

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

WEDNESDAY, 23 MAY 2007
9.40 A.M.
TRIAL

TRIAL CHAMBER I

Before the Judges:	Bankole Thompson, Presiding Pierre Boutet Benjamin Mutanga Itoe
For Chambers:	Mr Matteo Crippa Mr Chris Boies
For the Registry:	Mr Thomas George
For the Prosecution:	Mr Peter Harrison Ms Penelope-Ann Mamattah Ms Shyamala Alagenda
For the accused Issa Sesay:	Mr Wayne Jordash Ms Sareta Ashraph
For the accused Morris Kallon:	Mr Shekou Touray
For the accused Augustine Gbao:	Mr John Cammegh

1 [RUF23MAY07A - MC]
2 Wednesday, 23 May 2007
3 [Open session]
4 [The accused present]
5 [The witness entered court]
6 [Upon commencing at 9.40 a.m.]
7 WITNESS: ISSA HASSAN SESAY [Continued]

8 [The witness answered through an
interpreter]

9 PRESIDING JUDGE: The trial is resumed. Mr Jordash,
10 continue with the presentation of your case.

11 MR JORDASH: Thank you, Your Honour.

12 EXAMINED BY: MR JORDASH [Continued]

13 Q. Good morning, Mr Sesay.

14 A. Yes. Good morning, Mr Jordash.

15 Q. We were looking yesterday, just before we spoke about
the
16 exhibit, at 8748 -- could Mr Sesay be given Exhibit 33,
please?

17 PRESIDING JUDGE: Mr Courtroom Officer, please assist.

18 MR HARRISON: Sorry to interrupt, but I --

19 PRESIDING JUDGE: Yes, go ahead.

20 MR HARRISON: -- understood there is a series of emails
21 that were exchanged last night involving the Chamber's legal
22 officer with respect to a particular exhibit and whether it
was

23 the intention to have the one-page version of, I think it is

24 Exhibit 203, remain as exhibit or the eight-page version.
25 Because I think what has happened is Court Management has
26 accepted a one-page version and designated that as 203. And
the
27 Court may remember that the Prosecution went and found the
full
28 version of that document, gave a copy to, I think, Miss
Ashraph
29 yesterday, and then there was subsequent questioning about
that

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1 document.
2 PRESIDING JUDGE: Could you enlighten us, Mr Jordash?
We
3 are not privy to these emails at all.
4 MR JORDASH: I spoke to your learned legal officer.
5 PRESIDING JUDGE: Right, yes.
6 MR JORDASH: And it's the eight-page document.
7 PRESIDING JUDGE: And has there been -- it has been
8 regularised now if there is any --
9 MR JORDASH: No, it hasn't. The main reason being that
the
10 computer in my office has been --
11 PRESIDING JUDGE: Yes.

12 MR JORDASH: -- in full repair, so I haven't spotted the
13 emails.

14 PRESIDING JUDGE: So how do we proceed now?

15 MR JORDASH: To file, if we can, with Your Honour's
leave,
16 the eight-page document.

17 PRESIDING JUDGE: Very well.

18 MR JORDASH: As the exhibit in preference to the one-
page
19 exhibit.

20 PRESIDING JUDGE: Right, okay. Then let's rectify that.
I
21 take it there's no objection to the amended procedure?

22 MR JORDASH: No.

23 MR TOURAY: None, Your Honour.

24 MR CAMMEGH: No objection.

25 MR HARRISON: No.

26 PRESIDING JUDGE: Mr Courtroom Officer, you'll take care
of
27 that?

28 MR GEORGE: Sorry, Your Honour?

29 PRESIDING JUDGE: You'll take care of that; you'll make
the

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1 necessary amendment.

2 MR GEORGE: Yes, Your Honour.

3 PRESIDING JUDGE: Continue, Mr Jordash.

4 MR JORDASH: Thank you, Your Honour.

5 Q. 8748, please. Second email, "To: Black Moses.

reached

6 From: Survival," date, 12 November 1999. "Sir, report

7 me yesterday from the paramount chief."

8 JUDGE ITOE: Mr Jordash, you say it's 8748?

9 MR JORDASH: 8748.

10 JUDGE ITOE: 48?

11 MR JORDASH: 48.

12 JUDGE ITOE: Is that the one from Black Moses to -- from

13 Survival?

14 MR JORDASH: To Black Moses, yes.

15 JUDGE ITOE: To Black Moses.

16 MR JORDASH: 12 November 1999.

17 JUDGE ITOE: Yes.

18 MR JORDASH:

chief

19 Q. "Sir, report reached me yesterday from the paramount

20 in the Makule Chiefdom, that there are serious harassment and

21 intimidation" --

be

22 THE INTERPRETER: Your Honours, would learned attorney

23 instructed to call the name, the last name; it's not clear.

24 MR JORDASH:

25 Q. "Makule," M-A-K-U-L-E, "Chiefdom, that there are serious

has

26 harassment and intimidation within the chiefdom. Sir, this

27 caused one-quarter" --

28 JUDGE ITOE: Mr Jordash, please. Who is Black Moses?

29 MR JORDASH: I can ask the accused, Mr Sesay, for

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1 clarification.

2 JUDGE ITOE: Yes.

3 MR JORDASH:

4 Q. Who is Black Moses, Mr Sesay?

5 A. It was Foday Sankoh.

6 Q. Second paragraph, "Sir, this has caused one-quarter of
7 civil populace to flee in the bush, as explained by paramount
8 chief."

9 THE INTERPRETER: Your Honours, the interpreter cannot
get
10 the learned attorney. Would he be asked to repeat, and
slowly.

11 PRESIDING JUDGE: Yes. It's -- well, we'll just go
slowly
12 as we can. I know there is greater degree of enthusiasm when
we

13 start like that but, as the day wears on, it has a tendency to
14 slow down. But if we can just manage to accommodate the
15 interpreters.

16 MR JORDASH: Certainly.

17 PRESIDING JUDGE: It's not easy, really, this exercise.

18 But let's do the best we can.

19 MR JORDASH: Certainly.

20 PRESIDING JUDGE: Let's go over it again.

21 MR JORDASH:

22 Q. The second paragraph: "Sir, this has caused one-quarter
of
23 the civil populace to flee in the bush, as explained by
the
24 paramount chief. Sir, this area is controlled by
Superman
25 with the command of a man called Oso. Sir, since you
26 instructed Superman to change command in these areas,
27 nothing has been done towards that. According to the
28 paramount chief, all this is done because of illicit
mining
29 they are doing within the chiefdom. Sir, kindly advise
as

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1 to what I should do because each time a problem arises,
2 these people can rush up to me directly and explain
3 themselves to me, and it will not be good that I cannot

4 solve their problem."

5 It goes over the page but I'll leave it there for now.

6 Now, firstly, Mr Sesay, where is the Makule Chiefdom?

7 A. The chiefdom is called Makulo. M-A-K-U-L-O, Makulo.

This

8 chiefdom is at Banti Kabaranka, between Makeni and Kamakwie.

9 Q. Is it around the Sanda area?

10 A. Yes. Yes, that's at Sanda.

this

11 Q. And do you recall making this message or communicating
12 message?

13 A. Yes. I sent this message to Foday Sankoh, based on the
14 report that I received from the paramount chief, who was

Kandeh

15 Finor.

16 Q. Can you spell that, or is it funeral, F-U-N-E-R-A-L?
17 Ghande Funeral, as in --

18 A. No. Kandeh Finor is a Temne word. It means a handsome
19 paramount chief. Kandeh Finor.

to

20 Q. And when did this chief and how did this chief complain
21 you?

and

22 A. This chief came from his chiefdom. He came to Makeni

23 when he came to Makeni, he went to -- he went to one Mr Andrew

24 Kanu. He went and explained the way Komba Gbundema's men

25 harassed men, harassed people in his chiefdom. So it was

26 Mr Andrew Kanu who led the paramount chief to go and meet me.

the

27 And they explained all that transpired in the chiefdom, about

28 men.

29 Q. About?

1 A. About the way the men who were under Komba Gbundema had
2 been harassing the civilians. And Komba Gbundema was under
the
3 command of Superman during this time. That was why I sent a
4 radio message to Foday Sankoh, saying that this was the
5 situation. And I had been receiving intelligence information
6 that the fighters in that area had been harassing the
civilians.
7 That was why I had suggested to Foday Sankoh, initially, so
that
8 he could change Komba in that area, but Foday Sankoh did not
do
9 anything as regards to that. So that was why I, myself, told
him
10 in the radio message that it wouldn't be good for the
civilians
11 to come to me, as commander, and complain about the way the
RUF
12 had been harassing them in this chiefdom and I was not able to
do
13 anything, and that would not be good.
14 Q. There's mention here of illicit mining. What was the
15 connection between the harassment and the illicit mining; do
you

16 know?

17 A. Well, it was because of the mining that they had been
18 harassing the people, so that they could mine for them. That
was
19 at Makulo Village. It was where this mining had been going
on.

20 Q. Well, what were the problems concerning the illicit
mining
21 which had led to harassment? What was the nature of the
22 harassment concerning the illicit mining?

23 A. The chief complained. He told me that -- he said, he
will
24 show who was the commander in this place, who had been sent by
25 Komba. He had been forcing the people, the civilians, to mine
26 for them. So that was why the people had been running from
the
27 village and they went into the bush.

28 Q. Well, it's suggested by the Prosecution that you were in
29 support of forced mining; is that not correct?

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wouldn't
1 A. No, that was not correct. If that were correct, I
2 have sent such a message to Foday Sankoh. Because, the men, I
3 was not able to control them; that was why I reported. If
there

reported, 4 were people that I was able to control, I wouldn't have
5 I should have taken action.

6 Q. If you turn to 8757, please.

7 JUDGE BOUTET: Are you finished with that 48?

8 MR JORDASH: Yes, I am.

9 JUDGE BOUTET: I'd just like to know what mining we're
10 talking about here, if the witness knows.

11 THE WITNESS: Yes, My Lord. Diamond mining. Diamond
12 mining, sir.

13 JUDGE BOUTET: And this diamond mining is alleged to
have 14 taken place where, exactly?

15 THE WITNESS: My Lord, I said, it was the paramount
chief 16 that said it was Makulo Village. Makulo Village.

17 JUDGE BOUTET: It was in the village?

18 THE WITNESS: Well, yes. Because it was part of the
19 village, sir. They had been mining in the swamp.

20 JUDGE BOUTET: Thank you.

21 MR JORDASH:

22 Q. Before we turn to 8757, who was this man called Old So?

23 A. Old So, was an RUF fighter who was under the command of
24 Komba Gbundema and Superman.

25 Q. How long had he been under their command?

26 THE INTERPRETER: Your Honours, Your Honours, we want to
27 get something clarified. The interpreters want to get
something 28 clarified.

29 PRESIDING JUDGE: What is it?

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1 THE INTERPRETER: Yes. The learned attorney said Old So
2 and the witness said Old So, so we'd like for him to be clear.

3 PRESIDING JUDGE: Well, I think it's just a variation in
4 pronunciation of the same person. Well, let the witness
clarify
5 it. Who are you referring to, Mr Sesay? What's the name?

6 THE WITNESS: Old So, My Lord. That was the commander
that
7 was at Makulo who had been carrying out this harassment. I
said,
8 this Old So was under Superman's command in the Western Jungle
9 before we met with the AFRC. And, in '98 again, Superman was
in
10 Kono, through Koinadugu to Makeni. Then Superman sent this
man
11 under Konda Gbundema in Kamakwie, so '96, '97, '98, '99, so he
12 was with Superman's group. Old So.

13 JUDGE BOUTET: Maybe if you can assist, to spell it out,
14 Mr Jordash, that might be helpful.

15 MR JORDASH: Certainly.

16 Q. Mr Sesay, can you help us with that?

17 A. Which one?

18 Q. Old So?

should

19 A. Well, in the message here, they wrote O-S-O. But it

20 be O-L-D S-O, Old So.

21 Q. Old Soul, S-O-U-L?

22 A. Yes.

23 Q. Is it Old Soul or Old So?

and

24 A. No. Well, old soldier. They only have abbreviated it

25 said Old So.

26 Q. 8757, please. A message, 5th December 1999, "From:

27 Survivor. To: The leader. Sir, upon your instruction that I

28 should deploy men at Sanda to relieve the civilians. Same was

29 done. I deployed two squads armed men" --

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1 THE INTERPRETER: Your Honours, the learned attorney is
2 fast. Would he please slow down so that the interpreter can
3 catch up with him?

4 PRESIDING JUDGE: He'll take your advice.

5 MR JORDASH: Certainly.

6 Q. "Sir, upon your instruction that I should deploy men at

7 Sanda to relieve the civilians, the same was done. I deployed

8 two squads with armed men at Sanda," and if you would just
read
9 the rest of the message to yourself, Mr Sesay, please?
10 A. Yes, I'm finished.
11 Q. Is this connected to the other message and the
12 circumstances which led to the other message?
13 A. Yes.
November
14 Q. Do you know when between the first message, on 12
15 1999, and this message, on 5 December, Foday Sankoh had taken
16 some action and given you the instruction?
Sankoh
17 A. Well, when I sent the report to Foday Sankoh, Foday
his
18 just gave further instructions, saying that I should deploy
19 own men at Teko Barracks to this Sanda area. So I, myself,
20 despatched 30 armed men there with Lieutenant-Colonel --
21 THE INTERPRETER: I did not get the last name.
22 MR JORDASH:
23 Q. Repeat the last name of the colonel, please?
24 A. Lieutenant-Colonel Karanke.
25 Q. K-A-R-A-N-K-E?
26 A. Yes.
27 Q. Go on.
28 A. So I sent the Karanke with these 30 armed men so that
they
29 could go and deploy at the chiefdom headquarters at Karabanka.

1 So they were there for about a week plus. Then Komba Gbundema
2 came to this place with 80 armed men from Kamakwie and they
3 and disarmed these men that I sent and Karanke had to jump
4 the bush until they came to Makeni. He had to run from them
5 they disarmed the two-squad armed men. Komba Gbundema took
6 arms to Kamakwie so that was why I sent this other message to
7 Foday Sankoh, to the leader.

8 PRESIDING JUDGE: Mr Jordash, I've just been advised
9 we need to stand down; there is a technical problem.

10 [Break taken at 10.02 a.m.]

11 [Upon resuming at 10.20 a.m.]

12 PRESIDING JUDGE: Mr Jordash, we will proceed with some
13 sense of optimism.

14 MR JORDASH: I hope to share that optimism.

15 Q. Mr Sesay, Colonel Bai Bureh, which Bai Bureh was that --
16 Bai Bureh, sorry.

17 A. This was tall Bai Bureh.

18 Q. And where was he in 1998?

19 A. He was in Kono with Superman, and he trained Superman in
20 the Koinadugu District '98.

21 Q. Where was he before 1998?

22 A. Well, he was -- he was in Kenema in '97.

23 Q. And you make a suggestion in this radio communication.
24 First that Komba and Bai Bureh report to Foday Sankoh. What -
25 was that suggestion agreed to by Foday Sankoh?
26 A. Well, if you look at the first -- no, Foday Sankoh did
not
27 agree, let me answer first. But if you look at the first
radio
28 message when the chief came and complained, before that I had
29 suggested to Foday Sankoh so that he could change Komba
Gbundema

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That
1 as commander in Kamakwie. And Foday Sankoh did not agree.
2 was why this second message I suggested to him that let him
call
3 Komba and Bai Bureh for briefing so that he could talk to
them.
4 These men I was not able to control them as you saw in the
5 message and this proved that Foday Sankoh would --
6 THE INTERPRETER: Your Honours, would the -- Your
Honours,
7 let the witness be instructed to go over the last bit of his
8 testimony.

testimony.

9 PRESIDING JUDGE: Repeat the last part of your

big

10 THE WITNESS: Yes, My Lord, I said Foday Sankoh gave us

with

11 positions but at the end of the day he had direct dealings

12 the men that were under us. So this was what this message

13 proved. Foday Sankoh had been operating on divide and rule.

the

14 Q. Right. And you make a suggestion also, third line from

15 bottom, that Lieutenant-Colonel Dawi should take over command

16 until these two men are called for military briefing. Who was

17 Lieutenant-Colonel Dawi?

Gbundema.

18 A. Well, he was the operation commander under Komba

19 Well, the civilians had been talking good about him. That was

but

20 why I suggested that Sankoh should appoint him as commander

21 Sankoh did not agree.

22 Q. And who made Komba Gbundema operations commander?

initially

23 A. Well, at this time, he was a brigadier commander,

24 during the time that I sent this message.

25 Q. You explained that Foday Sankoh operated on divide and

26 rule. Now, that's a common term but what you do you mean in

27 terms of everyday functioning of the RUF?

28 A. Well, I was a senior commander in the Northern Region

29 during this time, and I was based in Makeni. As a matter of

1 fact, all the commanders that were in the Northern Region,
they
2 should have been taking orders from me, the RUF. And
anything,
3 Foday Sankoh should have been sending radio messages to me,
and I
4 would have been sending messages to them -- instructions to
them.

5 THE INTERPRETER: Correction, interpreter.

6 THE WITNESS: But Foday Sankoh had been sending
7 instructions to me and at the same time he had been sending
8 messages directly to Komba.

9 Q. Okay. 8759 please.

10 JUDGE BOUTET: Mr Jordash, if I may, before you get to
this
11 one. Just to complete on this last part of the evidence of
the
12 accused on this divide and rule. Why is it then, if that is
the
13 case, that you appear to be suggesting to Sankoh in this
message
14 that he calls them and he should talk to them. It is not
Komba
15 Gbundema who's writing to Sankoh, it's you to Sankoh at that
16 time. I am just trying to understand your explanation on
this,
17 Mr Sesay. Do you understand my question?

18 THE WITNESS: Yes, My Lord. My Lord, if I had got a
19 complaint from the civilians then I would have dispatched a
team

and
20 to go and base on the ground. Then the men that were there,
21 I -- I was a senior to them and they I forcefully -- and I
22 disarmed them so that proved that --
23 THE INTERPRETER: Your Honours, would the witness go a
24 little bit slow.
25 MR JORDASH:
26 Q. Remember to go slow. Repeat the last two sentences.
27 A. I said, I had got complaint from the paramount chief
about
28 the civilians in his chiefdom, and I had sent men to his
chiefdom
29 so that a stop could be put to that, so that they could --
then

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taking
1 Komba Budemba came. He came and forcefully disarmed these men
2 with a threat, so that had proved that Komba had not been
3 instructions from me. Instead of the civilians to continue
4 suffering, that was why I said to Foday Sankoh so that he
could
5 intervene. And, My Lord, if we continue with this radio
message
6 there was a radio message which showed that the people from --

he
have

7 who came from Foday Sankoh and they came to Freetown and
8 complained to Foday Sankoh about the same harassment. So, if
9 had listened to me initially, see, these civilians wouldn't
10 come to Freetown to come and complain, the civilians from the
11 chiefdom.

12 JUDGE BOUTET: You mean from that very chiefdom?

13 THE WITNESS: Yes, sir, My Lord. There was a message to
14 that effect.

15 JUDGE BOUTET: Thank you.

that?

trying

of

18 JUDGE BOUTET: This is your witness, and I was just
19 to get some clarification, so I would understand the meaning
20 that answer; that's all.

so

21 MR JORDASH: Well, I understand Your Honour's question,
22 I will try and seek further clarification.

23 Q. Divided loyalties, so you say Foday Sankoh used to deal
24 directly with these various commanders; am I right so far?

25 A. Yes, you are correct.

role

these

some

26 Q. But, for example, in this message you are taking on a
27 where you're coming potentially in between Foday Sankoh and
28 commanders. You're taking -- you're in some way exercising
29 level of authority which is, perhaps, indicative of you being

the

1 higher in command. Are you following my reasoning? What was
2 situation in terms of your command and these men and Foday
3 Sankoh?

been

4 A. Well, these men, Komba Gbundema told Bai Bureh because
5 Foday Sankoh had been calling them to Freetown and they had
6 having direct dealings or messages from Foday Sankoh. That is
7 why they did not have any regard for me.

8 Q. Did you have any authority or influence over them as the
9 battle group commander?

10 A. Well, I did not have influence, I did not have any
11 authority over them because -- because if I had authority over
12 them I wouldn't have sent these armed men to go and deploy and
13 then forcefully disarm them.

where

14 Q. Were there any times during this period and onwards
15 you had any authority over them or influence over them?

16 A. Well, that happened after, when they had arrested Foday
17 Sankoh in Freetown in May 8.

that,

18 Q. What happened? Just briefly because we will come to
19 but just briefly?

20 JUDGE BOUTET: May 8 which year?

21 THE WITNESS: I think the question that you asked, you
22 said: What time that I had authority over Komba.

23 MR JORDASH:

24 Q. Well, the question was a bit broader than that. The
25 question was: Was there a time when you had either authority
or
26 influence over them? And I am using the two terms separately
on
27 purpose.

28 A. Well, after they arrested Foday Sankoh --

29 JUDGE ITOE: What's the date again? 8 May, what year?

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1 THE WITNESS: 2000, My Lord.

2 MR JORDASH:

3 Q. Well, let's come to that when we come to that period.

4 A. Okay.

5 Q. 8759, please. Just a quick reference there to the
bottom

6 message to the leader from the overall security commander,

7 Colonel Augustine Gbao. The question I want to ask you,

8 Mr Sesay, is: You've given a clear indication of your

9 relationship with those who were aligned with Superman and
their
10 relationship with Foday Sankoh. This message shows Mr Gbao
11 contacting the leader directly. What was the situation with
Sankoh?
12 other men such as Mr Gbao and their contacts with Foday
13 A. Well, this -- Gbao had been contacting Foday Sankoh
14 directly as you saw the message and Foday Sankoh had been
sending
15 messages to Gbao and even other commanders because, if he saw
16 other messages --
17 Q. And other commanders such as who was contacting Foday
18 Sankoh directly and vice versa?
19 A. Like Momoh Rogers from Kailahun. You had Rashid Sandy;
he
20 had been -- who was in Bo. He had been sending direct
messages
21 from -- to Foday Sankoh.
22 Q. Morris Kallon?
23 A. Yes, he also had been sending direct messages. If Foday
Sankoh
24 Sankoh sent instructions to him, he would respond. Foday
25 was fond of that, sending direct messages to senior and junior
26 commanders.
27 Q. Okay. 8764, please. Sorry, 8763. This message to the
28 Field Commander Info Smile from Colonel Rogers. Is Colonel
29 Rogers Momoh Rogers?

1 A. Yes, he's Momoh Rogers.

2 Q. There is reference here in the fourth paragraph to --
that
3 people -- this is what it says. That people want to go home;
4 that Sam Bockarie wrote a letter, a letter of resignation with
5 threatening warlike. And over the page 8764, there is a
message
6 to Sam Bockarie to the whole of the RUF resigning. Could you
7 explain just briefly what it was, as you understand it, which
led
8 to the resignation of Sam Bockarie?

9 A. Well, Sam Bockarie had a problem with Foday Sankoh over
the
10 disarmament. Bockarie said that he would not disarm to
11 Nigerians, so the Nigerian ECOMOG, he would not disarm him.
But
12 at that time they had transformed the mandate of the ECOMOG to
13 the UNAMSIL. But Bockarie said, even if they transformed the
14 mandate he would not disarm under the Nigerians because they
15 fought against the RUF, so he would not disarm to them. That
was
16 what brought the problem between him and Foday Sankoh.

17 Q. Okay. Thank you. 8766, please. Top message: "To:
18 Smile. From: Mr Miloskie Kallon. Sir, reference your
message
19 sent in respect of the looting of the Lunsar hospital." Who
was
20 Miloskie Kallon?

Lunsar.

21 A. Miloskie Kallon was -- was the commander based in

you

22 Q. This message is the 23rd of December 1999. From what

23 told us yesterday, Lunsar had disarmed; is that not right?

man,

24 A. Yes. Lunsar was disarmed in late November, but this

the

25 Miloskie, was in Lunsar. He had no armed men. He was with

26 RUF -- he was the RUF ex-combatant commander at Lunsar.

as

27 Q. Did he communicate to you at all or did he communicate

28 in this message to Foday Sankoh?

29 A. I believe he got the messages. This was between him and

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1 Foday Sankoh.

at

2 Q. 8768, please. "To: The leader. From: Brigadier Issa.

3 Subject: Infos. Date: 24 December 1999. We are presently

4 Kono trying to do all necessaries in the best way possible. I

5 will keep you furnish, sir." Do you remember this message?

that

6 A. I remember -- I remember because Foday Sankoh told us

7 he would have to go to Kono, so this message was pertaining to

left

8 his trip to Kono, but did not work out. He had to go -- he

9 for Kono in January.

are

10 Q. You're apparently informing him, Foday Sankoh, that you

11 at that time at Kono. Do you know where you had been before,
12 directly before that?

instructed

13 A. Yes. Foday Sankoh knew I was based in Makeni all that
14 time. So I would only go to Kono or Kailahun when he

15 me to do so.

that

16 Q. TF1-371 said at this time you were based in Kono; is

17 not correct?

in

18 A. No. It was in December -- in December 1999 I was based

in

19 Makeni. It was in February that Foday Sankoh transferred me

20 Kono. Then I was based in Kono permanently.

trip

21 Q. Do you recall whether on 24 December, or during this

22 to Kono, you might have seen TF1-371?

23 A. No. At that time -- at that time, that man was in

24 Freetown. It was in March 2000 when he went to Kono, after he

25 returned from America, because he went to America. When he

26 returned, he drove with his Nissan Patrol --

27 Q. We are in open session, remember.

28 A. Sorry, sorry. Sorry.

29 Q. We can come back to that later. 8769, please. "To:

1 Smile. From: The MP commander, Segbwema ops. 26 December
2 1999." Who was that person, please?

3 A. The MP commander at Segbwema was John Aruna. The MP
4 commander who was at -- in Kailahun.

5 Q. And did he not send messages through you?

6 A. No. I never received a message from him.

7 Q. 8770, "To: Smile. From: Mr Vandi Kosia. Subject:
8 Information. 27 December 1999." Who was Vandi Kosia?

9 A. Vandi Kosia was the adviser to the brigadier commander
in
10 Kailahun in '98/99. And he was the deputy to Kumba Vandi in
11 '96/97.

12 THE INTERPRETER: Correction interpreter, Peter Vandi.

13 MR JORDASH:

14 Q. And 8771, please. First message to Smile, from Denis
15 Lansana dated 29 December 1999. What was Denis Lansana doing
in
16 December 1999?

17 A. Well, he was a brigade commander for Kailahun. He was
18 based in Pendembu.

19 Q. Thank you. Message below there. "Regional headquarter
20 Makeni. To: Smile. Through: Survival. From: Colonel
21 Vannicious Vanney, alias Kailondo." First question: What was
22 the regional headquarter at Makeni in terms of its place

within

23 the RUF functioning?

that

24 A. Well, in Makeni, Makeni was the headquarters because

25 is the regional headquarters in Makeni.

26 Q. Do you know why Kailondo was sending the message through
27 you at the regional headquarters Makeni?

the

28 A. Well, Kailondo was the commander for the ground -- on

29 ground in Makeni.

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1 Q. And what was his position in the command structure in
2 Makeni? Where was he at that time?

3 A. Well, at that time he was the BFI.

4 Q. Which meant what, in terms of his position in the
5 structure?

6 A. Well -- well, he was not working under that position as
7 BFI, but he was the commander. He was the RUF commander in
8 Makeni Town from the regional headquarters.

was

9 JUDGE BOUTET: What do you mean, Mr Sesay? You say he
10 the BFI, but he was the brigade commander; what was he?

11 THE WITNESS: My Lord, he was a Vanguard, and he was the

12 commander from Makeni Town.

13 JUDGE BOUTET: You had said that he was the brigade
14 commander.

15 THE WITNESS: No, I said he was the BFI, but at that
time
16 the BFI was not functioning because we were not fighting, so
he
17 was the commander for Makeni.

18 JUDGE BOUTET: Okay. Thank you. So BFI was a position
or
19 a function or a title only in cases of, as you -- to use your
20 word, when "fighting." In a non-fighting scenario that
position
21 was not used; this is what you mean?

22 THE WITNESS: Well, yes, My Lord. Because if there is
no
23 fighting then the BFI's function will lie dormant. It's only
24 when there is fighting he would move from place to place to
25 observe.

26 JUDGE BOUTET: Okay. Thank you.

27 MR JORDASH:

28 Q. Where is the fighting at this time?

29 A. I said, at that time there was no fight. There was no

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1 fight.

2 Q. Just a clarification: Battlefront inspector, what would
3 their function be?

4 A. Well, battlefront inspector, for example, if you are in
5 Kono --

6 MR JORDASH: Sorry, I will just consult with my
colleague,
7 please.

8 PRESIDING JUDGE: Leave granted.

9 MR JORDASH: Thank you.

10 Q. Okay. I am going to jump now to another section,
because
11 these books are not in chronology, so I tried to keep within
the
12 books in an ordered way. But I am going to jump back in time
now
13 to deal with another section of the books. Can we turn to
8840,
14 please, which is Exhibit 3 -- 33 further on. This is a
message,
15 the second message. "From: Smile. To: Colonel Isaac.
16 Subject: Response. Date: 23 September 1999. Reference to
your
17 last message dated 23 October 1999. You are not to take
orders
18 from Brigadier Mani or any other commander besides the field
19 commander."

20 JUDGE BOUTET: You said 23 October, it's 23 September.

21 MR JORDASH: Sorry, 23, yes, you're right.

22 Q. Did you hear that message, Mr Sesay?

23 A. Yes. In September I was in Buedu. I saw the message.

24 Q. What did Isaac have to do with, if anything, after this

25 message with deployment to Kambia?

in

26 A. Well, as I said yesterday, in September Superman was not

27 Makeni. Isaac was left -- Isaac -- Isaac --

that

28 THE INTERPRETER: Your Honours, can the witness take

29 bit again.

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1 MR JORDASH:

2 Q. Repeat the answer, please.

3 A. I said in September 1999, Superman was not in Makeni.

Freetown

4 Foday Sankoh had called Superman when he passed through

5 to Monrovia, and he left Isaac Mongor in charge in Makeni.

left

6 Colonel Komba was operating under Superman, so when Superman

Komba's

7 Isaac -- so Komba was taking instructions from Isaac and

8 men were in Kambia Town.

9 Q. Sorry. 8849, please. The bottom message there. 19

10 October 1999 from Smile to SSS and Superman. "Subject:

11 Directive. By my directive you should work together to pursue

12 the enemies at Okra Hill and destroy their bases. You should

and

13 cooperate with one another to put the situation under control

this

14 chase them out from that area on to Mile 38." Do you recall

15 message, Mr Sesay?

16 A. Yes. I can recall.

17 Q. Do you recall what the events had been which had led to

18 this message concerning the activities at Okra Hill?

19 A. Yes, I can recall. I can explain.

20 Q. Do you want to explain?

21 A. Yes.

22 Q. Today.

the

23 A. Yes. I can explain now. Well, after Superman attacked

were

24 AFRC at Makeni, after he had driven them out, the AFRCs who

attack

25 at the Okra Hill, that, which is West Side, they came to

myself

26 Superman at Lunsar on two different occasions; two different

27 attacks. That was why Foday Sankoh sent this message to

28 and Superman to work together and attack the West Side at Okra

29 Hill, but we did not attack. It did not work out.

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1 Q. Why didn't it work out?

Superman

2 A. Well, because of the lack of cooperation between

not

3 and I; that was why it did not work out. The operation did

4 work out.

5 MR CAMMEGH: Your Honours?

6 PRESIDING JUDGE: Yes, Mr Cammegh.

7 MR CAMMEGH: Once again, may I be briefly permitted to

8 leave the room to print off yesterday's transcript?

9 PRESIDING JUDGE: Leave granted.

10 MR JORDASH:

concerns

11 Q. 8854, please. There is a message from Black Moses to

12 Survival at the top there, 23 October 1999. The message

13 Foday Sankoh suggesting people are escaping from Makeni with

14 complaints about harassments from soldiers; do you recall this

15 message?

16 A. Yes. I remember when Foday Sankoh sent the message.

to

17 Q. And explain the circumstances which you understood led

18 the message?

19 A. Well, I think what you are saying now is it's different

20 from the message. He was complaining about the harassment in

is

21 Makeni, and that is not what -- that is not what the message

22 saying.

the

23 Q. Just to -- I am just interested in the top message at

appears

24 moment. We will come to the second one. The top message

25 to be Foday Sankoh saying to you that there is harassment in

26 Makeni and people are escaping with complaints. What was the
27 situation, please?

men

28 A. Well, when I went to Makeni in October '99, me and the
29 moved straight to the barracks; men who came. So to say that

the

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1 fighters were living with civilians at their houses --

that

2 THE INTERPRETER: Your Honours, can the witness state
3 bit yet again.

4 MR JORDASH:

5 Q. Sorry. Repeat the last answer, please.

They

6 A. When Superman attacked the AFRC they left for Makeni.

were

7 we want to Lunsar. After taking command over Makeni, there
8 no harassment.

9 Q. Do you know who sent you to take over?

the

10 A. Well, I think, I can't recall the exact date but it was
11 between the 12th and the 15th when we arrived in Makeni. Just
12 after -- the very day I arrived in Makeni, Superman attacked
13 AFRC, and when they left Makeni I took over.

to
from
men
on
this
went
AFRC
Okra
and
they

14 Q. Now, the message below 23 October 1999 from Black Moses
15 Survival. "Infos received from reliable source that the men
16 Makeni SLA have come to Port Loko and have link up with their
17 at Okra Hill. They have planned to carry on massive offensive
18 your position, both at Lunsar and Makeni." Did you recall
19 message?
20 A. Yes, I can recall the one from Foday Sankoh.
21 Q. Well, do you know when the men from Makeni, the SLAs,
22 and joined the men at Port Loko? Sorry, the men at Okra Hill.
23 A. Well, it was the men whom Superman attacked when the
24 drove them out. They walked until they went to the men at
25 Hill. That was Colonel Tee, Brigadier Mani's men.
26 Q. No. This message is on 23 October 1999. At what stage
27 were the men from Makeni, the SLAs, said to have left Makeni
28 gone to Port Loko?
29 A. Well, that did not mean they left on the 23rd because

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1 had been driven out from Makeni before Superman attacked. So
2 they do not move in one day. They move and rest, move and
rest.
3 It even took time before Foday Sankoh could get the message.
4 Q. Well, who then, going back to the top message, why did
Makeni 5 Foday Sankoh think there was harassment from soldiers in
6 at that time?
7 A. Well, the harassment I knew about was before I arrived
when 8 the --
9 THE INTERPRETER: Your Honours, can the witness take
that 10 part again.
11 MR JORDASH:
12 Q. Repeat that last sentence, slowly.
13 A. I said, before I arrived in Makeni I knew there was --
they 14 were harassing the civilians and the men occupied the
civilians' 15 houses. But, upon my arrival in Makeni, I was at Teko
Barracks 16 when Superman attacked the AFRC. When they left Makeni
Superman 17 looted the NGOs' vehicles and they --
18 Q. Well, on the 23rd -- well, how long were Superman's men
in 19 Makeni after the looting of the NGO vehicles?
20 A. Well, they attacked Makeni. They attacked the men in
21 Makeni. The next day, they pulled out from Makeni. It was
the 22 very same October when I got to Makeni.
23 Q. 8859, please. "To: Black Moses from Survival.

24 Information date 3 November 1999. Sir, Major Gibril
Massaquoi's
25 men opened suppressive firing on the township of Makeni
causing
26 great panic among the civilian population." Do you remember
this
27 message?
28 A. Yes. I can recall this message.
29 Q. Well, were Gibril Massaquoi's men in Makeni at this
time?

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1 A. Well, they were leaving Lunsar to Makeni with the looted
2 vehicles they were with, but they were not based in Makeni.
They
3 were leaving Lunsar during October/November, and they were
going
4 to Makeni.
5 Q. So how often were Massaquoi's men coming into Makeni
6 between October and November?
7 A. Well, it did not continue because they disarmed at
Lunsar
8 in November.
9 Q. Well, how -- listen to the question. How often in
October
10 and November?

11 A. Well, the time they opened the fire -- opened firing, I
12 sent the message to Foday Sankoh. And I believe Foday Sankoh
13 sent the message to Massaquoi himself to advise his men at
14 Lunsar.

15 Q. Thank you. 8860, please. "From: Smile. To: Superman.
16 Subject: Directive 2/11/1999. You are hereby directed to
17 dismantle the checkpoints between Lunsar and Makeni. There's

a

18 lot of complaints pouring in my office about harassment at
19 checkpoints. Act immediately on this directive, and I would
20 speak with you more on the issue." It may be obvious, but who
21 was manning the checkpoints between Lunsar and Makeni?

these

22 A. Well, from Makote to Lunsar, it was the men at Lunsar
23 who -- Superman -- Superman was in charge of those checkpoints
24 from Makote to Lunsar.

25 Q. Do you know if anything happened as a consequence of
26 message?

that

27 A. Well, for -- for me, I came to know after they had
28 disarmed -- during the disarmament at Lunsar. And these --
29 checkpoints were put down.

these

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and

1 Q. 8861, please. Message from Smile to Superman 7 November
2 1999. "Subject: Directive. By my directive you are to
3 dismantle all checkpoints between Rogberi Junction and Lunsar
4 to only maintain a checkpoint when entering Makeni." What was
5 the situation in terms of who controlled the checkpoint when
6 entering Makeni?

that

was

men

7 A. Well, the checkpoint leading to Makeni was Makari and
8 checkpoint was under my command at that time. But Superman
9 controlling the men at Makote Junction. That is 12 miles to
10 Makeni. But three miles to Makeni, I was in control of the
11 at that checkpoint, that is Makari.

last

arrest.

all

comply

12 Q. Okay. Over the page, please. The same message. The
13 sentence. Sorry, the top -- the last paragraph. "Be rest
14 assured that no one has a plan to attack you neither to
15 Be confident in me as your leader and try to take and act on
16 orders from me. You should prepare your men and ready to
17 with DDR programme, as I will give you further instructions on
18 the issue." Did you have anything to do with Foday Sankoh's
19 disarming of Superman's men?

20 A. No. The instructions was from Foday Sankoh to Superman
21 about the -- how -- how he will prepare the men for the
22 disarmament at Lunsar. I had nothing to do with that.

first

23 Q. 8864, please. Sorry, 8867, I beg your pardon. The

apology

all

24 message there from Black Moses to Survival 3 November 1999.
25 "It's God's will that I didn't travel today. Extend my
26 to the people and keep encouraging them until my arrival. The
27 question of harassment and intimidation in that chiefdom will
28 soon come to a halt. Keep calm until my arrival. I repeat,
29 those problems will be solved." Do you know what that message

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he

to

The

--

1 refers to or what the background to that message was?
2 A. Yes. Foday Sankoh was talking about a visit to -- to
3 Makeni. He was talking about -- the message meant that he --
4 was going to Makeni to visit to talk to the people, the
5 civilians, about the peace process. But since he was unable
6 go, so he sent the message which spoke about the chiefdom.
7 only chiefdom I knew that there was a problem in was Malakulo
8 Makulor where the paramount chief was because it was under
9 Bombali District.
10 Q. Makulor, that's the chiefdom we heard about earlier?

in

11 A. Yes. It was a chiefdom. It was under Bombali District
12 Sanda.

13 Q. Do you know why Foday Sankoh was suggesting that the
14 harassment was going to come to an end? Why he asserted that
15 with confidence?

the

16 A. Well, it was based on the -- the people who came from
17 chiefdom who came and met him in Freetown. Because if I had
18 concerns about --

19 THE INTERPRETER: Your Honours, would the witness go a
20 little bit slow.

21 MR JORDASH:

22 Q. Repeat your answer, please.

harassment

23 A. I said, I had been reporting to him about this

people

24 in this chiefdom in October. So I informed him before the

sent

25 came and complained to him in Freetown. When he -- when he

informed

26 the message on the 11th of November, when I had already

27 to him. I had already informed him in October.

28 Q. 8875, please. Second message there from Smile to SS,

29 "Subject: Instruction. Date 5 December 1999."

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1 JUDGE ITOE: SS is who?

2 MR JORDASH: Mr Sesay.

3 Q. I am interested in the last line. "I will send a
satellite
4 phone for you in a few days, something teaching something, who
5 will come with it." Had you a satellite phone before this
date?

6 A. I did not have a phone on my own before this time.

7 Q. And did the phone arrive?

8 A. Yes. I think the phone came in January 2000 with his
9 bodyguard who was Jabati. He was the one who had been
operating
10 the phone. And you had seen the message again from --

11 Q. Sorry?

12 A. I said -- I said, if you saw the message I had, this
same
13 message, which -- where Foday Sankoh said I was to send
Karankay,

14 the senior officer, to go and investigate where they had taken
15 the arms from Karankay hands. You look at the time when I had
16 lodged a complaint and the time that he gave the instructions.

17 Q. And what's the point you're making?

18 A. Yes. The point in the sense that if he sent a message
19 about civilian harassment, and I had informed him from October
20 that I had sent men and that these men had been disarmed who
were
21 supposed to instruct the -- their colleague in the RUF to stop
22 harassing the civilians, and he sent in December so that a
team
23 could go there and investigate.

24 Q. Well, was this the Sankoh that you'd known in the early
25 years?

26 A. Well, yes, because this was the way that he had been
27 operating when he was in the ground. You see, he had been
28 directing everything. And he would like commanders to be
29 reporting to him, even junior commanders. And when he was
ready,

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1 he would send a message even to the platoon commanders. You
see,
2 and the platoon commander had right to respond to him
directly.

3 Q. Well, he'd waited for three months, it seems, to take
4 action in relation to civilian harassment. Was this the
Sankoh
5 that you knew?

6 A. This is what I was saying. I said, the man, he did not
7 believe us, the commanders who were the senior commanders. If
we
8 told him that this was what we were to do, he would take his
own
9 time, and he will not tell them to do such and such a thing
and
10 he didn't.

three

11 Q. Well, listen to the question: Sankoh had waited for
12 months to take action against harassment of civilians. Was
13 Sankoh like this in relation to civilians in the beginning of
14 conflict or had he changed? Was this the same man you
15 recognised?

the

16 A. Well, he changed. He was not the same man that I knew.
17 But from the time that he was released, and when we took him

to

18 Lome, he became more dictatorial. He had not been listening

to

19 us. He became a changed man. You see, we are always

surprised

20 about his behaviour, because when he said something, you know,
21 he'd become angry in return.

22 Q. Well, what was your feeling about his failure to take
23 prompt action against following your complaint?

24 A. Well, I -- what I -- I felt and what I knew, he did not
25 want to discourage the other junior commanders that he wanted
26 their loyalty.

27 Q. So what does that mean?

28 A. Well, what that meant, I was the commander. I had sent

a

29 report to him, and he would not accept my own word. And he

would

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orders.

1 encourage my own subordinate so that he not take my own

2 So it looked like he did not have any trust in me. So if I
3 wanted to --

4 THE INTERPRETER: Your Honours, would the witness repeat
5 the last bit of his testimony.

6 MR JORDASH:

7 Q. Repeat the last sentence, please.

Makeni

8 A. So, I -- I said, I was the commander, and I was in

structure,

9 and had the report. And I believe that as the command

meant

10 anything that I had told him pertaining to the RUF, he was
11 supposed to have accepted that. If he did not accept my own
12 word, and had been encouraging my own junior men. So that

if

13 that he did not have any trust in me. So in case of anything,

14 I said no, then he would use those that had -- he had been
15 encouraging that do such and such a thing against him.

16 Q. Okay. Let's move into January 2000.

17 A. Well, if you could see the next message.

18 Q. What's the number?

19 A. 8876.

was

20 Q. From Smile to Shining Star. Shining Star was who? Who

21 Shining Star?

22 A. It was Komba Gbundema.

23 Q. Did you want to say something about this message?

Gbundema.

24 A. Well, yes, because I was the senior man for Komba

have

25 So if Komba Gbundema had gone and disarmed my men, so it -- it

26 came to a matter of procedure, he, the Foday Sankoh, would

27 told Komba that he should report with the arms that he had

28 disarmed from the commanders to Makeni and --

bit

29 THE INTERPRETER: Your Honours, I did not get the last

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1 of the witness's testimony.

2 MR JORDASH:

3 Q. Sorry, repeat the last sentence, please.

4 A. I said, look at the chain of command, when Komba had

5 disarmed those 30 armed men, when Foday Sankoh had got the

6 information -- the report from me, he had sent information to

7 Komba that the arms that he had taken from the men he should

8 report with them to Issa; and he should answer questions from

but

9 Issa why he had done this. Because the whole problem he --

10 how I was trying to protect the civilians.

11 Q. Right. Can I ask you to go to Exhibit 33 at page 8774.

12 A. 877?

but
me

13 Q. 8774, have you found it? It's earlier on in the book,
14 it deals with January. Perhaps the Court Management can hand
15 the book.

16 A. I will see it, you just leave it.

17 Q. Second message there. "To: Survival. Info: Smile.
18 From: Miloskie Kallon, Miloskie M Kallon. 2 January 2000."
19 Were you aware of this message?

20 A. Yes. I knew about it.

21 Q. Who was responsible for the ambush? Did you have that
22 information?

later,

23 A. Yes. According to Miloskie, when we saw each other
24 I said, when he came to Makeni, he told me that it was the men
25 from the West Side. They were the ones that set the ambush
26 between -- between Gberi Junction and Port Loko.

27 THE INTERPRETER: Your Honours, would the witness be
28 instructed to speak a little bit loud.

29 MR JORDASH:

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can

1 Q. Speak a bit louder please, Mr Sesay, so the translation

2 hear you.

was

3 A. I said, according to Miloskie Kallon, he said that it

the

4 the men from the West Side, and they were the ones that set

5 ambush between Gberi Junction and Port Loko, because I was in

6 Makeni. That was what he said.

7 Q. 8780, please.

8 JUDGE BOUTET: What's the number again? 8 --

9 MR JORDASH: 877 -- sorry, it's 8780. 8780.

10 JUDGE ITOE: Is it the first or the second message?

11 MR JORDASH: The first one, Your Honour.

12 JUDGE ITOE: The first one?

13 MR JORDASH: Yes, please.

14 Q. To the Leader from Survival.

15 A. I do not see the number.

Sesay?

16 Q. 8780, 12 January 2000. Perhaps I can assist Mr Sesay if

17 the learned Court Management can -- have you found it, Mr

18 A. No.

after

19 Q. Perhaps then I could -- if you pass me the book, I'll be

20 able to find it, I think. 8780, 12 January 2000. Sorry,

21 all that, the next page, please. Sorry. 8780A. "13 January

22 2000. To: Smile. From: Survival. Sir, reference to your

23 message date 12 January 2000, we received the delegates this

24 morning safely. They were highly welcomed at Magburaka.

25 Likewise in Makeni. We even held meeting with them, the

do

26 inspector of the present ongoing disarmament programme." Now,

27 you remember this message that you sent?

the

28 A. Well, you said I should look at the next page. What is
29 number, please?

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to

looks

1 Q. Sorry, 8780A. The page after the one I first asked you
2 look at. That's not the one. 8780A; can you see it? That
3 like it might be it. Does it start with "To: Smile. From:
4 Survival." Date 13 January?

5 A. Page 13?

6 Q. 13 January.

7 A. Yes, I sent this message.

8 Q. Well, who were the delegates?

9 A. Well, it was the first commander of UNAMSIL, General
10 Jetley, who was the head of the delegate. And he did not
11 announce his staff.

you

12 Q. And where had you received them? Where were you when
13 received them?

14 A. Well, I was in Makeni, but my family was at Magburaka in
15 October to January 2000. So General Jetley, I received him in
16 Magburaka, and we drove to Makeni.

any 17 Q. Had you personally been in contact with the UNAMSIL or

18 officials from the DDR programme at this time?

19 A. Well, it was UNAMSIL. You see, I met UNAMSIL before in
20 Buedu, when they visited me in Buedu, before I came to
21 Magburaka -- before I came to Makeni in October, and in
September

22 they went to Buedu. But this was my first time of meeting
23 General Jetley and his delegation, which was UNAMSIL.

24 Q. Now, 8783, please. "29 January 2000. To: Smile.
From:

25 Survival. Subject: Info. He informed that UN personnels
came

26 in this morning in order to take the 80 men that were disarmed
at

27 Fadugu end to the camp at Port Loko. Accept infos for your
28 advice."

29 A. Yes, I knew about that message and it was true.

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1 Q. What was the -- we've heard that Lunsar disarmed. Which
2 was the first place to disarm?

3 A. It was at Lunsar first that Foday Sankoh disarmed us;
and

4 after that, so this was the second place, Fadugu; and the
third

5 place was Segbwema.

bit

6 THE INTERPRETER: Your Honours, I did not get the last

7 of the witness's testimony.

testimony,

8 PRESIDING JUDGE: Repeat the last part of your

9 Mr Sesay.

the

10 THE WITNESS: Yes, sir, My Lord. I said, it was Lunsar

11 first that Foday Sankoh disarmed; after that, Fadugu. From

12 Fadugu the last place was Segbwema, where he disarmed before

13 May 8 incident; before the problem between the RUF and UNAMSIL

14 ensued.

15 PRESIDING JUDGE: Thank you. Mr Jordash, is this a

16 convenient point at which we can take the morning break?

17 MR JORDASH: Yes, please.

18 PRESIDING JUDGE: Then we'll take a break.

19 [Break taken 11.36 p.m.]

20 [Upon resuming at 12.05 p.m.]

21 PRESIDING JUDGE: Please continue, Mr Jordash.

22 MR JORDASH: Your Honour, thank you.

23 Q. Did Foday Sankoh attend the disarmament in Lunsar?

that

24 A. Yes. But they transported the men to Makeni because

Loko.

25 was where the disarmament camp was built -- sorry, at Port

26 The DDR camp was at Port Loko, so they transported the men

27 from --

28 MR JORDASH: Did we miss something there?

29 THE WITNESS: Say it again.

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1 MR JORDASH:

2 Q. No, not you. I was wondering if the translation missed
3 something. Could you repeat your last two sentences, please,
4 Mr Sesay?

from
where

5 THE WITNESS: I said, Foday Sankoh went to Lunsar and
6 then, they transported the men to the DDR Camp at Port Loko
7 Foday Sankoh was, where the disarmament was.

8 Q. And what about Fadugu?

commander
with

9 A. Fadugu went there with -- with the deputy force
10 of UNAMSIL and some Sierra Leone military officers with a --
11 a helicopter. They went -- they came from Freetown and landed

--

that

12 THE INTERPRETER: Your Honours, can the witness take
13 last part?

because

14 PRESIDING JUDGE: Yes. Let him give us that back,

you

15 I heard -- I heard Fadugu being used as a person, when I think
16 it's a location. We better get something right here. Could
17 go over the last two sentences, Mr Sesay, and slowly, so that

18 they can get you correctly.

19 THE WITNESS: Yes, sir, My Lord. I said, Foday Sankoh,
20 with the deputy force commander of UNAMSIL and some Sierra
Leone
21 military officers, flew -- flew with a helicopter from
Freetown
22 to Kabala and, from Kabala, they drove to Fadugu, where Foday
23 Sankoh came to start the disarmament.

24 MR JORDASH:

25 Q. What were Foday Sankoh's instructions about disarmament,
26 and his specific role within disarmament?

27 A. Well, wherever there was disarmament, it was Foday
Sankoh
28 and the UNAMSIL authorities who would -- who would go there,
and
29 Foday Sankoh's men -- and Foday Sankoh would go to talk to the

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1 men. That was what happened in Lunsar, and it happened in
Fadugu

2 as well, and that was what happened in Segbwema.

3 Q. Was that as a consequence of orders from Foday Sankoh,
or

4 how did this work? Did Foday Sankoh speak to you about this?

5 A. Yes. For instance, in Fadugu, he gave a radio message

6 that -- that I should go with Kallon to Fadugu to prepare the
7 men, and he would get over to kick off disarmament. And even
8 before the men were disarmed, he would talk to them. When
they
9 were on parade, he would speak to them about that. He would
give
10 orders so the men would disarm.

11 Q. Right. 8783, which I think we are at. The bottom
message,

12 "To: Smile. From: Survival. Subject" --

13 JUDGE ITOE: Which one?

14 MR JORDASH: Sorry, 8783.

15 Q. Bottom message, "To: Smile. From: Survival. Subject:
16 Info. Date: 29 January 2000."

17 A. Yes. I explained about Fadugu. Let me explain about
18 Segbwema, because you were asking about the function of Foday
19 Sankoh. In Segbwema, he sent a message. By then, I was in
Kono.
20 He said I should go to Segbwema; I should stay there for 48
hours
21 so that all the men would assemble at Segbwema, because he
would
22 go there with --

23 THE INTERPRETER: Your Honours, the general's name.

24 MR JORDASH:

25 Q. The last sentence again, please.

26 A. I said, Foday Sankoh and Jetley, with some government
27 ministers, with Sally Bujama all went to Segbwema. They were
all
28 there.

29 Q. What's the name you just said beginning with S?

They

1 A. Sally Bujama, one of the ministers in the government.
2 all went to Segbwema when Foday Sankoh gave the orders for the
3 men to be disarmed. So that was the common understanding, the
4 understanding I had: That wherever there was a disarmament,
5 Foday Sankoh would go there because that was the practice.

6 Q. Were you in communication with Jetley?

on

7 A. Well, General Jetley, only on the visit when he came to
8 Magburaka. But we've never spoken, we've never corresponded
9 the phone or on the set; we were not in communication.

10 Q. Could you not telephone him?

would I

11 A. Well, he did not give me his telephone number. How
12 telephone him? And my -- since I had no unit --

that

13 THE INTERPRETER: Your Honours, can the witness take
14 part again?

15 MR JORDASH:

please.

16 Q. Speak slowly, Mr Sesay. Repeat the last sentence,

credit

17 A. My phone -- my phone had no credit, so there was no
18 to call; I only received calls.

19 Q. Did you say no credit to call; is that what you said?
20 A. Yes. My telephone, the satellite phone, had no credits,
no
21 units for me to call someone.
22 Q. Well, credit and unit are two different things. Credit,
in
23 English, means no money. And no unit implies you couldn't
phone.
24 So could you have phoned, if you wanted to, from that phone?
25 A. My phone had no units; I -- I was unable to phone.
26 Q. 8784, please. Sorry, 8783, the bottom message:
27 "To: Smile. From: Survival. Subject: Info. Date:
28 29 January 2000. Some operators are in the habit of
29 dissolving their assignment area to an unknown
destination.

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1 Special ref to operator Vandí Amara, who left his
2 assignment area without the knowledge of any authority
and
3 proceeded to your point."
4 Which are the operators that this message refers to?
5 A. Well, these were -- were the operators, the operator in
--
6 I think it was the operator in Pendembu.

7 Q. What was the particular problem, at this time? What
does
8 it mean, "Operators leaving their assignment area" or
"dissolving
9 their assignment area"?

10 A. Well, there were two as operators in the field radio, in
11 Pendembu. So he left -- left there and he did not tell the
unit
12 commander. So the unit commander complained to me, so I told
13 Foday Sankoh.

14 Q. 8790, please. Just read the message to yourself,
please.

15 A. Yes, I have read it.

16 Q. What was the situation with the border during 1999 and
17 2000, the border with Liberia?

18 A. From the time Sam Bockarie resigned from the RUF, when
he
19 went to Liberia, from Buedu, he went with some RUF. From that
20 time, the Liberian security closed their border, from Dawa to
--
21 to Koidu [as interpreted]. And this message spoke of the
22 civilians who were in Liberia as refugees. And the securities
23 were not allowing them. I knew about this, that the border
was
24 closed since Mosquito had left. There were no movement. From
25 February up to May 8th, the border was closed.

26 Q. 8794, please. Now before I ask you to look at the
second
27 message there, can you assist the Court with what was your
28 impression of Foday Sankoh's attitude towards disarmament,
around
29 January/February 2000?

1 A. Well, Foday Sankoh went to Makeni, late in January.
2 Because in the early part of January, he visited Kono and,
from
3 then, he went to Makeni. He spoke to the civilians at the
town
4 field in Makeni. And there were a whole lot of people there,
the
5 population was heavy. Because I want to explain this, then I
6 would explain how I felt about the disarmament with Foday
Sankoh.
7 Sankoh addressed the civilians on the -- on the field,
8 about 4,000 to 5,000 people. He told the civilians that they
9 had -- have -- the peace had come and he was trying to disarm
the
10 RUF. So, he spoke to them and asked the people if they had
any
11 questions to ask him. A civilian raised his hand up. He told
12 Foday Sankoh -- he said, "I have" -- "I have one problem. One
of
13 your men took my car and I have spoken to this man who took my
14 car, to return my car, because this is the vehicle I use to
run
15 transportation to feed my family."
16 Foday Sankoh dismissed the man. And he said, "For just

that's

17 this" -- "For these clothes your men came to take from me,

18 why you are saying this?"

that

19 THE INTERPRETER: Your Honours, can the witness take

20 part again?

21 MR JORDASH:

back

22 Q. Sorry, it didn't come through very clearly. Just go

23 three sentences, please.

they

24 A. I said, this man raised his hand up in the -- from the

25 population. He was trying to complain to Foday Sankoh that

boys

26 had stolen his vehicle from him. So Foday Sankoh responded

27 negatively. He told the man, "Is it for these rags that my

Sankoh

28 came to take?" So the civilian refused to reply, so Foday

29 told him --

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it

1 Q. Stop there. "Is it" -- this is what's not clear -- "Is

2 these rags that my boys came to take?" That's what I'm not

3 following. Foday Sankoh said what? Break it down.

tattered

4 A. You mean the rags he was referring to, clothes --

5 clothes. When Sierra Leonean says rags, he's referring to

as

6 clothes, clothes that have no value. That is what we refer to

7 rags.

8 Q. I understand. We would use the same term in England,

9 actually. Can you just repeat what Sankoh said?

to

10 A. Sankoh told the man to just sit down. If he was coming

11 discuss about property, that was not the time to discuss about

what

12 property. But I was -- I felt ashamed because that was not

13 I was expecting him to say.

14 Q. What were you expecting him to say?

15 A. I was expecting him to say that since -- as this man had

16 complained, he should have called the man, asked for the

that

17 vehicles -- asked for his name and tell the man to wait and

he

18 he would give orders for his men to return the vehicle. And

19 should have apologised to the civilians in Makeni, that he was

20 sorry about what his boys did --

at

21 THE INTERPRETER: Your Honours, can the witness help me

22 that point?

23 MR JORDASH:

24 Q. Repeat the last two sentences.

25 A. I said, I was expecting Foday Sankoh to apologise to the

they

26 civilians who had assembled in the field that -- that, since

27 had reported to him about looting, I was expecting him to

it

28 apologise to the people that what my boys had stolen from you,

29 was because I was away. But since I'm now here, it will not -

-

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1 that incident will not repeat itself. That was what I was

2 expecting him to say to the people; to apologise.

3 Q. So what happened after the meeting?

4 A. Well, at the end of the meeting, we drove with him,

Foday

5 Sankoh, and a Nigerian UNAMSIL, those who were with him.

6 Because, at that time, he was using Gborie Musa's jeep.

7 Q. Who used it?

8 A. Gborie Musa, who was the garrison commander for UNAMSIL

in

9 Freetown, Foday Sankoh was using his jeep.

10 Q. So where did you drive to?

11 A. Well, we drove to the house where the Black Guards were

at

12 Teko Road.

13 Q. What happened then?

14 A. When we got there, we arrived there, he said he wanted

to

15 speak with us, the commanders. So he called us. He was in

his

16 bedroom.

17 Q. Right. Let's just get as close to the time as you can
18 remember. What was the date?

19 A. Well, I think this was in -- this was late in January or
20 early February 2000.

21 Q. And you enter his bedroom; is that what you said?

22 A. He went -- when we went into the house, we remained
23 outside. He went into his bedroom and called the delegation
24 came with from Freetown.

25 Q. Called them where?

26 A. He called them into his room and he asked them to call
27 Gbao and Kallon.

28 Q. What happened then?

29 A. Well, the people he took from Makeni to Freetown, in

he

me,

this

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1 room I saw Sandy, Gibril Massaquoi.

2 Q. Who? Who Sandy?

3 A. Rashid Sandy. Rashid Sandy, he was in the room; Gibril
4 Massaquoi; Jackson Swaray and a Sesay, who was his bodyguard.

all

5 And for myself, in Makeni, Augustine Gbao and Kallon; we were

6 in this room.

you've

7 Q. Before you go on, anyone else? Just to be sure that

8 got everybody.

9 A. These are the ones I can recall now.

10 Q. Okay. Go on.

we

11 A. So Foday Sankoh said, "Gentlemen, I called you" --

12 "summoned you for a short meeting." So he sat on his bed and

13 were standing. So he said, "Now I want to tell you, as

14 commanders" -- "as my commanders, I want you to know that the

15 UNAMSIL who are in this country are only for the" -- "are here

16 for the interests of Tejan Kabbah. Because what Tejan Kabbah

said

17 should have implemented at the Lome, he refused to do." He

18 when he complained to the SRSG, they say nothing.

19 Q. What was -- go on. What did he say then?

20 A. He said when he complained to the SRS --

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

22 little bit slow?

23 MR JORDASH:

24 Q. First of all, who was the SRSG at this time?

25 A. I think it was Francis Okelo who was the SRSG.

26 Q. O-K-O-L-L-A-Y or O-K-E-L-O?

27 A. I was familiar with this man.

familiar?

28 Q. You were familiar with this man or you were not

29 A. I said, I was not familiar with this man.

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

3 MR JORDASH:

4 Q. Repeat the last sentence.

5 A. I said, I was familiar with the ambassador, Adeniji,
6 because I worked with him. I did not work with Okelo.

7 Q. Well, had you worked with Adeniji at this stage?

8 A. Well, at this stage, Adeniji had not yet come. So it
was
9 Okelo who was the SRG.

10 Q. Now, what did Sankoh then say after he complained about
11 making complaints to the SRSG that the SRSG was not doing
12 anything?

13 A. He said Kabbah did not implement certain parts of the
14 agreement. He said that when he complained to the SRSG, they
did

15 not listen. Instead, they just forced him so as to disarm.
He

16 said, so -- he was giving us instructions, I and the
commanders

17 that were in the room, so that we should start arresting the
18 military observers with special reference the white men. We
19 should arrest them and I should take them to the Kangari
Hills.

20 He said we should camp there in the Kangari Jungle.

21 Q. Did he say when these arrests should take place?

22 A. Well, see how I saw it and the way he spoke, he thought
23 that we were to start implementing these instructions from the
24 time he spoke. See, but when he spoke, I also had to respond.

25 Q. And how did you respond?

26 A. Well, I told him that Pa -- I said, "You are the
leader."

27 I said, "You have signed the Accord." And I said that if you
are

28 to say that we should arrest these people, I said, "You,
believe

29 me, will be arrested in Freetown." I said, "And if you are

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1 arrested in Freetown," say, "That will be the end of the RUF."

2 Foday Sankoh became annoyed, seriously became annoyed. He
said

3 in fact -- he said, "This type of individual is not supposed
to

4 be a commander. You are" -- "Such a man should not be relied
5 on" -- "upon."

6 Q. And what was said then at the meeting?

7 A. He said -- he said, "I have given instructions and you
are

8 trying to advise me." He said, "I was the leader. I signed
the
9 Lome." He said, "Whatever I told you to do, that was what you
10 should go by. You should not come and tell me what to do."
He
11 became angry. And when he was angry, Gibril Massaquoi told
12 him -- he said, "Pa." He said, "If Issa was not ready," he
said,
13 "Who are ready?" "Who would displace" -- "who would dislodge
the
14 UNAMSIL as we did to them in Somalia?" Then Foday Sankoh told
15 his bodyguards, he said, "Pack my bag so that I can go back to
16 Freetown." He packed his bag with his clothes and then the
17 meeting ended. He came outside, he went into the Land
Cruiser.
18 Then all of us drove and went to the helipad at the town field
19 and he took off with the -- in the helicopter and he came to
20 Freetown. And, when he came to Freetown, the same evening, I
21 received a radio message from him, Foday Sankoh, where he sent
22 instructions that I should transfer from Makeni to Kono, and
that
23 I was to go and take over the mining. I should not have
anything
24 to do with the administration in Makeni.

25 Q. And what happened then?

26 THE INTERPRETER: Your Honours, would the witness be
27 instructed to speak a little bit louder?

28 MR JORDASH:

29 Q. Speak a bit louder, Mr Sesay, please?

message,

So

to

over

I

Lawrence

1 A. Okay, Pa. The next morning, he sent another radio
2 asking whether I had left Makeni, if I had proceeded to Kono.
3 I, myself, when I received this message, I left and went to
4 Magburaka. I went where I was -- where my family were in
5 Magburaka. I was angry. I said, "Fellow, Sankoh did not want
6 treat us fairly." See, I was a field commander. How would he
7 post me so as to go and be a mining commander. He said this
8 was -- the mining commander was --

9 THE INTERPRETER: Your Honours, would the witness go
10 the last bit of his testimony?

11 MR JORDASH:

12 Q. Go over the last bit again, please.

13 A. I said, I was angry. I said, when I went to Magburaka,
14 grumbled in the house where I was. The house where I was in
15 Magburaka was a reservation. Because, during that time,

16 was there, Edwin was there. I told them, I said, "Fellow" --

17 Q. Sorry to interrupt, Mr Sesay. Lawrence who?

18 A. Lawrence Womandia was in Magburaka. Edwin Bockarie was
19 Magburaka.

20 THE INTERPRETER: I did not get the first name.

21 THE WITNESS: [No interpretation].

22 MR JORDASH: Sorry, we've lost translation.

23 THE INTERPRETER: Yes, Your Honours. This is because I
was
24 not able to keep pace with the witness. Will he be instructed
to
25 go a little bit slow so as to give the interpreter the
26 opportunity to keep pace with him?

27 PRESIDING JUDGE: Right. We will try again and see what
we
28 can achieve now. Yes, Mr Harrison.

29 MR HARRISON: I think there was an intervention by the

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1 translator. The name Bockarie had been given. I think the
2 translator asked for the first name of that person.

3 PRESIDING JUDGE: Yes.

4 MR HARRISON: And I think subsequent to that the
translator
5 was waiting for a response.

6 PRESIDING JUDGE: Yes. Perhaps we should go back to an
7 earlier point and have the whole thing rehashed for us.

8 Mr Sesay, try to speak as slowly as you can so that you
do

trying

9 not outpace the interpreters. Of course, you can raise your
10 voice. We need to hear you but, at the same time, keep a
11 measured pace. We know it's difficult but we should keep
12 until we achieve some good results; all right?

13 THE WITNESS: Yes, sir, My Lord.

far

14 PRESIDING JUDGE: Mr Jordash, take us back and see how
15 we can remedy some of the difficulties here.

16 MR JORDASH: Your Honour, yes.

17 Q. You've told us, Mr Sesay, that the house where you were
18 contained Lawrence Womandia and Edwin Bockarie. Take us from
19 there.

was.

20 A. Well, Lawrence Womandia was not in the house where I

21 I said, when I came from Makeni, and I came, Lawrence Womandia
22 and Edwin Bockarie, they came to the house where I was in
23 Magburaka. I said, and I was angry; I had been grumbling. I
24 said, Pa Sankoh had appointed me as battlefield commander when
25 Sam Bockarie had resigned. I said, but now, when I advised

him,

26 you know, he became angry with me. So how could I, a field
27 commander, then -- from field commander, I would become a

mining

28 commander. Now I would be a unit commander.

29 Q. Did you go anywhere after this?

and
and
2000.

1 A. Yes. Because my colleagues with whom I was, Lawrence
2 Edwin, they advised that this was the leader and that since he
3 had given the instruction, I should go. So I left Magburaka
4 went to Kono with my family. From February I was in Kono,

5 Q. Where were you living, in Kono?

6 A. I had been living at Small Lebanon, part of Koakoyima.

7 Q. Let's just return briefly to the radio messages. Page
8 8794, second message, "To: Smile. From: Survival. Subject:
9 Information. 12 February 2000. Sir, I received a message
10 yesterday from Colonel Denis Lansana at Pendembu, stating,"
then
11 there is a message about somebody called Fati. Then,
underneath
12 that, there is a message from Lieutenant Alfred --
13 Lieutenant-Colonel Alfred Turay:
14 "To: Sparrow. Info: Survival and Smile, 12 February.
15 Sir, be informed that the UNAMSIL were about to force
their
16 way to Kono but they were stopped by the checkpoint
17 soldiers not to go. Until further instructions.
Secondly,
18 they have started digging trenches over their areas."
19 Were you aware of this message?

20 A. Well, this was from the commander in Magburaka, Alfred
21 Turay.

UNAMSIL

22 Q. And had Foday Sankoh given any instructions about
23 going to Kono?

to

24 A. Well, he had not yet given instructions so that UNAMSIL
25 could go to Kono. And even the instructors -- and even the
26 instructions that he had been sending, today he would say,
27 "Wherever" -- "Wherever UNAMSIL wanted to patrol, allow them
28 patrol." And the next -- and the other day he would say that
29 UNAMSIL should not make any patrol until you inform me. That

was

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1 how it operated.

2 Q. What was Foday Sankoh's relationship with Jetley at that
3 point. Are you aware of what their relationship was like?

4 A. Well, they did not have a cordial working relationship.
5 And that was what led to the problem when I was in Makeni.

6 Because I had that experience when -- when I became interim
7 leader of the RUF when I was working with Opande, so I just --

8 Q. Go on; finish what you were going to say.

9 A. I said, the same thing; there was no good working
10 relationship between Foday Sankoh and General Jetley, because

the

--

interim

relationship

they

break

and

Makeni,

ground

11 same problem which happened in Makeni, which brought about the

12 the abduction of UNAMSIL, when I became -- when I became

13 leader of the RUF, the same problem occurred. But since I and

14 General Opande had a good working relationship, I and General

15 Opande were able to stop that. So there was no problem that

16 ensued from that. But if there was a good working

17 between -- between Foday Sankoh and the General Jetley, then

18 shouldn't have arrested the UNAMSIL personnel in Makeni.

19 Q. There is a lot of information there. Let's try and

20 this down. What was the problem, as you saw, between Jetley

21 Sankoh?

22 A. Well, like the things that brought the problems in

23 they said because I was not there, they said RUF had gone and

24 disarmed under cover, when the commanders that were on the

25 did not know.

26 Q. We are not at May yet. Just leave May out of it for the

27 moment. What were the problems, if any, between Sankoh and

28 Jetley around the time of this message, February time?

29 A. Well, the problem between Sankoh and Jetley, Jetley, he

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would
in
that
listen

1 just wanted the disarmament so that Sankoh would take
2 instructions that we should disarm today here, and Sankoh
3 say yes. And if Sankoh did not agree, he said that what was
4 the Lome should be implemented by the government. Jetley, he,
5 himself, he was not happy about that. He just wanted to see
6 he disarmed the RUF and he had not -- he did not want to
7 to what Sankoh had been telling him.

about
any

8 Q. So do you know the truth or otherwise of this message
9 UNAMSIL being about to force their way to Kono? Do you know
10 information which suggested that that was true or not true?

that

11 A. Well, we had an understanding from Foday Sankoh that
12 wherever UNAMSIL had patrolled, he and Jetley would discuss
13 and, from there, he would send instructions to the various
14 commanders who had been controlling those areas. So if there
15 were no instructions from Foday Sankoh, that was what had been
16 creating the problem with the men that were on the ground.

17 Q. But just listen to the question: Was it or was it not
18 true, or do you not know, whether UNAMSIL were about to force
19 their way to Kono?

20 A. Yes. That was true. That was true. And even the
21 trenches -- they had been digging trenches where they were.

man?

22 Q. What did digging trenches mean to you, as a military

it
to
to
drive

23 A. Well, that was to prepare myself. When he dug a trench,
24 was to prepare himself in case of anything; that you'd be able
25 defend yourself. Digging trenches, then you would be prepared
26 fight.

27 Q. Do you know what, if anything, was behind the UNAMSIL
28 to Kono? Do you know why they wanted to get to Kono at that
29 time?

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not
same

1 A. Well, Kono it was the mining, the diamonds, that were in
2 Kono and UNAMSIL wanted to occupy that place because they had
3 been running to go and occupy Kailahun and the way -- in the
4 way that they were running to go to Kono.

5 Q. Did your functions change when you arrived in Kono?

in

6 A. Yes, there were some changes. Because, when I arrived
7 Kono, I spent one week, then I received Gibril Massaquoi with
8 five UNAMSIL personnel and two UNAMSIL trucks with marine
9 equipment, bearing machines, shovels, shackles, and these were

10 brought by UNAMSIL themselves, with Gibril Massaquoi, and they
11 took these items to Kono. Two white trucks of UNAMSIL, and
12 firing arms, and personnel from the Nigerian contingent.

13 Q. Can I just ask you to look at one more message and then
14 we'll deal with mining. Zero -- sorry, let me start that
again.

15 8803, please.

16 A. 88?

17 Q. 8803, 14 March 2000. "To: Survival. Info: Smile.
From:

18 Brigadier Morris Kallon. Subject: Infos. Sir, be informed
that

19 US peacekeeping force are requesting to build reception centre
20 for DDR programme."

21 Then the last paragraph, "Secondly, sir, according to
them

22 the observers will be visiting your point S-A-T-E Kono on
23 Thursday, along with two vehicles. Sir, in respect to this
24 issue, I need your positive response."

25 This is Kallon to you in Kono; is that right?

26 A. Yes. This is a message from Kallon.

27 Q. And what was he asking you to do?

28 A. Well, he had been informing me that the military
observers

29 were going to visit Kono. Based on what the observers had
told

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1 him that they were going to patrol in Kono, that was why he
sent
2 the message to me -- the information to me.

3 Q. Okay, thank you. Let's keep going, actually, on the
radio
4 logs. 8805, "To: Survival. Infos: Smile. From:
5 7th Battalion, Fadugu, and 8th Battalion, Binkolo. Colonel
Babu.
6 Subject: Weekend reports. Date: 19th March 2000," and this
7 appears to be a complaint about Savage; is that right?

8 A. Yes.

9 Q. Where had Savage been in the months before this message?

10 A. Well, from October '99 to March 2000, Savage was around
11 Fadugu. He was part of the Koinadugu towns but he was off
from
12 Fadugu because, the road, you would take it from Fadugu, but
the
13 town's name is the one that I have forgotten.

14 Q. Okay. Thank you.

15 A. But it was in Koinadugu District. The road was from
16 Fadugu. That -- the road was there that leads from Fadugu to
the
17 place.

18 Q. Okay. Concerning the commands of locations, I want to
be
19 clear about something. Who was in command in Port Loko, in
20 1999/2000?

21 A. Well, it was -- Port Loko town itself was occupied by
the
22 government forces, '99 to 2000.

23 Q. And what about around Port Loko Town?

24 A. Well, the same district, Port Loko District, you had the
25 West Side -- West Side's base, and you had Superman's base in
26 Lunsar in '99, but he disarmed in November.

27 Q. There was a witness who claimed that you'd -- or claimed
28 he'd seen you playing football with Superman in Port Loko in,

I

29 think -- 1999?

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witness

1 A. No. No, I can recall what the witness said. The
2 said that he saw me playing football with Superman, in Lunsar.

I

3 think he said May '99. It was not in Port Loko.

4 Q. Sorry, you're absolutely right. Was that right anyway?
5 Was he correct?

not

6 A. That was a lie. It was a big lie. In May '99, I did
7 have the guts to go to Port Loko, because the man had changed
8 from Makeni in late March.

me

9 Q. The man had changed you from Makeni in late March?

had

10 A. I said, the man -- that's -- I meant the man, Superman,

play
possible.

11 chased me in late March, and it was not possible for me to
12 football with Superman in May, in Lunsar. It was not

13 Q. Did you say "changed" or "chased"?
14 A. Chased. Chased. Chased. They had run after me in
Makeni,
15 in late March '99. So, from March to October in '99, I was
not
16 in the whole of the Northern Region. I was not there, not
even
17 Lunsar. I was not in Magburaka; I was not in Makeni. So it
was
18 not possible for me to have come to Lunsar.

19 Q. Thank you. To 8806, second message there. Sorry, the
20 third message there:

21 "To: The leader. From: Brigadier Issa Sesay. 22
March
22 2000. Sir, upon your instruction to proceed to Makeni,
23 same was done. Sir, I advised Brigadier Morris Kallon
he
24 is to take command since I am yet at Kono."

25 THE INTERPRETER: Your Honours, would learned attorney
26 repeat his question? The interpreter did not get it properly.

27 MR JORDASH: I haven't asked a question yet, but I'll
read
28 the last sentence.

29 Q. "Sir, I advise Brigadier Morris Kallon is to take
command

1 since I am yet at Kono." Where were you when you sent this
2 message?

3 A. Well, during that time I was in Kono.

4 Q. 8808, the last message. 8808, the last message on the
5 page:

6 "To: Survival. Info: Smile. From: Brigadier Morris
7 Kallon. Reporting on 25 March 2000 about attacks by
8 and his men."

Savage

9 Do you know when the problem with Savage had started,
10 concerning these attacks?

11 A. Well, this problem started even when I left Makeni,
12 February 2000, before I went to Kono. This problem had

already

13 started, and when Savage was already carrying on the attacks
14 Koidu -- on Koinadugu axis.

on

15 Q. Have you ever heard of Savage going mad?

16 A. Yes. I heard about that in January '99. I mean,

January

17 '99, when I went to Makeni. They said that Savage had gone
18 in '98.

crazy

19 Q. Do you know if he ever received any treatment?

20 A. Well, the information that I had in Makeni, in January
21 1999, they said that it was Pa Demba, the Marah who [as

that

22 interpreted] for Superman and Brigadier Mani, he was the one

23 was healing him.

24 Q. Was he ever detained?

him

25 A. Well, he was not under my command and I had never seen

26 being detained.

27 Q. Well, have you ever heard of him being detained, in any

28 way?

was

29 A. Yes. They arrested him from the West Side and he -- he

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1 brought to the West -- to Pademba, and he was still there.

2 Q. 8824, please. Are you there, 8824?

3 A. 8824, yes.

4 Q. 12 April 2000, the second message:

go

5 "To: Smile. From: Survival. Subject: Infos. Be

6 informed that I have instructed Colonel Martin George to

health

7 and take over command at Kailahun location, as the

8 condition of Colonel Rogers is getting worse."

to

9 Were you able to instruct, at this stage, Martin George

10 go and take over Kailahun?

11 A. Well, that was why I informed the leader for his
approval.

12 I did not have, 100 per cent, the power to just appoint him to
go

13 to Kailahun as commander. I had to inform Foday Sankoh for
his

14 approval. That was the message.

15 Q. Where were you based at this point?

16 A. I was in Kono.

17 JUDGE ITOE: Does that message talk of approval? Does
it

18 talk of seeking approval from the leader?

19 THE WITNESS: Well, My Lord --

20 JUDGE ITOE: It reads -- it reads:

21 "Sir, be informed that I have instructed Colonel Martin
22 George to go and take over command at Kailahun location,
as

23 the health condition of Colonel Rogers is getting
worse."

24 THE WITNESS: Yes, My Lord. Because when I sent the
25 message, if Sankoh did not want Martin George, he would have
26 said, no, I would appoint such and such a commander, or send
such

27 and such commander.

28 MR JORDASH:

29 Q. What did you mean by the last sentence, "except for your

1 infos and necessary advice"?

had

2 A. So that he could accept the -- the information that I

3 given him and let him advise if I should send a man to go and

4 take the command or not.

next

5 MR JORDASH: Your Honour, I want to deal with mining

I've

6 as a topic. If I can indicate, if it assists, then I think

if

7 probably got one day left and that's it. I'd like to finish,

8 I possibly could.

9 JUDGE BOUTET: One day with mining or one day in total?

10 MR JORDASH: In total. Mining and UNAMSIL and then,

11 briefly, disarmament.

12 JUDGE BOUTET: Which means Thursday?

tomorrow.

13 MR JORDASH: I'm hoping to finish by the end of

to

14 PRESIDING JUDGE: Right. Well, the trial is adjourned

15 tomorrow, Thursday, the 24th of May, 2007, at 9.30 a.m.

to

16 [Whereupon the hearing adjourned at 1.05 p.m

May

17 be reconvened on Thursday, the 24th day of

18 2007, at 9.30 a.m.]

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WITNESSES FOR THE DEFENCE:

WITNESS: ISSA HASSAN SESAY

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EXAMINED BY: MR JORDASH

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