is part of Makeni Town, because the reservation
is

21 Makeni Town by the police station, behind the hill, that hill
22 there is called the Mena Hills. It was behind the hills that
the

23 people have gone. The civilians. And some of them were
behind

24 the hills at Waterworks, according to what Mr Old Soul told
us.

12:06:24 25 Q. Does Old Soul have another name?

26 A. Well, this was what I knew. I didn't know any other
name.

27 Q. Okay. Go on.

28 A. So Sakito said, if you go to Yele Sanda and talk to the
29 people there, that information will spread. And then I said,

"If

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1 you also would help us to tell your people behind those hills
to
2 come back to town." Then Pa Conteh said, "I am an old person
and
3 I am a native of Makeni, but the way you have spoken to us you
4 have given us some words of courage, so we would" -- "we would
12:07:15 5 now stay in our houses."

6 I and Kallon drove around the town wherein the town was
7 empty. People, civilians were not there. There were only
armed
8 men. But, in fact, many, 90 per cent of the houses were not
9 broken into. They did not forcefully break into people's
houses

12:07:34 10 in the first two days. Although they opened some shops around
11 the park before I arrived in Makeni.

12 Q. Did you investigate into these offences?

13 A. Yes. I later on knew that these people coming from

14 Koinadugu carried out this thing. Because they came in from
the

12:08:07 15 main road from Binkolo; they entered Makeni from the Kabala
Road,
16 through Rogbane Road, and they joined with Rambo and others
when
17 they attacked the barracks.
18 Q. And how did you find out it was them?
19 A. Well, they had a group with Superman. Some of these men
12:08:33 20 were coming from Kailahun, they too told me. Like, Jackson,
one
21 of Pa Sankoh's bodyguards, he said it.
22 Q. Well, how did he know?
23 A. Well, he came with them. He was there with Superman.
They
24 were all together with Superman.
12:08:54 25 Q. Now, after you'd had this conversation with Old Soul and
26 Sakito, what happened then?
27 A. Well, the day was almost finishing. When I have talked
to
28 them, we drove to Makeni Town and we came back to the college
and
29 there we slept for that night.

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1 Q. Well, what were your men doing during this time?
2 A. Well, during that time, Rambo had discovered a house out
of

said 3 Makeni towards Magburaka Road where he liked. I think they
4 it was a government building, when he was transporting the
12:09:50 5 ammunition from the barracks, the men from Kono would pack
them,
6 he would transport them and store them in this house, out of
7 Makeni, on the road to Magburaka.
8 Q. But what are the other men doing?
9 A. Well, they were in the barracks, some were in the
college,
12:10:12 10 because the fight had already ended.
11 Q. And what was happening in Makeni, at this time?
12 A. Well, during this time, men were just shooting in the
air
13 and the town was empty; civilians were not there. There were
14 only the armed men that had captured the town and the groups
from
12:10:36 15 the Koinadugu axis, they were all in the town during that
time.
16 Q. Well, can you name some of those from the Koinadugu axis
17 who were there?
18 A. Yes, I will try, especially the commandants.
19 Q. Commandants or commanders?
12:11:00 20 A. Commanders. I said commanders. Commanders, those are
21 training. These are commanders.
22 Q. Go on.
23 A. You had Superman, he and his RUF group. He had
Superman;
24 you had Babe; you had Nyaa; you had Rocky CO; he had titles;
you
12:11:32 25 had Miloskie Kallon; you had Jackson. There were many.
26 Q. Who were these men reporting to?

27 A. They were reporting to Superman.
28 Q. Now, what did you next do?
29 A. I said, when I left the barracks, when I had spoken to

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evening,
1 these people, I drove into the town, on the 25th in the
2 and I met with Superman at Rogbane Road.
3 Q. Brigadier Mani, do you know where he was at this time?
4 A. Yes, but I want to complete the question you asked me.
I
12:12:41 5 want to complete the question you asked me.
6 Q. Sorry, sorry. Go ahead.
7 A. I said, I met Superman at Rogbane Road and he stopped
the
8 vehicle. I also stopped and we greeted.
9 Q. What date was this?
12:13:02 10 A. Come again?
11 Q. What date?
12 A. This was on the 25th, evening, 25th of December '98 in
the
13 evening -- '98, around 5.00 to 6.00.
14 Q. Go on.

12:13:21 15 A. I said, I and Superman greeted each other. Then
Superman
16 said, "Your brother," -- "Your commander gave me the
instruction
17 that I should join Rambo and others." He said, "So we have
now
18 captured the barracks." And then I said, "Well," I said, "He
19 told me also, he, Mosquito, told me that he had given you
12:13:43 20 instruction to join up with the operation." So, I said, "Let
us
21 try very hard to put the men under control, let us not allow
them
22 to just break into people's houses because here we have come
to
23 stay. It is good that we control the men." And then he said,
24 "Yes, that is true."
12:14:03 25 Q. Well, control our men. Were your men out of control?
26 A. Well, from what I had seen, yes, I knew that the men
were
27 not under control. Especially the group from Koinadugu. So
that
28 was why I told him to try very hard to control the men. Let
the
29 men be under control, because I have seen shops opened. And
we,

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1 the group that came from Kono, for example, when they captured
2 Magburaka, they never opened anybody's house. They never
broke
3 into any shop. So if I have seen that in Makeni, I know that
it
4 was the men from Koinadugu that have started these acts and
that
12:14:42 5 was why I told Superman.

6 Q. Well, let's be -- I don't know if there is a difficulty
7 with translation or what, but this is important. There is
some
8 ambiguity in the answer. When I asked whether your men were
9 under control, you suggested, at one point, that some of them
12:15:04 10 were not. And then you went on to answer that your men were
all
11 in control -- under control. I don't know whether it's your
12 answer or the translation. Can you clarify the situation.
Were
13 your men committing offences or not?

14 A. I think -- I am sorry to say, maybe, it's the
12:15:30 15 interpretation. But what I said, what I'm talking about is
16 something I have clear understanding about. I said, the men
whom
17 we led from Kono, to come to Makeni, they were not committing
18 crimes. And even Magburaka, when they captured Magburaka,
they
19 never opened anybody's house, they never broke into any shop.
So

12:15:49 20 if I have seen that in Makeni, that was why I told Superman,
that
21 the men that he came with from Koinadugu, to please put them
22 under control. Because now that we are here in Makeni, we
have
23 not come to retreat, we have come here to stay. So it is good

24 for us to control the men so that they will not hurt the
12:16:16 25 civilians.

26 Q. So you say that Superman agreed with you; what happened
27 after that?

28 A. He answered. He said, "Yes, what you said is true," but
he
29 did not take my advice.

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1 Q. How do you know he didn't take your advice?

2 A. Well, I -- well, I --

3 THE INTERPRETER: My Lord, let the witness come again.
He
4 is going too fast.

12:16:50 5 MR JORDASH:

6 Q. Slow down and repeat your last answer, please.

7 A. I said, I never saw anywhere he disciplined any fighter
8 among the group that came from Koinadugu District. And to
prove

9 that he did not accept what I had suggested to him, because I
12:17:09 10 even caught some of his men who were looting and I disciplined
11 them.

12 Q. Well, let's try and deal with this in chronology. After

13 you had spoken -- we'll come to the discipline when we come to
it
14 in time, okay. After speaking to Superman, what did you do?
12:17:42 15 A. Well, when I spoke to him, he drove off and I also
drove.
16 He went to the place which he had taken at Station Road.
17 Q. What did you do?
18 A. Then, I drove towards the edge of the town on the road
to
19 Kabala, and I left there. I came through Lunsar Road and I
drove
12:18:10 20 back to the college where I slept.
21 Q. And what was the point of that?
22 A. Well, I just wanted to see Makeni Town, because I
started
23 seeing some civilians. I also continued driving, maybe I
would
24 see other people, but I never saw other people. And I
continued
12:18:31 25 to drive in order that if I met soldiers breaking into a
place, I
26 will stop them, and then I will tell them that where we are,
we
27 have to behave ourselves here. That was the reason why I
drove
28 around the town.
29 Q. So what happened then?

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1 A. I told you, I came to the college and I slept there.

2 Q. And what happened then?

3 A. Well, the next day, in the morning, Rambo -- he slept in
4 the barracks, he and his men. I went there; we had parade; I

12:19:12 5 spoke to the men, those from Makeni. I told them that the

6 discipline that they had maintained from Kono to Kono, I am

7 urging them still to maintain that discipline, because now we
are

8 telling the civilians to come back to their various houses.

And

9 anybody, if I have a complaint from a civilian, then I will

have

12:19:38 10 to deal with that person.

11 Q. So what happened then?

12 A. Well, from that, I told Kallon that where Mr Sakito had
13 told us that a lot of civilians were, let us drive to that

14 village, Yele Sanda, and let's talk to the people there. So

we

12:19:59 15 drove to Yele Sanda.

16 Q. What date was this?

17 A. That was on the 26th, in the morning, December '98.

18 Q. What did you do when you arrived there?

19 A. Well, when I reached there, the first thing -- first, I

saw

12:20:20 20 a lot of civilians behind the houses, under the orange trees,

21 mango trees. I saw bundles. I saw sponge mattresses lying on

22 the ground.

23 Q. What happened there?

24 A. So when we went, we stopped, and the civilians were

about

12:20:52 25 to go behind the house. And then I spoke to them in Temne. I
26 said, "No, don't run." Let them come, let me talk to them.
So
27 the people started coming. They gathered before the street
where
28 I had parked the vehicle. They came a lot -- a lot of them
came.
29 And I told them that they should go back to Makeni. I said

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1 nothing will be wrong with them. Let them go back to Makeni.
2 Q. What happened then?
3 A. From then, from the time I had spoken to them, before I
4 left, people started returning to Makeni. And so I and Kallon
12:21:36 5 came back to Makeni. And I told them that when they had
returned
6 on the 26th, on the 27th, we will have to call a meeting at
the
7 Town Hall so that -- let people go and hear what we have to
say.
8 Q. Do you know or can you estimate how many -- about how
many
9 people came back into Makeni, after your meeting?
12:22:12 10 A. Well, on that very day not everybody came, but the
meeting
11 on the 27th at around 11.00 a.m. at the town hall, there were

12 about 75 civilians there.

13 Q. How did you announce -- or was the meeting announced?

14 A. Well, I had spoken to Mr Sakito, Pa Conteh, and Mr Old
Soul

12:22:47 15 on the 25th in the evening. They themselves went and spoke to
16 the people behind the hills to say that the commanders wanted
to

17 speak to the people and that was why 75 people were able to
18 attend that meeting on the 27th at 11.00, December '98.

19 Q. Did you speak at the meeting?

12:23:14 20 A. Yes, I spoke.

21 Q. Can you describe what happened at the meeting?

22 A. Well, the civilians came. From there, I introduced
myself

23 as Colonel Issa and the battlefield commander for the RUF, and
I

24 said: So I will want to assure the people that -- that we
have

12:23:45 25 not come to Makeni to fight against them, we have come here to
26 fight ECOMOG and the CDF. And it was in that meeting I told
the

27 civilians that anybody who is a Civil Defence Force, let them
28 pass the message around, let them all report at the police
29 station on the 28th at 12 noon. And all the policemen that
were

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1 in Makeni, let them also assemble at the police station on the
2 28th at 12 noon.

3 Q. And what was the purpose of that?

4 A. Well, that would -- to enable me to know the policemen
that

12:24:58 5 were in Makeni, that is one; and two, the civil defence that
were

6 in Makeni, so that we were able to get them from among the
7 civilians.

8 Q. What was the purpose of that, of getting the CDF out of
the

9 civilians?

12:25:16 10 A. Well, if the civilians come to know that these people
have

11 requested for the CDF and they turn up, we don't do anything
to

12 the CDF, then the civilians would have confidence that these
13 people have not come here to harm us.

14 Q. So what happened -- did anything else happen at the
12:25:49 15 meeting?

16 A. Yes. I told the civilians that do, I am begging you,
tell

17 your people let them not be -- let them not be in the bushes
to

18 suffer themselves because they are leaving their houses in
town,

19 and they have gone to the various villages and bushes, let
them

12:26:07 20 come to town. I will do my best to protect them. And if any
21 fighter goes into their houses and disturbs them, I said that
I,

was 22 Issa, I am open to receive complaints at any time, even if it
23 at night. Let them not be afraid to go where I was. Let them
24 complain.

12:26:31 25 Q. Was there a town crier in the camp?

26 A. Yes. It was from that meeting that they showed me one,
27 Mr Jalloh, whom they said was the town crier. And it was in
the
28 meeting I told Mr Jalloh that after here, he should announce
that
29 people should come back to Makeni. He should announce that
all

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1 CDF assemble at the police station the next day, the 28th, and
2 that was the same for the police.

3 Q. And where was Brigadier Mani at this point?

4 A. Well, Brigadier Mani was at the back in the meantime.
He

12:27:20 5 came around the 29th to the 30th of December. That was the
time

6 he arrived in Makeni. But it was only his troops that came
with

7 Superman, General Bropleh, because the commander who came with
8 Superman, who was Brigadier Mani's deputy at that time was

9 Colonel T.

12:27:46 10 Q. What was -- from what you've described there was these
11 armed groups in Makeni not under your control? So you are
12 announcing --

13 THE INTERPRETER: My Lord, let the lawyer ask again; the
14 question was not too clear.

12:28:04 15 MR JORDASH:

16 Q. There is these armed groups under the control of others
in
17 Makeni, from what you've told us. And yet you're announcing
at a
18 meeting, reassuring the population that they will be safe.
What
19 was your intention?

12:28:24 20 A. Well, my intention, I had started talking to Superman, I
21 was to continue talking to the other commanders who came with
the
22 men from Koinadugu, so that we would be able to put the
fighters
23 under control, so they will not do things that will harm the
24 civilians or disturb the peace of the civilians.

12:28:48 25 Q. Well, what happened the next day?

26 A. Well, the next day civilians started coming back to the
27 town. Some had their bundles, and they went to various
streets
28 and various houses. So around 11.30, I also drove to the -- I
29 drove to the police station where I met the CDF coming, and
they

1 continued coming until 12.00, and the police also had already
2 gathered there. I met 87 policemen. Among those men there
were
3 -- among those 87 there were two women. And one of the women
4 there was one of the station -- is one of the station
commanders
12:29:40 5 at Masingbi now, currently. And so I went to the policeman
6 first, and they fell in. I spoke to them. I told them that I
7 know they are working with the government of the day, so
today,
8 if Tejan Kabbah is not president the next man who is coming as
9 president, the police will work with him. I said so they were
12:30:15 10 not targets to me, and I don't have anything against them.
And I
11 said: We don't have money to pay them, and we don't have rice
to
12 give them and I would advise them that anyone who can find his
13 way to go to Freetown, where the government is, for him to be
14 able to receive salary; let him go ahead.
12:30:48 15 Q. Anything else?
16 A. Yes, and then I said: You see, they had been giving you
17 guns. But when we are ready, you are women; you cannot stand
us
18 and you are not able to do anything. I just shared that fun
with
19 them and I asked them to fall out. And some of them actually
12:31:13 20 left Makeni, some stayed in Makeni up to the Lome time.

did

21 Q. Well, some stayed in Makeni and some went to Freetown;

22 any go anywhere else?

commander

23 A. Yes. Because, like, this woman who is a station

I

24 in Masingbi, throughout she stayed at Makeni. From the 28th,

12:31:42

25 knew her as policewoman but nobody disturbed them. Even some

to

26 other police were in Magburaka. In '98, from December '98 up

27 '99, after the Lome, some of them came to Freetown. Like now,

28 even the OC traffic in Magburaka, Ibrahim, he was in Magburaka

29 from December right through. Mansaray and others. When I had

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government

1 spoken to the police I went to the CDF. For the CDF, their

2 commander was Nelson Bangura who is now a policeman. I also

3 spoke to them. I said: you, are civilians, whom the

4 had told to take up arms against us but, as far as I know, and

12:32:58
you

5 now that you have surrendered yourself to us, as from today,

have

6 are our brothers. We have nothing against you. But again I

7 to inform my commander about you people.

you

8 Q. All right. Let me stop you there at the moment. Have
9 finished that?

12:33:15 10 A. I have not yet finished.

11 Q. Please continue.

I

12 A. Then I told the commander, when I had spoken to the men,

CDF,

13 said do -- I said I would like your men, every day you, the

able

14 should come and assemble here. You, the commander, will be

go

12:33:38 15 to know that your men were intact. Every morning they would

should

16 back to their various homes. I said: So that is what you

17 do until you hear from me. And they said yes.

closed

18 Q. Now, I just want to pick up on some -- one or two

19 Prosecution allegations. I think we can avoid going into

12:34:05 20

session. You recall a witness who claimed that Superman had a

was

21 man called Blood carrying a communication set, or a man who

22 with a communication set who was called Blood.

--

23 A. Well, I did not know him. The operators that I knew for

24 about Superman, he was -- their names were not Blood. As you

who

12:34:53 25

yourselves had heard from one of the Prosecution witnesses,

26 was with Superman during this time, he knew that -- he did not

called

27 say that one of the operators that was with Superman were

have

28 Blood. I don't know whether I will be specific about what I

time,

29 said a moment ago. 361, he was with Superman during this

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1 and he did not tell this Court that there was an operator that
2 was called Blood.

3 Q. Thank you.

12:35:44
moving

4 JUDGE BOUTET: Mr Jordash, isn't this kind of response
5 somewhat argumentative? And I am concerned that this is
6 outside the realm of his evidence. I mean, you may say he was
7 not or he was. It is for you, not for the witness, to raise
8 these kind of arguments; if witnesses for the Prosecution have
9 said, or didn't say, or they may lie or may not. And you ask

a

12:36:00
a

10 question, he should answer the question, but to carry on, I am

should

11 bit concerned that it is somewhat beyond what the witness

his

12 be answering in that it becomes argumentative. I say this on

for

13 last response, where he said, this witness, whatever number,

speaks

14 the Prosecution has stated this. I mean, yes, the record

12:36:20
in

15 for itself in this respect, and you will certainly argue that

I

16 due course. But whether the witness should go to that extent,

you. 17 am somewhat concerned. So I am just posing the question to

18 MR JORDASH: I understand Your Honour's concern. On the
19 other hand, Mr Sesay has sat for over two years whilst a huge
12:36:46 20 number of allegations have been made against him by witnesses
who
21 have alleged the worst possible crimes against him. And to a
22 degree, I would invite Your Honours to give him a degree of
23 latitude in defending himself from such allegations. This is

--

24 JUDGE BOUTET: Mr Sesay, please, please.

12:37:11 25 THE WITNESS: Yes, My Lord, would you allow me to say
26 something?

27 JUDGE BOUTET: You will, in due course. I am just
talking
28 to Mr Jordash at this moment. You will be given the time to
29 speak, if need be.

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1 I think, Mr Jordash, we're trying to be giving this
2 latitude. But we've been sitting here too for over two years,
3 and we've heard the evidence. Now, I, as I say, a lot of it
is

4 for you to do that. Now, I'm -- what I'm raising simply is
how
12:37:46 5 far and how much do we go into this argumentative aspect of --
6 which is not what the witness should be testifying about. And
7 that's the question I pose to you.
8 MR JORDASH: Well --
9 JUDGE BOUTET: And you know what I'm saying.
12:37:58 10 MR JORDASH: I --
11 JUDGE BOUTET: You asked a question, the witness is
giving
12 you the answer. And from there he moves to say: Well,
witness
13 so-and-so and number 3 of the Prosecution has also stated this
14 and so on. Well, that was not your question. That's really
my
12:38:13 15 concern. How far and how much of that are we to entertain and
16 for how long? Bearing in mind that we too have been sitting
here
17 and have listened to this evidence, and this is our function,
to
18 make a determination in due course.
19 MR JORDASH: Well, as I noted, I understand Your
Honour's
12:38:34 20 concern, but on the other hand, if I was sat in Mr Sesay's
21 position, I would like the opportunity to do what I can to
attack
22 the case against me. And I understand, of course, that's
within
23 reason, but I would respectfully submit that it has been
within
24 reason. And I think it's perfectly natural for somebody who
12:39:04 25 protests their innocence, when accused with such crimes, to do
26 what they can to defend themselves and to point out the
obvious

what
hear
27 inconsistencies in the Prosecution case. But I understand
28 Your Honour is getting at, that there is a limit to this
29 latitude, and I understand that. And I am sure Mr Sesay can

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of
interventions
12:39:44
1 what Your Honour has said, and I think he will understand that
2 there is a limit to what he's doing, but I certainly find it
3 assistance in being reminded of the inconsistencies in the
4 Prosecution case; and I would hope that Mr Sesay's
5 are of assistance.

we've
concerned
and
12:40:02
to
been
6 JUDGE BOUTET: As you know, we've been patient, and
7 tried to limit his evidence, as such. But I am getting
8 that after a while and, to an extent, it becomes argumentative
9 and it is now as such. And accepting that he is the accused,
10 he's entitled to and should be allowed much latitude. But
11 arguments are not in the mouth of the witness, this is for you
12 put forward, arguments, if you want to do that. But we have

13 patient in this respect. I'm just drawing your attention to
14 this; how far and how much are we to listen to this? Bearing
in
12:40:21 15 mind that, as I say, we too have heard the evidence; we too
have
16 been listening to that for over two years. So, thank you
17 Mr Jordash. Mr Sesay, you intended to say something? I'm
18 hearing and listening to what you are saying.

19 THE WITNESS: My Lord, with all due respect, sir, this
is
12:40:42 20 my life. And you find me guilty of anything here, I'll have
to
21 face punishment. And I believe that this witness, whom Wayne
is
22 asking me about, who came and testified here, he was not part
of
23 the communication system. Now, look at the radio operator who
24 was with Superman, what he had said in this Court. My Lord,
12:41:10 25 because these are direct allegations against me, so I believe
26 that, you see, I am just trying to explain so that you will
see
27 where the facts are.

28 JUDGE BOUTET: Thank you, Mr Sesay.

29 THE WITNESS: That is all that I wanted to say.

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1 JUDGE BOUTET: Mr Jordash.

2 MR JORDASH: Thank you, Your Honour.

3 Q. You heard the learned Judge, Mr Sesay, so just bear in
mind
4 the comment. Okay? And make sure that we try to stick to the
12:41:41 5 facts.

6 A. Okay.

7 Q. Now, were there any other units --

8 JUDGE ITOE: But let me say this, Mr Jordash, that he
9 should not feel inhibited to testify, you know, where he feels
12:42:04 10 that it is in his -- in the interests of his defence. If he
is
11 going beyond -- if he is crossing the red line, well, his
12 attention will be drawn to it at any one time. He should not
13 feel inhibited to present his case as forcefully as he can
14 within, of course, the limit which we all know.

12:42:29 15 MR JORDASH: Yes, Your Honour. Thank you.

16 A. Yes, but -- yes, I want --

17 Q. Do you want me to ask you a question, or do you want to
say
18 something? Let me ask you a question. Let's deal with some
19 facts: Were there any unit commanders under your control in
12:43:00 20 Makeni at this time?

21 A. Yes, Rambo was there, the group that came from Kono.
22 But the unit, it was late in December to early January when I
23 said the MP and the other units should move from Kono to come
to
24 Makeni.

12:43:20 25 Q. How did that happen?

26 A. Well, I had seen that Makeni from the 28th, 29th that it

to
that
27 was necessary so that the MPs in Kono would come -- come down
28 Kono so that there would be control, especially with the men
29 had come from Koinadugu, so that they would be able to have

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they
1 people that would stop them concerning the harassment; that
2 had been harassing the civilians.

3 Q. So how was it organised that they came?

4 A. Well, I told Rambo, I said: Rambo, call for the MP
12:44:07 5 commander, the MP commander from Kono, the IDU commander from
6 Kono, the combat medic commander who was in Kono, the S4, and
the
7 G5.

8 Q. Did you speak to Bockarie?

9 A. Yes, I talked to Bockarie when I arrived at Makeni.

12:44:35 10 Q. Well, did you speak to Bockarie around this time?

we
11 A. Well, I told Bockarie, I said the men we had got Makeni,
12 had captured ammunition in the barracks, medicines, but the
13 problem that was in Makeni, the group from Koinadugu, their
14 commanders, I was not able to control them. So this was the

12:45:00 15 problem.

16 Q. Well, what was Bockarie's response to that?

17 A. Well, Bockarie just said that I was to try my level best
so
18 that I would be able to protect Makeni and the people, but he
19 himself was not able to instruct Superman -- I mean, he was
not

12:45:20 20 able to instruct Brigadier Mani or General Bropleh to take
orders
21 from me.

22 Q. Well, was it your suggestion, or whose suggestion was it
to
23 get people from Kono; to get the IDU and MPs from Kono?

24 A. I said that based on what I'd experienced in Makeni,
that

12:45:45 25 was why I said that unit commanders from Kono should come --
26 should transfer to Makeni.

27 Q. Well, who gave the order for them to transfer?

28 A. I gave the order so that they could come to Makeni.

29 Q. When did they come to Makeni?

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The 1 JUDGE ITOE: You gave the orders to those from Kono?

2 orders, you gave them to which group?

3 THE WITNESS: My Lord, I gave the order to Buster Flomo,
4 who was the brigade commander for the unit -- these unit
12:46:30 5 commanders in Kono. So the brigade commander --
6 JUDGE ITOE: Thank you.
7 THE WITNESS: Yes, sir.
8 MR JORDASH:
9 Q. When -- who came?
12:46:43 10 A. Well, Mohamed Jalloh came, the MP commander, the G5
11 commander.
12 THE INTERPRETER: MP commander instead of IDU commander.
13 Correction. Interpreter. Mohamed Jalloh --
14 MR JORDASH: Mohamed Jalloh, MP commander; is that
right?
12:47:05 15 THE WITNESS: Yes, that's correct.
16 Q. So when they arrived, did you have any involvement with
17 them?
18 A. Yes. I had told them to set up offices at the
agricultural
19 compound, which was the ministry's compound.
12:47:32 20 Q. Let's get a full list of who came. We've got Mohamed
21 Jalloh, MP commander. Who else?
22 A. Dr Gina who was the head of the medic in Kono, Pa Balla,
23 who was the S4; Mr JK Bangali, who was the IDU; Captain JK
24 Bangali, IDU, and the G5 commander.
12:48:17 25 Q. And did you see them set up the office?
26 A. Yes, they set up the office at the --
27 Q. Sorry.
28 A. I, myself, had an office at the place where they set up
29 these offices at the agricultural compound which was at
station

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1 road.

2 Q. And at what date was the office set up and functioning?

3 A. That was the first week in January '99.

4 Q. Was this before 6 January?

12:49:03 5 A. Well, it was around that time.

6 Q. Did you see or observe them doing any work from the office?

7 A. Yes, they had been working there. I used to go there. I

8 had an office there.

9 Q. Mr Sesay, help us out. You were there; what were they
12:49:31 10 doing? Tell us.

11 A. Well, when they set up the office, the MPs, they were there

12 and the over unit heads. They had been working. They would

13 report cases to the MPs and the MPs would arrest and they would

14 investigate, and they would suggest punishment.

12:49:54 15 Q. Well, how were the MPs working? Now, I know punishment and

16 investigation and so on, but how were they discovering crimes?

17 A. Well, as I told you, from the 27th I had a meeting with the

crier 18 civilians, and I told the town cryer and the -- this town
the 19 who would come to this office, and I told him to announce to
12:50:25 20 township that any fighter who went to a civilian's house and
did 21 anything, let the civilian come to the agricultural compound
the 22 MPs were there, let them report. And at the same time I had
23 civilians who had been gathering information pertaining to the
24 fighters, and they had been reporting to me also.
12:50:46 25 Q. Now, just, let's be clear about the reporting
structures.
26 When were you involved -- let me start that again. At what
27 stage, if any, did these unit commanders report to you?
28 A. Well, this was a difficult administration in Makeni. I
had
29 an MP group from Kono which was not able to arrest men who
were

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went 1 with Mani. They were not able to arrest men that were with
2 Bropleh because Superman, he had moved with his own men and
3 and based himself at Lunsar.
4 Q. Right. Well, let's try and get -- let's deal with the

12:51:40 5 movement of Superman to Lunsar in a moment. But deal with --
did
6 this unit, did the MPs, did the IDU, did the G5, did they
report
7 to you?
8 A. Yes, they reported to me.
9 Q. Did they report to anyone else?

12:52:02 10 A. Well, the group from Kono, who set up this unit, they
had
11 been reporting to me, because Mani -- Mani's men were not in
the
12 MP unit, Bropleh's men were not in the MP unit. So they did
not
13 report to them. They reported to me, and it was to me that
14 Mohamed Jalloh, who was the MP commander, reported to, me.

12:52:28 15 Q. Where was the overall IDU --
16 A. He was MP commander.
17 Q. -- commander at this time?
18 A. The overall IDU commander, I left him in Kailahun.
19 Q. Well, did the IDU from Makeni report to him?

12:52:48 20 A. Yes. He had been reporting to me up to the time that
the
21 overall commander came. Because, on the information that I
got,
22 I would also report to Bockarie that I was finding it
difficult
23 with these other commanders who had come from Koinadugu, how
to
24 protect the civilians in Makeni from the different fighting
12:53:09 25 groups that had assembled in Makeni. So Bockarie said -- he
26 said, "Well, I will send the overall IDU commander so that he
27 will join you in Makeni," who was Augustine Gbao.
28 Q. When did Gbao arrive then?

29 A. Gbao arrived in Makeni early February 1999.

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1 Q. So I should have made my question clearer then. Before
2 the -- before Mr Gbao arrived, was the IDU from Makeni
reporting
3 to him in Kailahun?

4 A. No. The one was in Makeni -- the one in Makeni was
12:53:49 5 reporting to me. He had not been reporting to Gbao in
Kailahun.

6 Q. Same question for the MPs, did they report to the
overall
7 MP commander?

8 A. They had been reporting to me on a daily basis except
that
9 he had been preparing monthly reports for the attention of his
12:54:14 10 commanders. But, on a daily basis, he had been reporting to
me
11 in Makeni.

12 Q. Right. Thank you.

13 MR JORDASH: The next stage of the examination will, I
14 think almost certainly, need to be in closed session. So I'd
12:55:03 15 invite Your Honours to allow me to make an application.

16 PRESIDING JUDGE: And there is nothing, no short episode

17 you want to cover in five minutes in open session?

18 MR JORDASH: Yes, I can, actually.

19 Q. When does General Bropleh arrive --

12:55:22 20 MR JORDASH: Sorry.

21 PRESIDING JUDGE: That's okay.

22 MR JORDASH: I'm just going to deal with this.

23 PRESIDING JUDGE: That's okay. Go ahead then.

24 MR JORDASH:

12:55:27 25 Q. When does General Bropleh arrive in Makeni?

26 A. General Bropleh came with Superman in Makeni, together.

27 Q. Okay. When did Superman go to Lunsar?

28 A. Superman went to Lunsar -- Superman went to Lunsar on
the
29 second week in January '99.

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1 Q. Well --

2 A. -- because when we had captured Makeni, on the 28th,
3 Superman left to go and attack Kabala. And the attack -- he
was
4 not able to capture Kabala. So on his way back, to come back
to
12:56:24 5 Makeni, he had an accident with his vehicle.

Kabala?

6 Q. Right. Just stop there. Why did he go to attack

the

7 A. Well, he and the commanders from Koinadugu, they were

we,

8 ones that made that preparation to go and attack Kabala. And

while

9 too, planned to attack, we from Kono, we attacked Bumbuna

12:56:50

10 they went and attacked Kabala. Because we were going with the

the

11 idea that we don't want to come forward and leave enemies at

the

12 rear, because ECOMOG was at Kabala and Bumbuna, together with

And,

13 CDF and the loyal SLAs -- the SLA troops to the government.

had

14 during this time, the SLA had split. We had SLA/AFRC and we

12:57:17

15 the loyal SLA, which was with the ECOMOG who had been fighting

16 side by side -- alongside with the ECOMOG.

Superman,

17 Q. So on the way back from the attack, you say Mr --

the

18 sorry, had an accident in his vehicle. What happened after

19 accident?

I

12:57:41

20 A. Well, he had an accident. He was brought to Makeni, so

to

21 myself had information that they had brought Superman, that he

22 was unconscious; he had an accident. So I and Kallon decided

his

23 go and see him. That was around 7.00 at night. But when we

24 reached at the compound at Station Road, where Superman was,

12:58:09
told

25 bodyguards, they went with mixed feelings, and they went and

Superman

26 Superman that Issa and Kallon had come to arrest you.

all
They
27 jumped through the back door with all his bodyguards. They
28 ran away, and they took their vehicles and went to Binkolo.
29 were in Binkolo two days with his group.

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1 Q. Well, let me ask you: Why did you go see Superman?
2 A. Well, we went -- I went to go and see Superman on
3 Bockarie's instruction, because Bockarie said that -- when
4 Bockarie had got the information that Superman had had an
12:58:54 5 accident, he said, well, this was the time that he was to be
6 arrested, so he said, "You are to go there." So that when I
went
7 there, Superman had had the information, so he ran -- ran away
8 and went to Binkolo.

9 Q. You were going to arrest him and do what?
12:59:09 10 A. Well, on Bockarie's instruction, he said I was to arrest
11 him; to take him to Kono. Then, from Kono, we were to take
12 to Kailahun, and that if he was not well, he would have been
13 treated in Kailahun.

14 Q. Well, let's get this clear. Are you arresting him or
are
12:59:35 15 you taking him for treatment, or both?

that, 16 A. Well, the purpose was to arrest him. Bockarie said
that 17 even if he was not well, he said, this was the right time;
him 18 the man was unconscious, I should have arrested him and sent
to 19 to Kono and from Kono, he, Bockarie, would have sent somebody
12:59:54 20 take him. Even if he was not well, he would have continued
this 21 treatment in Kailahun, Buedu.
22 Q. Thank you. And so he went to Binkolo, and what happened
23 there?
24 A. Well, when he went to Binkolo, that was the time that
13:00:12 25 General Bropleh went and met me the following morning. He
said, 26 eh -- he said, my children. He said, because you are my
27 children, because I am the oldest. I am the oldest rebel
here. 28 And, indeed, General Bropleh was an old man. He said we were
his 29 children. He said, "You should have unity." He said, "Why
did

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"I 1 you want to arrest Superman?" I said, "Well, no, I was," --

2 only went to sympathise." He said it was a lie. We had got
3 information that Bockarie told you to arrest him.

4 Q. So what happened then? How did Superman end up in
Lunsar?

13:00:49 5 A. So I definitely denied Bropleh I had an intention to
arrest
6 Bropleh, and he said he was going to bring peace between I and
--

7 between me and Superman, and he went and spoke to Superman in
8 Binkolo. When he talked to Superman, Superman said the
following

9 day he was coming to Makeni. Superman -- Superman's group
came

13:01:07 10 to General Bropleh's house at Turay Street, in Makeni. Then
11 Bropleh sent for me and I went there. When I went there,
Bropleh

12 came and said that we should not have misgivings amongst
13 ourselves and that bygones should be bygones. If Sam Bockarie
14 wanted to arrest Superman, let him come to Makeni and arrest

13:01:27 15 Superman. But let Bockarie not create a problem between I and
--
16 between me and Superman. Superman said, well, what he had
seen,

17 he and his group were going to base --

18 PRESIDING JUDGE: Let him pause a bit. Continue.

19 THE WITNESS: So Superman, he said at the house of
General

13:01:52 20 Bropleh that he had decided to go and base at Lunsar with his
21 group. So Superman left Makeni and went to Lunsar with his
own

22 men. That was the second week in January 1999.

23 MR JORDASH: I don't know if that's --

24 PRESIDING JUDGE: Yes. Approximately for how long will
the

13:02:19 25 closed session last?

26 MR JORDASH: I think it may last some time. I think it
may

27 last --

28 PRESIDING JUDGE: The entire afternoon?

29 MR JORDASH: Yes, because we're coming to January 6.

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1 PRESIDING JUDGE: To members of the public, I would
advise

2 that you retire from the courtroom and don't come back until

3 Monday -- sorry, Tuesday, at 9.30 a.m., because we will be
going

4 into closed session and it will take some time. So we'll see
you

13:03:07 5 on Tuesday next, at 9:30.

6 We will, in fact, recess for lunch and resume at 2.30
p.m.

7 and then we'll take your application for closed session.

8 MR JORDASH: Yes, Your Honours.

9 [Luncheon recess taken at 1.03 p.m.]

14:44:52 10 [Upon resuming at 2.40 p.m.]

11 PRESIDING JUDGE: We are resuming the trial in open
session

12 and we'll have the technology adjusted to take us to closed

13 session hearing.

14 [At this point in the proceedings, a portion of the
14:44:52 15 transcript, pages 68 to 106, was extracted and sealed under
16 separate cover, as the proceeding was heard in a closed
session]

17 [Whereupon the hearing adjourned at 4.33
p.m.,

18 to be reconvened on Tuesday, the 22nd day of
19 May 2007, at 9.30 a.m.]

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EXHIBITS:

Exhibit No. 200

3

WITNESSES FOR THE DEFENCE:

WITNESS: ISSA HASSAN SESAY

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EXAMINED BY MR JORDASH

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