

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

MONDAY, 3 JULY 2006
9.50 A.M.
TRIAL

TRIAL CHAMBER I

Before the Judges: Bankole Thompson, Presiding
Pierre Boutet
Benjamin Mutanga Itoe

For Chambers: Mr Matteo Crippa
Ms Divya Prasad

For the Registry: Mr Geoff Walker

For the Prosecution: Ms Wendy Van Tongeren
Mr Mohamed Bangura
Ms Shyamala Alagendra

For the Principal Defender: No appearance

For the accused Issa Sesay: Mr Wayne Jordash

For the accused Morris Kallon: Mr Shekou Touray
Mr Melron Nicol-Wilson
Ms Sabrina Mahtani (legal

assistant)

For the accused Augustine Gbao: Mr Andreas O'Shea

1 [03JUL06A - MD]
2 Monday, 3 July 2006
3 [The accused present]
4 [The witness entered court]
5 [Open session]
6 [Upon commencing at 9.50 a.m.]
7 WITNESS: TF1-117 [Continued]
8 [Witness answered through interpreter]

9 PRESIDING JUDGE: Good morning learned counsel, good
09:44:22 10 morning witness. We will now resume the proceeding. Mr
Jordash,
11 you will continue your cross-examination of the witness.

12 MR JORDASH: Could I just raise two things. The first
13 thing is this: We haven't been able to receive a copy of the
14 draft transcript from Friday. I am not sure that is going to
09:44:55 15 hold me up in the first stage of cross-examination, but it may
16 later on.

17 Could I say the reason we haven't - I haven't - received
18 it is because it is sent to our computer. Then we have to
print
19 it out, obviously. We have been asking for a toner for the

09:45:15 20 printer since Friday. The only other place we can print it
out
21 is the staff office room in the Defence Office, which is
locked

to 22 until past 9 o'clock in the morning. We have asked for access
23 that room after hours, when we would like to use the only
24 photocopy machine in the Defence Office. We have been told we
09:45:43 25 have to ask every single day if we want access to that room
after
26 hours. So up until 9.00 we don't have access to a
photocopier.
27 After 5.30 we don't have access to a photocopier unless we
have
28 asked the previous day for access.
29 We have raised the issue with the Principal Defender.

raised

1 Sadly, we have not received any satisfaction. We have now
2 it with the Registrar, and await his response. It is going to
3 hold us up, there is no doubt about it. I held me up today
4 because I cannot see a draft copy on paper because we don't
5 the facilities.

have

09:46:21

6 That is the first thing I wanted to raise with Your
7 Honours. I am not going to allow this to hold me up. In the
8 short-term, I will continue. I do see it becoming a huge
9 within the next few days.

problem

09:46:33 10
purposes

JUDGE ITOE: You may need the transcript for the
11 of cross-examination.

12 MR JORDASH: We can have the transcripts now because the
13 room with the photocopier is now unlocked.

14 JUDGE BOUTET: It's after 9.

09:46:51 15
of

MR JORDASH: I have asked co-counsel to bring me a copy
16 that transcript, which is now being photocopied.

Defence

17 JUDGE BOUTET: Mr Jordash, when you are talking of the
18 Defence Office, will you enlighten me as to what is the
19 office by position to your office? Are you not in that

building?

09:47:00 20 I don't want to confuse issues here, but you are part of the
same

21 building, aren't you?

22 MR JORDASH: Yes, we are part of the building but the

23 room --

24 JUDGE BOUTET: Where the photocopy machine is is under
09:47:14 25 control of the Principal Defender.

a 26 MR JORDASH: Exactly. It's the room with six computers,
27 photocopying machine and interns for the Defence Office sit
28 there. Our room is just down the way with one computer and no
29 photocopier.

1 JUDGE BOUTET: Aren't they there to provide some support
to
2 you people?

3 MR JORDASH: That is the theory, yes.

4 JUDGE BOUTET: One more question, if I may, not on the
09:47:38 5 copier per se, but I was told last week that, as of some time
6 last week, the stenographers have reduced staff and that they
7 have lost some of their people, as such. In the mean time,
they
8 are working with a very short staff. In spite of that, are
you
9 saying that the draft of the transcript was still available?
In

09:48:04 10 other words, the unavailability to you this morning of the
11 transcript, or draft transcript, is not because of the
shortage
12 of stenographers, but for the reason you have mentioned?

13 MR JORDASH: For the reason I've mentioned. I have to
say
14 the stenographers have done everything they can to ensure that
a

09:48:22 15 draft transcript is available as soon as possible, and
sometimes
16 earlier than 5.30. I have nothing but praise for the efforts
17 that they have made, despite being short staffed.

18 JUDGE BOUTET: I know they work hard. I say this,
because

19 if one needs the transcript by entirety, I was going to
suggest

09:48:43 20 you should let them know, given their shortage of staff, so
they

21 can provide you with the entirety by position to others,
whatever

22 it is.

23 MR JORDASH: They can, and they have when I've asked for
24 it. It's not an issue of having it electronically, it's an
issue

09:48:58 25 of --

26 JUDGE BOUTET: Of printing.

27 MR JORDASH: Yes.

28 PRESIDING JUDGE: In other words, your position is that
the

29 existing arrangements for photocopying is, in fact, highly

1 unsatisfactory, in the context of the Defence Office, because
2 that is the issue you are highlighting?

3 MR JORDASH: Yes.

4 PRESIDING JUDGE: That is where you, in fact, are laying
09:49:17 5 the blame?

6 MR JORDASH: Clearly and fairly, I would submit.

7 PRESIDING JUDGE: Objectively. It's highly
unsatisfactory.

8 MR JORDASH: If I decide I want to photocopy at 7.00 at
9 night, and I haven't asked the Principal Defender to use the
09:49:33 10 room --

11 PRESIDING JUDGE: In other words, you are saying if the
12 existence system continues, it's likely to impede the proper
13 administration of justice here by delaying cross-examination
14 when, in fact, our focus here is on expedition?

09:49:50 15 MR JORDASH: Yes.

16 PRESIDING JUDGE: So we ought to do something about it.

17 MR JORDASH: I didn't want to raise it until --

18 PRESIDING JUDGE: Well, you should. Because if you are
19 saying there is a particular institution of the Court that is
09:50:03 20 being completely insensitive, I mean that's the conclusion I
am

21 drawing, to the need to co-operate with the Court in
expeditious

to 22 trial of the accused persons, then, of course, the Bench has
23 intervene.
are 24 MR JORDASH: Well, it comes to this Your Honour: there
09:50:23 25 six people presently in my office with access to one computer
and 26 no access --
27 JUDGE BOUTET: In your office, you mean with your team.
for 28 When you talk of your office, you are talking about your team
29 Sesay.

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during
use

1 MR JORDASH: That's right. All of whom are working at
2 maximum capacity. All of us have access to one computer
3 the day and, if we ask for permission during the day, we can
4 the interns' office where there are, I think, six computers.

09:50:55 5 JUDGE BOUTET: Six computers?

6 MR JORDASH: Six computers.

7 JUDGE BOUTET: When you say interns' office, what do you
8 mean? These are interns working for the Defence Office?

9 MR JORDASH: Yes.

09:51:04 10 JUDGE BOUTET: Interns?

calls
want
the
give

11 MR JORDASH: Interns. I think the Principal Defender
12 the room staff office, but it is where interns sit. If we
13 to use the computers after hours, unless we've asked during
14 day, we don't have access. The Defence Office staff could
15 us access -- we have been told we have to go through our legal
16 office, Ms Kah-Jallow. But if she has left to go home, we
17 no access to the room.

is?

18 JUDGE BOUTET: Kah-Jallow is in relation to your team

19 MR JORDASH: The RUF legal office.

09:51:44 20
assigned?

JUDGE BOUTET: So she is RUF assigned not Sesay

21 MR JORDASH: RUF assigned, yes. I am not complaining
22 against Ms Kah-Jallow, because --

23 JUDGE BOUTET: No, I am just trying to understand. I am
24 totally unfamiliar with how they work. That is why I am
asking

09:52:00 25
putting

these questions so I can better understand what you are

26 forward. I am not criticising her at all. I am just trying
to
27 find out if she is assigned to you.

28
have

MR JORDASH: She is. She is assigned to the RUF. We

29 been told if you want access to the room after hours you must

1 contact her during the day.

2 PRESIDING JUDGE: I want to ask one question. You say
the
3 Registrar has been informed of this difficult situation?

4 MR JORDASH: I sent him and the Principal Defender --
well,
09:52:25 5 we sent the Principal Defender --

6 PRESIDING JUDGE: Don't tell me what --

7 MR JORDASH: Friday he was told.

8 PRESIDING JUDGE: Has there been a response?

9 MR JORDASH: So far not, but it was late in the day we
sent
09:52:35 10 it. We didn't expect a response today.

11 PRESIDING JUDGE: Are you hoping to get a response some
12 time today?

13 MR JORDASH: I am hoping, but I didn't expect the
14 consequences would hit our team as quickly as they had. I
09:52:47 15 expected, for example, I might be able to photocopy this
morning
16 half past 8, but it was clear at 9.00 nobody was there.

17 JUDGE BOUTET: So it means, in practical terms, Mr
Jordash,
18 and I presume the same applies to all of teams. It's not
19 specific to your team, that the normal working time for this
09:53:06 20 Trial Chamber, at least as far as the Court sessions are

you 21 concerned, we normally finish our work by 5.30, which means
22 are not back to your office, if I can put it that way, until
23 about quarter to 6, ready to work, if you want to work.

24 MR JORDASH: Yes.

09:53:23 25 JUDGE BOUTET: So if you need to do some photocopying,
for
26 whatever it is, then you run into those difficulties, whatever
it
27 is. Maybe if you need to photocopy; you're reading something
and
28 you want to photocopy, you can't until you have given prior
29 notice for the use of that copy machine.

1 MR JORDASH: Exactly. It's often that I don't get back
to
2 the office until 10 to 6. I might go straight to see Mr Sesay
3 and then return to my office at, say, half past 6. If I
haven't
4 alerted the Defence Office to the fact I'd like to photocopy,
we
09:53:55 5 can't until the next day.

6 PRESIDING JUDGE: I am minded to have a stand down.

7 [Trial Chamber conferred]

8 PRESIDING JUDGE: Mr Jordash, what is the next issue you
9 wanted to raise?

09:55:01 10 MR JORDASH: I am going to leave the second issue. I
think
11 I can deal with it with a quick conversation with the
12 Prosecution.

13 PRESIDING JUDGE: Do you think you can conveniently
proceed
14 with cross-examination for the rest of the morning session,
and

09:55:13 15 deal with this issue that may well be necessitated by you
having
16 the transcript at a later stage? Because we can proceed
whilst
17 we reserve the opportunity to consult on what solution to find
to
18 this issue you have, in fact, raised.

19 MR JORDASH: Thank you for Your Honours' time.

09:55:37 20 JUDGE ITOE: Did you say you wrote to the Principal
21 Defender about this?
22 MR JORDASH: Yes, I think --
23 JUDGE ITOE: When was this, Mr Jordash?
24 MR JORDASH: We started writing to the Principal
Defender
09:55:48 25 about the lack of space about two months ago. There are six
26 people in an office which is about nine feet by 15 or 20 feet.
27 So we can't all work in there at one point. Then we raised
more
28 specifically the issue of using the office, which is where the
29 interns live, I think early last week, and this then there has

1 been two or three letters to him and no practical solution
2 offered except for the one I've outlined.

3 JUDGE ITOE: You wrote or spoke to the Registrar?

4 MR JORDASH: We wrote.

09:56:24 5 JUDGE ITOE: Thank you. When was this? When did you
6 deposit your letter to the Registrar?

7 MR JORDASH: On Friday. It was a joint letter to the
8 Principal Defender and the Registrar.

9 JUDGE ITOE: Okay, thank you.

09:56:45 10 PRESIDING JUDGE: Right, Mr Jordash, we will proceed.

11 CROSS-EXAMINATION BY MR JORDASH: [Continued]

12 Q. Good morning, Mr Witness. I am sorry, to hold you up.
Are
13 you hearing me, Mr Witness?

14 A. Yes, I'm hearing you.

09:57:06 15 Q. We were looking together at what it was you had or had
not
16 talked to Prosecution about when you had spoken to them prior
to
17 coming into this room and giving evidence. Do you remember
that,
18 Mr Witness?

19 A. Yes, I remember.

09:57:37 20 Q. Where we had got to was we were talking about your
sister

21 and what you had said to the Prosecution about who she had got

22 married to; do you remember that?

23 A. Yes.

24 Q. Can you assist the Court, and please do not mention any
09:58:07 25 names, what happened to your mother when you were captured?

26 A. Well, we were scattered.

27 Q. Who were scattered?

28 A. Those who they arrested, the different groups. They
went

29 with us in different groups.

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1 Q. So what happened to her, specifically?

2 A. Well, from the time we had dispersed, it's only lately
that

3 I came to know what happened to her.

4 Q. What did happen to her?

09:59:00 5 A. Well, I did not know what happened to her. I was on my
own

6 side. I don't know what happened to her.

7 Q. Well, have you seen her since this time?

8 JUDGE BOUTET: Are we talking the mother or the sister?

9 MR JORDASH: The mother.

09:59:15 10 Q. I am talking about your mother. When did you next see
her

11 again, if at all?

12 A. Well, the time they told us to disarm, when I came to

13 Makeni, then I saw her.

14 Q. So you next see your mother after the attacks on the

09:59:36 15 UNAMSIL that you described on Friday; am I right?

16 A. Yes.

17 Q. And that year of the UNAMSIL attacks was 2000, wasn't
it?

18 A. Yes.

19 Q. How long after those attacks did you see your mother?

10:00:00 20 A. Well, I had been hearing that my mother was at Makeni,
but

her. 21 I had not seen her then. It was after the attack that I saw

22 Q. How long after the attacks?

23 A. Well, between a week.

time 24 Q. Did you discover what had happened to her during the

10:00:33 25 from when you had last seen her?

26 A. Yes, later on I knew.

27 Q. What had happened to her? Where had she been? Without
28 naming names, please?

cooking 29 A. Well, he said the moment they arrested her, she was

1 for them.

2 Q. Where?

3 A. In the bush, when they were advancing to come to Makeni.

4 Q. Whereabouts?

10:01:08 5 A. Well, in the villages, as they went to attack -- after
she

6 had finished cooking for them, they went to attack.

7 Q. So you don't actually know the names of any places where
8 she was living from the time of your capture to the time you
see

9 her again?

10:01:35 10 A. Well, I know some villages, the names of some villages.

11 Q. Which villages?

12 A. Loma, Gbaima, Weama, and Gandorhun.

13 Q. Do you know who she was with; any names of any
commanders?

14 A. No, I didn't know who she was with.

10:02:20 15 Q. Right. Do you know how she found her way to Makeni?

16 A. Yes. She explained to me a little bit.

17 Q. How did she get there?

18 A. She said she escaped from them.

19 Q. Where had she escaped?

10:02:53 20 A. From Tongo, where she escaped.

21 Q. Now I want to ask - Your Honours, page 12206. It's the

Prosecution 22 first statement. This is your first statement to the
23 in 2003. 12206. Line 5, says this -- that when you are
talking 24 about your capture, your capture in 1992, the statement says:
10:03:45 25 "I was captured by Akim who sent me to the training base
in 26 Kono. It was called Lion Base."
27 Did you say to the Prosecution in 2003, that you were,
when 28 captured, sent to the training base in Kono? Are you getting
me, 29 Mr Witness?

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2003

to

a

1 A. Yes.

2 Q. Well, did you tell the Prosecution --

3 JUDGE BOUTET: Mr Jordash, what is the page again?

4 MR JORDASH: 12206. It's the first page of 17 January

10:04:37 5 statement, and it's five lines in.

6 Q. Are you listening to my question or you just don't want

7 answer?

8 A. I'm listening to the question.

9 Q. Would you care to answer it?

10:05:18 10 A. Yes, I'm ready to answer.

11 Q. Well, I will ask it a third time then: did you tell the
12 Prosecution that you had been captured by Akim and sent to the
13 training base in Kono?

14 A. No.

10:05:40 15 Q. Okay; didn't say that?

16 A. Not at all.

17 Q. Reading on: "It was called Lion Base. I was trained by

18 woman called Monica. She was Vanguard from Liberia."

19 Did you tell the Prosecution that?

10:06:09 20 A. No. The time Monica came was when we reached Kono.

21 Q. What was the name of --

22 MADAM INTERPRETER: Correction, interpreter. The time

23 Monica trained me.

24 MR INTERPRETER: Your Honours, the interpreter would
like

10:06:39 25 to make a correction. Instead of "The time when Monica came,"
it

26 was it should be, "The time Monica trained me was when we

27 retreated Kono."

28 MR JORDASH:

29 Q. So do you say, then, that you were told that the
training

1 base at Yengema was also called Camp Lion?

2 A. The training base, at Yengema. That's how they called
the
3 town where we were training. The place where we were
training,
4 they call it Camp Lion.

10:07:17 5 Q. I suggest that's completely wrong, Mr Witness, and it
was
6 never called Camp Lion, the Yengema training base. You've
just
7 picked that up from rumours, haven't you?

8 A. It was where they trained me and that was where I was.
9 That's how I called the base. The town is called Yengema.
The

10:07:41 10 Lion is called --

11 Q. The Lion is called --

12 A. Camp Lion.

13 Q. Who were the other instructors in Yengema, Camp Lion,
14 Mr Witness?

10:07:53 15 A. We had woman Monica.

16 Q. Yes. Who else?

17 A. We had CO Rashid.

18 Q. Who else?

19 A. Those were the only two with our group because we were
in
10:08:10 20 squads.

21 Q. Well, who did you get trained with?

22 A. They trained me with some other rebels, with some junta
23 two.

24 Q. Like who? Any names, and not nicknames, please. Any
real
10:08:29 25 names you can give us?

26 A. Yes. We had Mohamed. We had Dowe. Then we had
Massaquoi.

27 Q. Can you give us any full names; first and second, so we
can
28 investigate them?

29 A. No, those are the only ones I know -- names I know.

1 Q. What did Monica look like?

2 A. Monica is not so tall. She has some weight.

3 Q. What does her face look like? Is there anything
4 distinctive about her face?

10:09:20 5 A. Her face is like -- she's fair. She has a puffy jaw.

6 Q. She has what, sorry?

7 A. Her jaws have puffy, like, the cheeks are puffy.

8 Q. So she has a round, puffy face, has she?

9 A. Yes. Her face is not so fat, but she has a lot of
weight.

10:10:02 10 Q. What are her teeth like?

11 A. She has a kind of brown teeth. Her teeth are not so
white.

12 Q. Her teeth are not so white. Anything else distinctive
13 about her teeth?

14 A. Well, that's all I can tell you now.

10:10:29 15 Q. Well, I'd suggest if you'd really met Monica, you would
16 know that her teeth protrude over her -- outwards. You would
17 know that, if you met her?

18 A. Yes, I had known her before. She has a tooth that is
19 protruding outwards.

10:10:55 20 Q. Which tooth?

21 A. Protruding tooth.

22 Q. What, tooth or teeth?

23 A. Teeth.

24 Q. You see, you only know that because I just told you
that,

10:11:11 25 don't you?

26 A. No. She asked me -- you asked me what the colour of her
27 teeth. The colour of her teeth is butter colour.

28 Q. No, I asked what her teeth were like; what was
distinctive

29 about her teeth. You didn't know. Let's move on.

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1 A. Okay.

2 Q. Just to complete this section, the next paragraph starts
3 off with saying, "After training, they sent us to fight in
4 Liberia." I suggest to you, Mr Witness, you told the
Prosecution
10:12:02 5 that after training at Lion Base, you went to Liberia; is that
6 what you said?

7 A. No.

8 Q. Okay. Have you ever seen Mr Sesay at a muster parade?

9 A. Yes.

10:12:45 10 Q. Whereabouts?

11 A. Kailahun.

12 Q. Is that it?

13 A. Kailahun, Makeni.

14 Q. That's it?

10:13:07 15 A. And Kono.

16 Q. Try, when I ask you questions, Mr Witness, to answer
them
17 fully the first time, please. We are staying on the same page
18 12206, the last sentence: "During my stay in Liberia," over
the
19 page, "I was injured in battle with Kamajors."

10:13:52 20 A. Yes.

21 Q. So, you told the Prosecution that you were fighting
22 Kamajors in Liberia; is that correct?

23 A. Yes.

24 Q. You knew, it says, that they were Kamajors because they
10:14:11 25 were dressed in ronko?

26 A. They wore ronko.

27 Q. So it's your case, it's your memory, that you fought
28 Kamajors dressed in ronko whilst you were in Liberia; is that
29 correct?

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1 A. Yes.

2 Q. Did you get injured in Liberia?

3 A. Yes, but when we were retreating; when we were
returning.

4 Q. What was your injury?

10:14:42 5 A. Well, it was the chakabula bullet they used to fire.

6 Q. Where were you hit?

7 A. By my side. My right side.

8 Q. How many times were you shot?

9 A. It was once, but the bullets scattered.

10:15:07 10 Q. So you were hit once. Did the bullet -- how did you
have

11 the bullet removed?

12 A. Well, it was Dr Kamara who removed it one at a time.

13 Q. When was that?

14 A. In Lungi. The time they came with us.

10:15:31 15 Q. So presumably you've got scars, have you? Bullet scars?

16 A. Yes.

17 Q. Can you point again where?

18 A. By my side, my right side. Here. [Indicating]

19 Q. So you have a bullet wound scar underneath your right
army,

10:15:53 20 on your upper torso?

21 A. Yes.

22 JUDGE ITOE: Mr Jordash, you want the Court to see the

23 scars or you don't want to pursue it?

24 MR JORDASH: To be frank, I thought it was not a huge
10:16:27 25 point. I was, in a sense, thinking perhaps we would save the
26 witness the --

27 JUDGE ITOE: That's all right. I just put the question.

28 MR JORDASH: But if Your Honours --

29 JUDGE ITOE: I am not insisting. I am not insisting.

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1 MR JORDASH: Okay.

2 Q. Just reading on. Page 12207, the second paragraph, it
says
3 this: "I ran away from Liberia back to Kailahun." This is
4 something you told the Prosecution; is that right?

10:17:47 5 A. Yes.

6 Q. Then down the page a bit, in the same paragraph: "Gbao
7 followed us to Kailahun and said he was going to kill all the
8 boys who had run away from Liberia."

9 A. Yes.

10:18:11 10 Q. Then it says, "All this" -- just missing out a line,
Your
11 Honours -- "All this was happening in Kailahun at Pumpkin
Ground,
12 which was the RUF headquarters in Kailahun."

13 A. Yes.

14 Q. Is that what you told the Prosecution?

10:18:32 15 A. Yes, that's what I told them.

16 Q. Well, let's jump to what you then told them in October
of
17 2005, where you corrected that statement -- before I do, is it
18 true all of that was happening in Kailahun, at Pumpkin Ground
19 which was the RUF headquarters in Kailahun? Is that true?

10:19:05 20 A. What?

21 Q. Well, you agreed that you told the Prosecution that all
of

which 22 this with Gbao was happening in Kailahun at Pumpkin Ground,
23 was the RUF headquarters in Kailahun. Was that true?
24 A. No.
10:19:26 25 Q. So why did you say it?
26 A. Pumpkin Ground in Kabala.
27 Q. Why did you tell the Prosecution it was in Kailahun?
Camp 28 A. No, I didn't tell them it was Kailahun. Kailahun is
29 Zogoda.

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1 Q. Well you did tell them that because you just told us you
2 did. Only one minute ago you told us you said that?
3 A. No. What I told them, Pumpkin Ground is in Kabala.
Camp
4 Zogoda is in Kailahun. We don't have Pumpkin Ground in
Kabala.

10:20:06 5 Q. But, one minute ago you said you had told the
Prosecution
6 that Pumpkin Ground was in Kailahun. That's what -- before
7 answering, just think about what you said a minute ago.
That's
8 what you said. We all heard it.

9 A. No, you didn't ask me the question properly.

10:20:31 10 Q. Let's move on, then.
11 JUDGE BOUTET: Mr Witness, before you answer a question,
12 listen carefully to the question. If you don't understand the
13 question, ask that the question be repeated, because we need
to
14 understand what you are saying. So if you are repeating to
the

10:20:48 15 same question you are giving two different answers. Well, we
16 have some difficulties to understand what you are saying. So
17 just be careful. Just listen carefully. Take your time and
18 answer the question.

19 MR BANGURA: May it please, Your Honours, I think in
10:21:01 20 fairness to the witness, the question which the witness
answered

from 21 "yes" to was one which had a number of facts in it starting
22 did he run from Kailahun, from Liberia to Kailahun.
23 JUDGE BOUTET: He was reading the statement.
24 MR BANGURA: Yes.
10:21:23 25 JUDGE BOUTET: The question he was asked: is that what
you
26 said to the Prosecution? The answer was "yes." It was not a
lot
27 of facts. He just reading two lines in the statement that,
28 allegedly, he gave to you people.
29 MR BANGURA: There are a number of facts in the
statement,

basis

1 Your Honour. I believe the witness answered "yes" on the
2 that some of those facts were correct. I believe, I am not
3 wanting to say for the witness, but I believe --

is

4 JUDGE BOUTET: The witness is intelligent enough if it
10:21:52 5 not clear to him. That is why I just told him: if you do not
6 understand the question, ask that the question be repeated.

7 MR BANGURA: If it please Your Honour.

8 MR JORDASH:

9 Q. Would Mosquito visit the Kailahun RUF headquarters?

10:22:23 10 A. Yes.

11 Q. How often?

12 A. Well, he used to go there often.

13 Q. How often?

14 A. He goes there frequently.

10:22:48 15 Q. Well, your frequently and my frequently may be quite
16 different things. How often in a week?

17 A. Well, he used to go there, sometimes to take diamonds to
18 Liberia.

Did

19 PRESIDING JUDGE: Time. Time. How many times a week.

10:23:11 20 you ask that question, Mr Jordash?

21 MR JORDASH: Yes.

what 22 PRESIDING JUDGE: Witness, how many times a week, not
23 he went there for.
24 THE WITNESS: Okay. Sometimes I used to see him twice.
10:23:29 25 MR JORDASH:
26 Q. Sometimes you used to see him twice?
27 A. Yes.
28 Q. What does that mean: "Sometimes I used to see him
twice"?
29 How often is that? Is that twice a week?

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see 1 A. Sometimes it will take about two weeks before I would
2 him.
3 Q. So every two weeks? Two?
4 A. No, not in every two weeks.
10:23:59 5 Q. Are you trying to help us, Mr Witness? Try and help us.
6 I've seen you --
7 A. Yes.
8 Q. I saw you three times last week -- twice last week. How
9 often did you see Mosquito in a two-week period? Answer the
10:24:14 10 question?
11 A. Okay. At times, during the month, it would go at the
start 12 of the month. At times, at the end of the month.
13 Q. Okay. Who would he have meetings with?
14 A. Well, when he would go, he would meet the commanders and
he 15 will talk with them.
10:24:45 16 Q. Well, who were they?
17 A. Augustine Gbao, CO Mohamed, Luclay [as interpreted].
18 Q. Anyone else?
19 A. Well, these are the ones I know.
10:25:04 20 Q. Let's have a look what you said in 2003, shall we? The
21 last line of paragraph 2, page 12207, "When he," Mosquito,
"came,

Cobra

22 he had meetings with the commanders: Akim, Chinese Pepe,

it

23 and Gbao. Then he would leave." Did you tell the Prosecution

24 was those commanders?

10:25:33

25 A. Yes, that was the time we had gone to the bush, after

26 January 6th.

to

27 Q. Well, it appears like you told them that Mosquito came

28 Kailahun after your stay in Liberia, and that's when he had

what

29 meetings with Akim Chinese Pepe, Cobra and Gbao, and that's

1 you said to the Prosecution isn't it?

2 A. No.

3 Q. Okay. Let's read on. Third paragraph reads, "They made
4 plans for the next attacks by reading the map of Sierra Leone.

10:26:27 5 After their meetings, they divided us into groups and gave us
6 ammunition and drugs."

7 A. Yes.

8 Q. You said that?

9 A. Yes.

10:26:41 10 Q. "They gave us bombs, RPG, LMG, 40-barrel and one-barrel
11 guns." Did you say that?

12 A. Yes.

13 Q. What does a 40-barrel gun look like?

14 A. Well, it has mouth, very long ones, and they would load
10:27:07 15 them in a truck. They would put wood and then the machine gun
16 would be placed on top. That's the 40-barrel.

17 Q. How many 40-barrel guns were there then, around that
time
18 in 1992, that you saw?

19 A. Well, we all had one.

10:27:26 20 Q. What about RPGs; how many?

21 JUDGE BOUTET: You are asking the question of 1992?

22 MR JORDASH: This is when this time period ought to be,

in 23 from what the witness, I think, has said. It would be around
24 1992. Perhaps 1993. It's after Liberia.
10:27:54 25 Q. What does an RPG look like?
26 A. RPG is molded at the front.
27 Q. Go on. Sorry.
28 A. Then, [no interpretation].
29 Q. How big is it?

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1 A. It has a rounded waist like a funnel, just like my arm.
2 Q. So it's about as long as your arm, which is about, what,
a
3 foot and a half, is it?
4 A. It is longer than my arm. It is longer than this, my
arm.
10:28:27 5 Q. How long?
6 A. Let me say, like, four feet.
7 Q. Did you carry one when you were 10 years old?
8 A. No.
9 Q. You never fought with an RPG, did you?
10:28:51 10 A. Not at all. I was only holding the bombs.
11 Q. Let me ask you this question, Mr Witness, and see if you
12 can agree. In your first statement to the Prosecution in
2003,
13 you did not want to mention Issa Sesay. Why is it -- is that
14 right? We can go through the whole statement, if you want,
but
10:29:46 15 you can accept from me that you don't once mention Mr Issa
Sesay.
16 A. At first that's how it happened.
17 Q. Why did you not want to mention Master?
18 A. Well, this latter part in Makeni, he used to take care
of
19 me. He wouldn't allow anyone to take advantage of me.
10:30:27 20 Q. Sorry, which year are we talking about?

21 A. Before the UNAMSIL attack.

22 Q. So in 2000, Mr Sesay took care of you?

23 A. Yes. Until 2001.

24 Q. So, who was he married to at that stage, then?

10:30:50 25 A. His wife was in the house, in Manikala. That was where
his

26 wife used to be.

27 Q. What is her name?

28 A. FA.

29 Q. Wrong. It's Elsie.

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was 1 A. It's Alfie [as interpreted]. He had another wife who

2 FA. She's here in town.

3 Q. Well, I suggest you've got it wrong. His wife is called

4 Elsie, and she's here in town.

10:31:22 5 JUDGE ITOE: Mr Jordash, what do you say?

6 THE WITNESS: I didn't have it wrong.

7 MR JORDASH:

8 Q. E-L-S-I-E. I'm suggesting that was his wife, and she is

9 here in town?

10:31:37 10 A. Yes, he had another wife in the barracks. She is also

fair 11 and slim. All of us used to be in the barracks. The other

one 12 used to be in Manikala but we were not pally. I was in the

13 barracks.

14 Q. How often did you see Mrs Sesay during this period that

you 15 are describing, when he looked after you?

16 A. Well, he used to go to the barracks to his wife, Effie.

17 Q. How often did you see him?

18 A. Well, I used to see -- I used to see her once in a

while, 19 because she was not stable.

10:32:25 20 Q. If Mr Sesay was looking after you, making sure you did

not

before 21 come to harm, how often did you see him during this time

22 UNAMSIL?

Makeni 23 A. At first, I used to see him frequently. That was in

24 then.

10:32:49 25 Q. Let's try to focus your mind. Let's not use the word

would 26 frequent, if you can be more specific. How often in a week

27 you see him since he's looking after you?

28 A. Well, sometimes after a week he'd come.

29 Q. So you would see him once a week, or so?

1 A. Sometimes it's after two weeks, sometimes it's after a
2 week.

3 Q. How long did he look after you then?

4 A. Well, because I used to cause problems.

10:33:28 5 Q. Not --

want
6 A. Sometimes -- sometimes if I shoot somewhere and they
7 to flog me, when they would take me to task force office, when
8 they would tell him, he would say they shouldn't beat me.
They
9 should leave me. So that's how it used to happen.

10:33:57 10 Q. What were the names of his bodyguards?

11 A. We had Yellow Man. We had Blood. We had Molest.

12 Q. No names then? You can't give us real --

13 JUDGE ITOE: Let's him take those names again.

14 MR JORDASH: They were the names he gave, I think, in
10:34:26 15 relation to RUF commanders --

16 JUDGE ITOE: He had what? That was the bodyguards also?

17 MR JORDASH: The bodyguards, yes.

18 JUDGE ITOE: What were their names, please? Did he say
19 Yellow Man?

10:34:39 20 MR JORDASH: Yellow Man, Blood and --

21 THE WITNESS: And Molest.

22 MR JORDASH: The same names who went to Liberia, I
think,

23 in 1992.

24 JUDGE ITOE: Yes.

10:34:53 25 Q. Are they the same people who went to Liberia with you in
26 1992 or are these three different people with the same names?

27 A. They are the same people.

28 Q. Okay. They were adults, were they?

29 A. Yes. The three were adults, and then we are those of us

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1 who were the smaller ones.

2 Q. Well, even you were an adult then, weren't you, in 2000?

3 You were 18?

4 A. Please repeat it again.

10:35:38 5 Q. You were an adult in 2000, so you weren't a child, were
6 you?

7 A. I was a child.

8 Q. Okay. Let's move on. Now, I want to ask you something
9 what I asked you about on Friday. I am sorry to repeat it,
but I

10:36:05 10 want to see if you can remember what you said. Who did you
say

11 led the group?

12 A. Which group?

13 Q. Who led the group from Kono to Kailahun to deliver the
14 message at the time of the coup when President Kabbah was
10:36:38 15 overthrown?

16 A. It was us and CO Mohamed.

17 Q. Right. I want to ask you then about what you said the
18 first day you gave evidence when you said that, in fact, the
19 group was led by Master. I am referring -- I should have said
10:37:08 20 this earlier, I have done it again. The draft transcript
which I

21 am working from, is from Thursday of last week, which is the
22 29th, page 96.

23 A. What?

24 Q. I will read it to you.

10:37:27 25 JUDGE BOUTET: What is the page?

26 MR JORDASH: Page 96. I apologise.

27 JUDGE BOUTET: The draft transcript, because there's a
28 final transcript too.

29 MR JORDASH: Perhaps if I can deal with it -- I will get

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1 the final transcript and distributed it after the morning
break.

2 If I can just deal with it in this way.

3 Q. It says this, Mr Witness - you were asked a question by
4 Mr Bangura, to your left:

10:37:59 5 "Q. Who was leading your group that was taking this
6 message to Augustine Gbao?

7 "A. Is master."

8 Over the page:

9 "Q. Who is Master, Mr Witness?

10:38:20 10 "A. General Issa."

11 Why is it Thursday last week it was Master leading the
12 group of you who took the message to Gbao, and Friday and
today
13 you say it was CO Mohamed?

14 A. I said it's CO Mohamed. I didn't say Master.

10:38:40 15 Q. You did say Master. This piece of paper I'm looking at
is
16 a record of what you said, okay? A record of what you said?

17 A. I didn't say Master. The time we were taken from Kono
to
18 go to Camp Zogoda, that was the time I went along with Master.

19 Q. Well, it's not what you said --

10:39:05 20 A. Only.

21 Q. It's not what you said --

22 JUDGE BOUTET: Mr Jordash, so there is no confusion, you
23 know a draft is a draft. So the official transcript is not
that
24 page. I just want to make sure. In fact, you know there is a
10:39:17 25 caution before you use a draft; it's not for official
purposes.
26 The original, the official version is available. What you are
27 talking about is at page 97, 98 and not 96 of the draft.
28 MR JORDASH: I do apologise for this, but can I confirm
it
29 does say, "Who was leading your group that was taking this

1 message to Augustine Gbao" --

2 JUDGE BOUTET: Answer - this is page 97, at the bottom,
it

3 says: "It's Master."

4 MR JORDASH: Thank you.

10:39:50 5 JUDGE BOUTET: "Do you remember what was this message
that

6 you were taking to Augustine Gbao?" And:

7 "JUDGE ITOE: His master.

8 "MR BANGURA:

9 "Q. Who is master, Mr Witness?

10:40:00 10 "A. General Issa."

11 The last part I am quoting is at page 98.

12 MR JORDASH: Thank you.

13 Q. So you can see, can't you, Mr Witness, that you did say
it

14 was Master. Because I've just said it and the Honourable
Judge

10:40:16 15 has just said it, and we are quoting from your words. So
think

16 carefully about your oath to tell the truth. Why did you say
it

17 was master Issa Sesay who led to take the message?

18 A. It was CO Mohamed who delivered the message in Kono.

19 Q. Okay. You don't want to answer the question. We will
move

10:40:52 20 on. You told us on Friday, didn't you --

21 A. What?

22 Q. -- that you had returned to Kono and you left from Kono

23 with Sam Bockarie and Issa Sesay, and went to Makeni, heading
to

24 join Johnny Paul Koroma; am I right?

10:41:39 25 A. That's when.

26 Q. Well, what you said on Friday was: We took the message
to

27 Augustine Gbao in Kailahun, the message about joining Johnny
Paul

28 Koroma; are you with me so far?

29 A. Yes.

you
1 Q. After delivering the message you went back to Kono; do
2 recall that, on Friday?
3 A. Yes, then we went to Makeni.
4 Q. Then from Kono you went on the Makeni to Kono road to
10:42:21 5 Makeni; correct?
6 A. Yes. From Kono, we went to Makeni.
7 Q. And it was Sam Bockarie and Issa Sesay who took you to
8 Makeni?
9 A. Yes.
10:42:38 10 Q. Were you in the same -- how did you get to Makeni?
11 A. Well, it was master and CO Mosquito who took us to
Makeni.
12 Then we were in the barracks by then.
13 Q. Now, I want to return to something that we were just
14 talking about five minutes ago. You said that you hadn't
10:43:27 15 mentioned Sesay in your first statement because I think you
were
16 suggesting because he had helped you out in Makeni, just
before
17 the UNAMSIL attacks?
18 A. Yes.
19 Q. And when you see the Prosecution in February 2004 you
again
10:43:59 20 don't mention Mr Sesay; am I correct?
21 A. No. It was Augustine Gbao that I mentioned.

22 Q. Yes, exactly. That's when you were speaking to
23 Sharan Parmar. And the first time you start mentioning Mr
Sesay
24 is in October 2005, when you are waiting to come into Court,
just
10:44:26 25 before you were expected to come into Court; am I correct?
26 A. Yes.
27 Q. Why did you start mentioning then?
28 A. Well, I'd realised that we had difficulties, we had lost
29 our people, we lost some of our family members, so, if they
say I

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1 shouldn't say anything bad against them, but what I saw them
did, 2 and what they did to me, that's what I should say.

3 Q. Well, when you do see them in August 2005 you never once
4 referred to Issa Sesay as master; why is that?

10:45:24 5 A. That's what -- what I said. The way I translate, he
says 6 they do not understand that translation, so I call him master
but 7 they translated into General Issa Sesay.

8 Q. So you say that throughout your evidence to Mr Bangura,
in 9 October 2005, you referred constantly to Issa Sesay as master;
is 10 that what you are saying?

11 A. Yes.

12 Q. But Mr Bangura translated it as General Issa Sesay, did
he?

13 A. Yes.

14 Q. Well, let me tell you this, Mr Witness: Nowhere in the
10:46:24 15 October 2005 notes is there reference to Issa Sesay being
16 General Issa Sesay. Does that surprise you, given your
theory?

17 A. Go over the question again.

18 Q. I'm just looking through, and if I am wrong about this,
19 somebody will stand up from the Prosecution to your left and
tell

10:46:49 20 me I'm wrong. Nowhere in your 2005 notes, nowhere in your
2006

21 notes, is there reference to General Issa Sesay. There's
22 reference to Issa Sesay but not General Issa Sesay?

23 JUDGE ITOE: You say there is a reference to Issa Sesay
but
24 not a reference to General Issa Sesay.

10:47:19 25 MR JORDASH: Yes.

26 THE WITNESS: Well, I used to say master. When I say
27 master they would ask me: Who is master? Then I would say
28 General Issa Sesay. That's what I told them. I don't know
how
29 they put it into the book.

1 MR JORDASH:

2 Q. Could I make my position clear to you, Mr Witness. I
3 suggest that you are lying, and you are willing to accuse
4 Mr Bangura of not faithfully writing down what you'd said?

10:47:52 5 A. No.

Barracks

6 Q. Okay. Let's move on. So you are brought to Teko
7 by Sam Bockarie and Issa Sesay and Augustine Gbao. Any other
8 commanders there besides those three?

9 A. Well, in our own group, they took us to the barracks.

10:48:19 10 Q. Who's there? Commanders' names, please?

11 A. CO Mosquito.

12 Q. Besides Mosquito, and Gbao, and Sesay?

13 A. Well, we had Highway, who was the SB commander, Major
14 Highway.

10:48:42 15 Q. So can you give us any names again or still no names,
just
16 nicknames?

17 JUDGE ITOE: Major Highway.

18 MR JORDASH: Mr -- Major Highway.

19 JUDGE ITOE: Who was he?

10:48:55 20 MR JORDASH: SB commander.

21 Q. No names, Mr Witness? Is it just nicknames again?

22 A. With CO Mohamed.

23 Q. With CO Mohamed again. What about some other names?

24 A. No, they were the ones ahead of us. They were the
seniors.

10:49:15 25 Q. Okay. Who was the commander at Teko Barracks?

26 A. Well, on our own side, because we were SBUs, Highway was
27 our superior.

28 Q. Who else was in the SBs that you saw there? Names, not
29 nicknames, if you've got any?

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1 A. Well, those were the names I knew.

2 Q. Which were the SBs you knew. By nickname, if you want.

3 But I would prefer names, if you have them.

4 A. Well, I don't know their names. They don't know my
name,

10:50:03 5 too.

6 Q. Okay. Let's move on, then. You are taken to

7 Teko Barracks. Did Sam Bockarie stay with you?

8 A. No. They had left us, the senior commanders.

9 Q. So does that include Issa Sesay; was he there? Did he
stay

10:50:26 10 with you?

11 A. No.

12 Q. What did you do during your stay at Teko Barracks until
the

13 overthrow besides --

14 A. Well, from that point we went to Teko Barracks and pass
--

10:50:46 15 the father took us into the pastoral centre, Father Victor.

16 Q. So the junta were in power for just over a year. Were
you

17 just in the pastoral centre with Father Victor during that
year

18 or did you do anything else?

19 A. Yes.

10:51:10 20 Q. Yes, you did something else or, yes, you were just with

21 Father Victor?

22 A. Well, I was with Father Victor until the overthrow.

23 Q. Okay. So all the children, young boys, were there
24 basically?

10:51:33 25 A. Yes, they were there.

26 Q. Not carrying out any missions but just waiting with
27 Father Victor?

28 A. Well, we were there with Father Victor. They would
teach

29 us. We used to play ball, and do some other things.

1 Q. Okay. So you didn't have a commander at that point?

2 A. No.

3 Q. Do you say it was just children at the barracks or were
4 there any commanders there? Any RUF?

10:52:11 5 A. Well, RUFs were there. AFRCs were there.

6 Q. Well, who?

7 A. Well, I don't know them. The squad that went, I went
with,
8 we did not stay there for a long time, so they moved us and
took
9 us to the pastoral centre.

10:52:37 10 Q. Okay. So just moving forward to when the overthrow took
11 place. Were you at the pastoral centre with Father Victor
when
12 you heard about Johnny Paul Koroma's overthrow?

13 A. Yes.

14 Q. What did you do?

10:53:29 15 A. Well, after the overthrow, some of my friends who were
16 dodging from the camp, everybody was rushing to take camp.
Then
17 I left the centre.

18 Q. Sorry, could you repeat your answer? My fault, Mr
Witness?

19 A. When we left the pastoral centre we went to join them
10:54:08 20 again.

21 Q. I want to deal with facts now, Mr Witness, not broad

22 generalisations. You are hearing the news about the
overthrow.

23 Where did you start from or where did you go?

24 A. From the pastoral centre the rebels now, the SLAs,
10:54:37 25 everybody had taken up guns, so we started to escape from the
26 centre. Then we joined them and we took up arms again.

27 Q. What do you mean you joined them? What did you
physically
28 do, Mr Witness?

29 A. I met, I went to them, and I took up arms again to go
back

1 to the front.

2 Q. I hear what you say but it doesn't assist me in

can't

3 understanding who you went to, to take the arms back. You

where

4 just wander into any place and pick up a gun, can you? So

10:55:24 5 did you go; how did you get your arm?

6 A. Well, at that time, the Land Rover was passing; we were

the

7 trying to assemble. They were collecting us and taking us to

8 task force.

9 Q. Well, who collected you?

10:55:43 10 A. Well, my superiors, who were the rebel guys themselves.

11 Q. Can you name them, please?

12 A. Yes. CO Fokia. Base Marine.

13 Q. And you were taken to the task force office?

14 THE INTERPRETER: Correction, interpreter. Base Marine.

10:56:14 15 Yes. From that point we went to join them.

office?

16 Q. So you were with Base Marine and Fokia. You went to the

17 task force office. What did you do after the task force

18 A. From that point they were loading to come to town to

19 advance to fight.

10:56:39 20 Q. So you had been taken to fight; who were you coming to

21 fight?

ECOMOG 22 A. Well, we were coming to come and fight against the
Paul 23 who had overthrown Johnny Paul, to come and collect Johnny
24 and take him to Makeni.
10:56:57 25 Q. So who was there then? You were in a vehicle with
26 Base Marine and CO Fokia; am I right?
another 27 A. No. When they left us at the task force we boarded
28 vehicle.
29 Q. And who were you with?

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1 A. I was with Augustine Gbao, in a vehicle.

2 Q. So you were with Augustine Gbao in a vehicle?

3 A. Yes.

4 Q. Where did you meet Augustine Gbao?

10:57:31 5 A. I did not meet him. I just met his vehicle.

6 Q. Was Gbao in the vehicle?

7 A. He was with the other vehicle. That was where the
senior
8 commanders were.

9 Q. Okay. Let's try and set out the scene that you saw.
How

10:57:54 10 many vehicles headed to Freetown?

11 A. Well, we came with up to five vehicles.

12 Q. Up to five vehicles. Gbao was there. Base Marine and
13 Fokia were there?

14 A. Yes. Superman.

10:58:14 15 Q. Who else?

16 A. General Bropleh. Master.

17 Q. Anyone else?

18 A. Augustine Gbao.

19 Q. So you set off?

10:58:30 20 A. And CO Morris Kallon.

21 Q. Morris Kallon as well. So you set off from Makeni with
22 this convoy of senior commanders, and you go where?

23 A. Some of them had gone ahead.

24 Q. Well, I'm talking about the convoy you went with.
That's

10:58:51 25 what I'm interested in. Did the convoy you went with consist
of

26 five vehicles containing the commanders you've named?

27 A. Yes.

28 Q. Did they all stay together in a convoy?

29 A. Yes.

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together? 1 Q. Did they all drive from Makeni towards Freetown

2 A. No, we did not drive at the same time.

3 Q. So how was the driving done? Who drove first?

4 A. Three vehicles had gone ahead. The other two left
behind.

10:59:39 5 Q. Who was in the first three?

6 A. Well, it was Superman, General Bropleh, Augustine Gbao.

7 Q. Who was left in the last two?

8 A. Well, master with us at the back.

9 Q. Yes.

11:00:05 10 A. CO Morris Kallon. Digba.

11 Q. Anyone else?

12 A. Base Marine.

13 Q. Anyone else? Try and give us a full answer?

14 A. These are the ones.

11:00:26 15 Q. And you are, sorry, if I missed this, you are in the
last

16 two as well, are you?

17 A. About what?

18 Q. Are you in the last two vehicles?

19 A. Yes.

11:00:45 20 Q. Did you lose sight of the first three?

21 A. Yes, they had gone ahead.

two

22 Q. Okay. So describe the route you took from Makeni, your

23 vehicles?

24 A. Well, when we left Makeni, we went straightaway.

11:01:15 25 Q. Yes; straightaway where?

26 A. To Adra Camp.

27 Q. Where is this Adra Camp?

28 A. Near Waterloo.

29 Q. So you go from Makeni and the route you take then is

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1 through Masiaka?

2 A. Yes.

3 Q. All the way through to -- near to Waterloo?

4 A. Yes.

11:01:45 5 Q. What did you see on the way? Did you see any RUF on the
6 way or SLAs on the way?

7 A. I saw some SLAs; they were retreating.

8 Q. So there must have been hundreds of SLAs and RUF running
9 for their lives from Freetown?

11:02:12 10 A. We were leaving because we did not realise very soon
they
11 were leaving to come to Makeni.

12 Q. What I'm suggesting is you'd heard that there had been
an
13 overthrow and I'm suggesting to you that at this time there
must
14 have been hundreds if not thousands of people leaving
Freetown;

11:02:33 15 am I correct?

16 A. Yes.

17 Q. So the road you travelled on, from Makeni to Waterloo --
18 near Waterloo -- must have been full of RUF and SLAs fleeing
from
19 Freetown; is that correct?

11:02:49 20 A. Only those of us who were in the vehicle because the jet

some 21 was passing over. Not all of us used to pass on the line;

22 of them passed by the village.

23 Q. Where is everybody? This is what I'm trying to get at;

24 where are all the fleeing junta troops at this time?

11:03:10 25 A. We were scattered. We were many. Some were in
Freetown.

26 Some were from Bo, Kenema.

27 Q. Hold on a second; you are not in Bo or Kenema so let's

28 stick with where you are. Where are they in relation to you?

29 Are you heading down from Makeni to Waterloo with thousands of

1 people heading in the opposite direction?

2 A. Yes.

3 Q. So the road you are travelling on is full of RUF and SLA
4 moving rapidly making their way to Makeni; am I correct?

11:03:54 5 A. Yes, yes.

6 Q. So the road is full, is it not?

7 A. The road was not full to that extent because some went
with
8 vehicles.

9 Q. Okay. But there's plenty, plenty people making their
way
11:04:11 10 to Makeni?

11 A. Yes.

12 Q. You get to Adra Camp near Waterloo; yes?

13 A. Yes.

14 Q. Do you go through Newton to get to Waterloo?

11:04:27 15 A. No. We stopped at Adra.

16 Q. So is Adra before Newton if you are travelling from
Makeni?

17 A. I don't know what they call Newton.

18 Q. You don't know Newton, which is on the outskirts of
19 Freetown?

11:04:48 20 A. Not at all.

21 Q. Okay. So what do you do when you get to Adra?

22 A. Well, when we reached Adra camp, then we met the last

23 batch. They were retreating to go to Makeni.

Court

24 MR NICOL-WILSON: Mr Kallon would like to leave the

11:05:19 25

for a few minutes.

will

26 PRESIDING JUDGE: All right. Perhaps at this point we

27 just take a break.

28 MR NICOL-WILSON: I don't know if before the break I can

29 introduce our new legal assistant for the Kallon defence team.

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1 Before or after the break.

2 PRESIDING JUDGE: After the break. We will take a quick
3 break.

4 [Break taken at 11.10 a.m.]

11:23:59 5 [Upon resuming at 11.30 a.m.]

6 PRESIDING JUDGE: Yes, Mr Nicol-Wilson.

7 MR NICOL-WILSON: I want to take this opportunity to
8 introduce our new legal assistant for the second accused. She
is

9 Miss Sabrina Mahtani. Sabrina is spelt S-A-B-R-I-N-A and

11:30:10 10 M-A-H-T-A-N-I. She is from the United Kingdom.

11 PRESIDING JUDGE: Miss Mahtani, you're welcome.

12 Mr Jordash, your witness.

13 MR JORDASH: Thank you, Your Honour.

14 PRESIDING JUDGE: Perhaps I should mention, before that,
I

11:30:31 15 take it it's common knowledge that this Court is being
honoured

16 by the presence, the visit of the United Nations

17 Secretary-General today. For that reason, we will adjourn the

18 morning session at 12 noon, and then resume at 3.30 p.m. Let's

19 proceed.

11:30:52 20 JUDGE ITOE: The security of the Court says we should
not

21 be here beyond 12 because the security of the United Nations
will

on 22 have to take over these premises. We would have loved to go
23 up to about one, but those are the constraints that we have.

24 PRESIDING JUDGE: Let's proceed, then.

11:31:13 25 MR JORDASH:

26 Q. So you were then, Mr Witness, travelling through to
27 Adra Camp. Did anything of any significance happen before you
28 arrived at Adra Camp?

29 A. No.

1 Q. So who did you meet at Adra Camp?

2 A. Well, when we went, we met three vehicles that had gone
3 ahead, and we met the commanders there as well.

4 Q. So Superman, General Bropleh and Augustine Gbao were at
11:31:53 5 Adra Camp?

6 A. Yes.

7 Q. If I can just take a moment, please. You were given
8 information, you told us, at Adra Camp; is that right?

9 A. Yes. There's information.

11:32:23 10 Q. The information was that Johnny Paul Koroma had gone; is
11 that right?

12 A. Yes, and we received information that Operation Pay
13 Yourself, all soldiers should pay themselves.

14 Q. And Johnny Paul Koroma had ordered that?

11:32:46 15 A. Yes.

16 Q. What was the general scene at Adra Camp; were there
other
17 rebels there?

18 A. Yes, they were coming from Freetown to return to Makeni.

19 Q. How many, do you think? Hundreds?

11:33:11 20 A. There were more than 100.

21 Q. More than 200?

22 A. Close to 200, those that I saw.

to

23 Q. Could I suggest to you, Mr Witness, that you didn't go

24 Adra Camp?

11:33:40 25 A. I went to Adra Camp.

26 Q. In fact, Adra Camp was occupied by ECOMOG at the time of
27 the overthrow, so you couldn't have gone there.

28 A. No.

29 PRESIDING JUDGE: Mr Witness, would you keep your voice

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right. 1 down a little. It's not a confrontational exercise. All

2 Proceed.

3 MR JORDASH:

4 Q. Think carefully about whether you really attended at the
11:34:12 5 time of the overthrow. Adra Camp with, for example,
6 Augustine Gbao. Think carefully about the truth.

7 A. I went to Adra Camp. We went there ourselves. We were
8 loaded into the Land Rover.

9 Q. Okay. So after Adra Camp, where did you go?

11:34:36 10 A. We retreated to Makeni because they told us that Johnny
11 Paul has passed through Tombo.

12 Q. Which route did you take?

13 A. The same highway, Masiaka Highway.

14 Q. Were you in a vehicle, or were you walking?

11:35:01 15 A. We were in a vehicle.

16 Q. Whose vehicle were you in? Who was in your vehicle?

17 A. When we were coming, I was in Superman's vehicle.

18 Q. How was it that you transferred from another vehicle
into
19 Superman's vehicle?

11:35:25 20 A. Well, the first vehicle where it was had gone ahead.
The

21 jet was bombing, so we just rushed and any vehicle you will
meet,

22 you will just load into it, so that we will retreat.

23 Q. Did you learn how it was that these commanders,
Superman,

24 Bropleh, Gbao, Kallon, Issa Sesay had ended up in Makeni when

11:36:02 25 Johnny Paul Koroma was in Freetown?

26 A. No, because I was behind with Superman's vehicle, but
when

27 we came, the commanders had all dispersed. That's how we got
to

28 Makeni.

29 Q. No, the question is this: when you left from Makeni to
go

these
Makeni

1 and find Johnny Paul Koroma, did you learn how it was that
2 commanders, who were in the five vehicles, had ended up in
3 whereas the chairman, the President, Johnny Paul Koroma, was
4 still in Freetown?

11:36:47 5 A. No.

Koroma

6 Q. Were you told, when you were told that Johnny Paul
7 had gone via Tombo, who Johnny Paul Koroma was with?

the

8 A. Well, I didn't know. I didn't see him. I didn't see
9 route that he used. I didn't know who he was with.

11:37:17 10 Q. So the first time you saw Johnny Paul Koroma was in
11 Kailahun, after you had been to Kabala with SAJ Musa and
Gullit?

12 A. Yes.

13 Q. Was that the very first time you ever saw him in person?

14 A. Yes. That was the first time I saw him in person.

11:37:43 15 Q. Now you travelled then from Adra Camp to Makeni in
16 Superman's vehicle; correct?

17 A. Yes, that's correct.

18 Q. You, Superman; who else?

19 A. All the SBUs.

11:38:02 20 Q. Who?

21 A. Major Highway.

22 Q. Anyone else?

23 A. And Molest.

24 Q. And Molest. Wasn't Molest, though, Issa Sesay's
bodyguard?

11:38:16 25 A. Yes, he's the same person.

26 Q. He wasn't in Issa Sesay's car?

27 A. We went together. When we were returning and loading
into

28 the car, and the jet was threatening us, we couldn't board the

29 same vehicle.

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1 Q. So there was general panic at Adra Camp, which meant
2 everyone jumped in the nearest vehicles, did they?

3 A. Yes.

4 Q. You ended up in whichever one was the closest and
nearest

11:38:52 5 to get to?

6 A. Yes.

7 Q. And then drove as fast as you could to Makeni?

8 A. Yes.

9 Q. With the same five vehicles in convoy?

11:39:03 10 A. Yes.

11 Q. Did you drive through lots of people, lots of rebels who
12 were also trying to escape the Alpha Jet?

13 A. Yes. We met some along the road walking on foot. Some
of

14 us were in vehicles.

11:39:26 15 Q. So some on feet running, some in vehicles going as fast
as

16 they could to Makeni?

17 A. Yes.

18 Q. You didn't stop until you got to Makeni; you and
Superman

19 and Molest?

11:39:40 20 A. We stopped.

21 Q. Where did you stop?

22 A. At Lunsar. We went to Lunsar, but Loko, we looted there
23 and then we went to Makeni.

24 Q. What did you loot?

11:40:02 25 A. We looted things.

26 Q. What? Did you get back into the same vehicle?

27 A. Yes. We looted and then we boarded the same vehicle.

28 Q. So you arrived back in Makeni with Superman?

29 A. Yes.

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1 Q. What did you do there?

2 A. Well, when we got to Makeni, we started looting shops.

3 Q. How long did you stay in Makeni?

4 A. Well, a week.

11:40:40 5 Q. Where did you live in Makeni, during that week?

6 A. Well, at that time we were just going up and down. I was

7 in the barracks. At times I would sleep there, at times I
8 wouldn't.

9 Q. Who were you with, during that week?

11:40:57 10 A. At that time I was with Augustine Gbao.

11 Q. Where was he living?

12 A. At task force. That is where we would meet.

13 Q. What about Issa Sesay?

14 A. Well, he, I didn't see him at that moment, when we got to

11:41:17 15 Makeni.

16 Q. Didn't see him for the whole week?

17 A. I saw him, but when we got into Makeni, I didn't see him.

18 Q. Where did you see him during that week?

19 A. At task force, when we were getting ready to retreat.

11:41:36 20 Q. What, on the day you retreated?

21 A. Yes.

22 Q. What was he doing?

23 A. He was trying to assemble us again, another force to
24 advance.

11:41:52 25 Q. You were with Gbao, were you?

26 A. Yes.

27 Q. So why is it you didn't advance with -- well, did you
28 advance with Gbao?

29 A. No.

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1 Q. Why not?

2 A. Well, when the jet bombed we dispersed, so I joined
SAJ's

3 group and we pulled out to Kabala.

4 Q. Right. I will come to that shortly. So the only time
you

11:42:21 5 see Sesay is when he's assembling the troops?

6 A. Yes.

7 Q. So you are taken to where he is assembling the troops by
8 Gbao?

9 A. We were there, then.

11:42:55 10 Q. Okay. Let's see what you've said previously, shall we?
before

11 Your Honours page 12209. Fourth paragraph, five lines --

12 I ask you that, I just want to clarify this name Moreless.
Are

13 you saying Moreless, M-O-R-E-L-E-S-S.

14 A. Yes.

11:43:54 15 Q. Good. Thank you.

16 PRESIDING JUDGE: Not Molest?

17 JUDGE ITOE: I have been writing "Molest".

18 PRESIDING JUDGE: Not "Molest"?

19 MR JORDASH: It just occurred -- Your Honour will see
why I

11:44:03 20 asked the question in a moment because there is reference to
it.

one 21 JUDGE ITOE: So, in other words, it's Moreless; is it

22 word? Moreless?

will 23 THE WITNESS: Molest, like when somebody will say "I

24 molest you".

11:44:22 25 JUDGE ITOE: So, in other words, it's the spelling that
may

26 be wrong, so shall we adopt M-O-L-E-S-T?

27 PRESIDING JUDGE: Yes.

witness 28 JUDGE ITOE: Fine, so we shall adopt that since the

29 gives it.

1 MR JORDASH: Yes.

2 Q. Let me read you what this paragraph or part of it says,
3 Mr Witness. I'm going to read from the beginning. "When the
4 coup of Johnny Paul Koroma happened in 1997 Gbao gave us the

11:44:53 5
the

5 order to move from Kailahun to Makeni. We moved and went to
6 barracks in Makeni." Did you tell the Prosecution that when
7 coup happened you moved from Kailahun to Makeni?

the

8 A. Yes.

9 Q. Why did you say that?

11:45:20 10
that's

10 A. Well, because of the order they gave to us to leave,
11 why I told them that.

12 Q. But you didn't leave Kailahun to Makeni?

13 A. Well, they gave us an order from Kailahun to Kono. From
14 Kono we went straightaway to Makeni. That was the highway we
15 used.

11:45:44 15

because

16 Q. But you never mentioned leaving from Kono, did you

17 you had left from Kono. You had gone from Kono to Kailahun to
18 deliver a message back to your then home in Kono and from Kono

to

19 Makeni. You didn't leave from Kailahun, did you?

11:46:08 20

20 A. Not at all.

21 Q. Yet you told the Prosecution you did, did you not?

delivered 22 A. No, that's not what I said. I told them, when I
23 the message in Kailahun, we loaded to Kono again. Then we met
24 the SLOs, SLAs and CO Mosquito. Then we came to Makeni.

11:46:40 25 Q. Well, you do say in October 2005 that you were in Kono
when
26 you learnt of Johnny Paul Koroma's overthrow. Well, let's
turn
27 to it actually, because it might assist. Your Honours, page
28 16851, paragraph 6 of that page. Sorry, it is labeled
paragraph
29 6, it's at the top of the page, and it's proofing notes from

7. 1 October 2005. It says "Witness was in Kono," sorry, paragraph
2 "Witness was in Kono when he learnt of Johnny Paul Koroma's
3 overthrow of President Kabbah's SLPP government"?

4 A. Yes.

11:47:58 5 Q. "That was when he left Mosquito's group to join
6 Augustine Gbao in Kailahun."

7 A. Yes.

8 Q. Did you tell the Prosecution that?

9 A. Yes, I told them that.

11:48:23 10 Q. But no mention here about returning to Kono after
joining
11 Augustine Gbao in Kailahun, and from Kono to Makeni. No
mention
12 here of that?

13 A. It's there.

14 Q. It's not there.

11:48:38 15 A. Tell, okay. I told then, I told them that.

16 Q. Okay.

17 A. When we were with CO Mosquito, when he was in Kono and
met
18 with us in Kailahun, he told us to attack Masingbi.

19 Q. Let's just stick with the question. Interestingly as
well,
11:49:01 20 Mr Witness, no mention of Mr Sesay in Kono at this time?

21 A. To say what?

him 22 Q. No mention of him in Kono at this time. No mention of
23 being in Kono when you learnt of Johnny Paul Koroma's
overthrow.
You 24 Sorry, Johnny Paul Koroma's overthrow of President Kabbah.
11:49:35 25 didn't mention him then, did you?
26 A. No, I didn't mention his name.
27 Q. In fact, no mention of Issa Sesay in Makeni when you
28 arrived, is there? Didn't mention that at all until Thursday
of
29 last week?

1 A. That was when --

2 Q. What I'm suggesting there is nothing in the statements
to
3 suggest that you went from Kono to Makeni with Issa Sesay;
that
4 you spent any time with Issa Sesay in Makeni at the time of
the
11:50:28 5 overthrow of President Kabbah?

6 PRESIDING JUDGE: Can I have a reminder that you are
7 exploring alleged prior inconsistencies.

8 MR JORDASH: Yes, I am.

9 PRESIDING JUDGE: Right. I just wanted to be reminded
of
11:50:43 10 that. Thanks.

11 MR JORDASH: Sorry. Yes, I should have said.

12 Q. So why, given you were so full in your detail about
master
13 being in Kono, in Makeni at around the overthrow of Johnny
Paul
14 Koroma's overthrow of President Kabbah, on Thursday of last
week,

11:51:03 15 but it doesn't seem to be reflected in your various statements
to
16 the Prosecution?

17 A. It is there.

18 Q. It's not there.

19 A. It's there.

11:51:14 20 Q. It doesn't matter that you keep saying it's there, it's
not
21 there?
22 PRESIDING JUDGE: Well, don't --
23 THE WITNESS: Well, that's what I said,. What I said,
that
24 is what I'm going to say here again.
11:51:27 25 PRESIDING JUDGE: Mr Jordash --
26 MR JORDASH: Okay, I will move on.
27 PRESIDING JUDGE: -- you can just leave it at that.
28 MR JORDASH: Very well.
29 Q. Let's go, then, to your 2003 statement and see what you
say

1 about Johnny Paul Koroma, shall we? Your Honours, page 12208.

2 Fourth paragraph, four lines down, again for inconsistencies.

3 PRESIDING JUDGE: Yes.

4 MR JORDASH:

11:52:15 5 Q. Four lines down. Three lines down, sorry. "Sometimes

6 Father Victor of the pastoral centre came to get us to plan

7 sporting and entertainment activities for us. Johnny Paul

Koroma

8 disappeared from Freetown."

9 A. Yes.

11:52:39 10 Q. Did you say that?

11 A. Yes.

12 Q. What did you mean by Johnny Paul Koroma disappeared from

13 Freetown?

14 A. Well, it was the time he was overthrown, then, when he

11:52:55 15 lost, he went away.

16 Q. Okay. Next sentence reads this: "Some SLA people came

to

17 the pastoral centre with Sallu, David, Blood, Poison, and

18 Moreless, M-O-R-E-L-E-S-S". Do you remember saying that SLA

19 people came to the pastoral centre with Sallu, David, Blood,

11:53:31 20 Poison and Moreless?

21 A. No.

22 Q. This is the truth, isn't it? That if you had anything

to

23 do with rebels, you had something to do with the SLA people,
24 Poison, Blood, Molest?

11:53:51 25 A. No, we were all in the pastoral centre, those of -- with
26 Father Victor.

27 Q. And --

28 PRESIDING JUDGE: Did he say he never said that to the
29 Prosecution?

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1 MR JORDASH: I am not sure exactly.

2 PRESIDING JUDGE: No, you better explore that because
that
3 is what you are doing.

4 MR JORDASH:

11:54:09 5 Q. Did you tell the Prosecution that some SLA people came
to
6 the pastoral centre with Sallu, David, Blood, Poison and
7 Moreless?

8 A. No.

9 Q. You see, that's given your lies away, I suggest; that
11:54:27 10 Molest who you talk about was SLA?

11 A. No. Molest was an RUF. He was an SBU.

12 Q. Okay. The sentence reads on, I don't know if it makes
any
13 difference but, to be fair to the witness, "these were RUF who
14 were pointing us out to be the SLA."

11:54:56 15 A. No.

16 Q. Didn't say that?

17 A. Not at all. I did not say that.

18 Q. Let's keep reading then: "We were taken to Freetown
Block
19 Road to near Calaba Town." Did you say that?

11:55:13 20 A. No.

21 PRESIDING JUDGE: Mr Jordash, the Court will now recess

22 until 3.30 p.m.

23 [Luncheon recess taken at 12.00 p.m.]

24 [Upon resuming at 3.40 p.m.]

15:34:50 25 PRESIDING JUDGE: Yes, Professor O'Shea.

26 MR O'SHEA: I know the Bench will be keen to proceed
with

27 the testimony, so I won't make this application or request at

28 this stage. I would just like to ask that I be given an

29 opportunity to make an application before we adjourn.

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1 PRESIDING JUDGE: Very well. Noted. Mr Jordash, let's
2 continue.

3 MR JORDASH: Thank you, Your Honour.

4 Q. Good afternoon, Mr Witness.

15:35:29 5 A. Good afternoon.

your

6 Q. Let's go back to the statement, please. Page 12208,
7 January 2003 statement to the Prosecution. Page 12208,
8 photograph 4, you say this about leaving Father Victor, and
9 heading to Freetown:

15:36:27 10 "We were taken to Freetown Block Road to near Calaba
Town.

11 We were there for a week with orders to loot."

12 Did you tell the Prosecution that?

13 A. No.

14 Q. Reading on:

15:37:00 15 "We did that and then we were brought to Makeni. On our
16 way to Makeni, we met Johnny Paul at Four Mile after Adra
Camp."

17 A. No.

18 Q. Well, you did, didn't you, Mr Witness, tell the
Prosecution

19 that. Because, if you didn't, you would have corrected it in

15:37:23 20 October of 2005 when you started to tell the truth.

21 A. I didn't tell them that. I told them that I stopped at

22 Adra.

23 Q. So why did you not tell Mr Bangura, in October 2005,
that

24 somebody had made a dread ful mistake, and said that you'd met

15:37:56 25 Johnny Paul Koroma, in the first statement?

26 A. No.

27 Q. Why didn't you tell them? Why didn't you correct the

28 mistake when you spoke to Mr Bangura?

29 A. The file was not read to me.

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that

through

able

was

I

meeting I

and

pay

1 Q. Right. Think carefully, and concentrate on the fact

2 Mr Bangura is in this courtroom. Did Mr Bangura take you

3 this evidence and ask you if it was correct?

4 A. No.

15:38:32 5 Q. Okay. If that's your answer, we will move on.

6 "He, Johnny Paul, called a meeting and said he was not

7 to pay the soldiers, so the soldiers must pay themselves. I

8 not there when the meeting started, but as the meeting ended,

9 and my colleagues arrived at the meeting. I saw Johnny Paul."

15:39:12 10 Is that something which you said, or something the

11 Prosecution made up and put in your statement?

12 A. I didn't say I saw Johnny Paul. I said after the

13 went to the Adra Camp.

14 Q. Okay. Let's read on, then.

15:39:38 15 "A commander who had attended the whole meeting told I,

16 my colleagues, that Johnny Paul had said all soldiers should

17 themselves."

18 A. Yes.

19 Q. So I suppose you didn't tell the Prosecution that a

15:40:02 20 commander, who had attended the whole meeting, told you and
your
21 colleagues that Johnny Paul had said all soldiers should pay
22 themselves. Is that something you told the Prosecution?
23 A. Yes, I told them that.
24 Q. You say that's correct, at least. The next paragraph:
"We
15:40:25 25 left Four Mile in a convoy which Johnny Paul was leading all
the
26 way to Makeni. While in Makeni, some of my friends who
followed
27 Johnny Paul to his home town, in" -- Binkolo, I think that
should
28 say -- "told me that they had visited his village." Did you
tell
29 the Prosecution you left Four Mile in a convoy, led by Johnny

1 Paul?

2 A. No.

3 Q. Again, not something that you corrected at any stage
since

4 2003; I'm correct, aren't I? You haven't corrected that at
any

15:41:21 5 stage since 2003?

6 A. They didn't ask me for that any longer.

7 Q. Okay, let's read on. No, we will read on about that a
bit

8 later on. When do you say you observed, or you were present
at

9 the time Augustine Gbao raped a woman. When did this event
15:42:23 10 occur, according to you?

11 A. It was during the time we left the town and went to
Makeni.

12 Almost to the end of the week.

13 Q. When you left which town to go to Makeni?

14 A. When we left the Adra Camp, to go to Makeni.

15:43:13 15 Q. So who was it, you say, he raped?

16 A. It was a Lebanese woman.

17 Q. Where?

18 A. At the task force office.

19 Q. Let's have a look at what you told the Prosecution
15:43:43 20 previously, shall we.

21 MR JORDASH: Your Honours, page 12209.

22 Q. Same statement you made in 2003, paragraph 4:

23 "While I was with my mother the rebels attacked Makeni

24 again. I was identified by one of my former RUF colleagues
and I

15:44:22 25 was forced to join again. This was in 1999."

26 Did you tell the Prosecution that?

27 A. Yes.

28 Q. So you told the Prosecution you were forced to join the

29 rebels again in 1999?

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1 A. Yes.

2 Q. Tell us about that.

3 A. Well, when we were retreating to go back to the bush, by
4 then they were burning people with tyre. So my friend saw me,

15:45:15 5 then he said, "My man, are you leaving? If you will stay
behind,

6 they will kill you with the tyre." I said, "Okay."

7 Q. Sorry, you were retreating to the bush from where?

8 A. We were leaving Makeni to go to the bush.

9 Q. In 1999?

15:45:44 10 A. It was the time for the overthrow, when Johnny Paul
Koroma

11 was overthrown. It is the time I'm talking about.

12 Q. Well, it says 1999. Again, you've not corrected that
date,

13 have you, in other statements. Because the time of Johnny
Paul

14 Koroma's overthrow was in 1997, and the time when Johnny Paul

15:46:30 15 Koroma lost power was in 1998. So when are you talking about?

16 A. It was the time when Johnny Paul lost power. That is
the

17 time I'm talking about.

18 Q. Okay. Let's read on:

19 "At this time, I was in the company of some colleagues
on

15:47:03 20 Rogbane Road when Augustine Gbao gave instructions to his boys
to

21 open fire on one Lebanese owned house. They did and then Gbao
22 ordered his deputy" --

this:

23 Well, actually, before I get to that, let me ask you

24 where did the Lebanese woman who was raped in the task force
15:47:36 25 office come from?

26 A. At the shop where we went and looted and opened firing.

27 Q. Well, let's read the rest of it, then: "They did" --

28 A. That is where we got her from.

29 Q. "They did and then Gbao ordered his deputy to go inside
and

1 take the Lebanese woman out."

2 That's out of the Lebanese owned house, according to
your

3 2003 statement, Mr Witness. Did you tell the Prosecution it
was

4 a Lebanese owned house that the Lebanese woman came from?

15:48:15 5 A. It was her shop.

6 Q. Did you tell the Prosecution it was a house, though?

7 A. No. I said, it was her shop. I didn't say a house.

8 Q. Okay, let's read on. Did you tell the Prosecution the
9 Lebanese
Lebanese

15:48:48 10 woman out?

11 A. No. I said "we."

12 Q. Okay. Fair enough. "She was taken to the RUF office
and

13 Gbao raped her."

14 A. Yes.

15:49:05 15 Q. "I went to the RUF office from Rogbane Road and met the
16 woman reporting Colonel Digba."

17 Did you say that to the Prosecution?

18 A. Yes. That was what I said.

19 Q. Who is Colonel Digba?

15:49:32 20 A. Colonel Digba was the task force commander.

21 Q. What was his relationship to Gbao?

22 A. Well, they had no relationship. They met in the jungle.

23 Q. What was their relationship in the RUF?

24 A. Well, he too was a colonel, a High Commander.

15:50:07 25 Q. So was Gbao Digba's boss, or was Digba Gbao's boss, or
were

26 they equal?

27 A. No. Colonel Gbao was more senior to him.

28 Q. Let's read over the page then, to 12210:

29 "Gbao is Digba's boss. I left her reporting and went
away.

1 I can recognise the woman."

2 Where is the woman, do you know?

3 A. At present, I don't know where she is.

4 Q. Okay. So do you accept you never mentioned Issa Sesay
15:51:14 5 being present during that incident, when you were interviewed
in
6 2003?

7 A. I spoke about -- I spoke about it. I said, he was
there.

8 Q. Well, why would you say he was there when, in 2003, you
9 were not mentioning Sesay for anything because he'd helped you
15:51:45 10 out?

11 A. Well, at the time he was there, because we were
preparing
12 to retreat.

13 Q. Can I suggest, Mr Witness, that what you told the
14 Prosecution there was that Gbao had raped a woman in 1999, in
15:52:36 15 Makeni?

16 A. Yes.

17 Q. And you were suggesting it was after you'd been to
Kabala
18 with -- well, it was after you'd been to Kabala, you suggested
at
19 that point. What we have now is a contradiction because
you've

15:53:13 20 moved it to the time of Johnny Paul Koroma's overthrow by
ECOMOG;

21 am I right?

22 A. Repeat the question.

23 JUDGE BOUTET: Keep it a bit simple.

24 MR JORDASH: Yes.

15:53:35 25 JUDGE BOUTET: Because you asked a question and then you
26 carried on with another question.

27 MR JORDASH: Yes, that's a fair point, Your Honour.

28 Q. I'm suggesting that you've moved the timing of this
event.

29 First of all, you said it was in 1999, after you had been to

1 Kabala. That's what you told the Prosecution in 2003, isn't
it?

2 A. No.

3 JUDGE BOUTET: What did you say to the Prosecution after
4 you were back from Kabala?

15:54:19 5 THE WITNESS: I told the Prosecution that it was before
we
6 went to Kabala, that that raping incident happened.

7 MR JORDASH: Okay.

8 Q. I suggest, in any event, it's a complete lie, because
Gbao
9 was never, never in Makeni in and around the time of the
15:54:44 10 overthrow of Johnny Paul Koroma?

11 A. He was in Makeni. There were people we travelled with.

12 Q. Okay. Let's move on. How did you end up meeting
Gullit?

13 A. Well, it was during the time we retreated and went to
14 Kabala.

15:55:18 15 Q. Yes. But how did you move from being under the
authority
16 of Gbao to suddenly finding yourselves in the company of the
top
17 commanders from the SLA group?

18 A. Well, it was during the time when we were in Makeni.
When

19 there was much tension around, when the jets was going around

15:55:57 20 bombing everywhere, then we dispersed. So people went and
joined
21 with other groups to survive and to pull out of the town.
22 Q. But who then did you --
23 JUDGE ITOE: Mr Jordash, I think he has given this piece
of
24 evidence, that he just found himself, in the general
confusion,
15:56:18 25 moving in SAJ's group. That is how he found himself with
Gullit
26 and the rest of them, because there was confusion in Makeni,
and
27 everybody were going towards in his own direction.
28 MR JORDASH:
29 Q. Well, who did you attach yourself to out of that SAJ
Musa

1 group, for that protection?

2 A. It was SAJ.

with

3 Q. So you were directly with SAJ, not with his group, but

4 SAJ, were you?

15:56:50 5 A. I was not with him directly, but I was with the group.

6 Q. You say you were with his group; who was your immediate
7 commander?

my

8 A. Well, by then I was with the -- I was with the boss of
9 friend.

15:57:13 10 Q. Who's that?

11 A. It was Gullit.

the

12 Q. So this was Gullit, was it? He was -- what position in
13 group which headed to Kabala?

14 A. Well, we were advancing, going ahead.

15:57:39 15 Q. Yes, but what was Gullit's relationship to SAJ Musa?

16 A. Well, they were living good. Whatever thing they had
17 wanted to do, they would plan together.

all?

18 Q. Well, SAJ was the boss. Was Gullit second in the ranks,
19 third in the ranks, fourth in the ranks; not in the ranks at

15:58:08 20 A. Well, by then I had just joined them, so I didn't know
what

21 was going on.

22 Q. Well, what was Gullit --

23 A. In the SLA.

24 Q. -- what was Gullit doing, then, on the trip from Makeni
to

15:58:26 25 the north?

26 A. Well, he was leading the group that we were moving, when
we

27 were moving, those of us who were behind. He was leading the

28 group.

29 Q. Who was in the group?

1 A. Well, we were mixed up. Some RUF. Some of us, we are
2 RUFs, we are there. We had junta 2. We had AFRC.
3 Q. Well, you mentioned junta 2. Can you explain exactly
what
4 you mean by junta 2?

15:59:00 5 A. Well, junta 2, they were -- some of them were those who
had
6 never gone to the bush before. Some were children of
soldiers.
7 Some were brothers to soldiers. So they joined us together
8 because they were burning -- their relatives were being
burned.
9 That's the reason why they joined us.

15:59:35 10 Q. Who was leading junta 2?

11 A. Well, we were all mixed together. Both RUF, junta 2,
AFRC.
12 We were all mixed up together.

13 Q. Can you name any real names of RUF who went to Kabala at
14 that time?

15:59:56 15 A. No.

16 Q. Can you name any SLA, besides SAJ, Gullit and Adama Cut
17 Hand? Can you name any?

18 A. Yes.

19 Q. Who?

16:00:19 20 A. Colonel Savage.

21 Q. So Colonel Savage also went to Kabala with you, did he?

22 A. Yes.

23 Q. Anyone else?

24 A. Jege. Captain Jege.

16:00:39 25 Q. Is that his real name or a nickname?

26 A. That was his nickname. At present he's in Makeni. We
call
27 him jige.

28 Q. You are not suggesting, are you, that SLAs went by
29 nicknames, are you? The SLAs had their army, military names,
did

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1 they not?

2 A. Yes, but I was not with them before.

3 Q. You were there for a week, weren't you, or so?

4 A. Yes.

16:01:14 5 Q. Who else? Can you name any other SLA commander?

6 A. Yes.

7 Q. Go ahead.

8 A. Water Bottle.

9 Q. Real names, Mr Witness, not nicknames?

16:01:32 10 JUDGE ITOE: Mr Jordash.

11 MR JORDASH: [Overlapping speakers] no real names.

12 THE WITNESS: I don't know his real name. We only met

13 there, and when I went, that was the name I heard people
calling

14 them.

16:01:50 15 MR JORDASH:

16 Q. Okay. So we are again lacking in real names. You just

17 don't know any real names, other than those you mentioned.
You

18 went to Kabala and you spent a week carrying out these

horrific

19 acts, you tell us?

16:02:05 20 A. Repeat the question, please.

21 Q. Have you given us all the real names you can of the SLAs

22 who you accompanied on the way to Kabala?

23 A. I haven't given you a real name.

24 Q. I know. That's why I'm expressing my surprise and
asking
16:02:31 25 you if you can.

26 A. Well, don't be surprised.

27 Q. Okay. Let's move on. What does Gullit look like?

28 A. Gullit is a black man.

29 Q. Yes, I think we can be fairly sure of that, but apart
from

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1 that?

2 A. He's a black man. He's not that tall, neither short.

3 Q. Thin? Fat? Thin or fat?

4 A. He's neither thin nor fat. He has a medium-size body.

16:03:28 5 Q. Anything about his teeth you remember?

6 A. No. We didn't stay together for quite some time.

7 Q. But you were with him, were you not? He was your
immediate

8 commander for the whole time you were with SAJ's group; am I
9 correct?

16:03:47 10 A. No. I was with his boy, who was an SLA.

11 Q. Did you see Gullit every day you were with the SLAs --
you

12 were with a group around Kabala?

13 A. No, I didn't see him every day.

14 Q. Okay. But you travelled with him? You met him in
Makeni

16:04:20 15 and you travelled with Gullit, didn't you, to Kabala?

16 A. Yes. I never knew he was called Gullit. It was only
when

17 we arrived in Kabala that I learned of that.

18 Q. And you saw him in Kabala?

19 A. Yes. I saw him.

16:04:38 20 Q. You saw him in Manjoro [phon]?

21 A. No, no, I didn't see him in Manjoro. I was there with
his

22 boy.

23 Q. Did you see him in Karina?

24 A. Yes, I saw him in Karina.

16:04:58 25 Q. What did you see him doing in Karina?

with 26 A. I didn't see him doing anything. We were only there

27 his boys.

28 Q. You saw him in Bauya 1, Bauya 2?

29 A. No. I only saw him at One Mile.

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1 Q. So you saw him in Kabala and One Mile and in Makeni?
2 A. No, I didn't see him in Makeni.
3 Q. When did you first see him?
4 A. Well, it was on our way, when we arrived in Kamabai,
before
16:05:46 5 we could enter Karina.
6 Q. Okay. So you saw him in Kamabai, you saw him in Karina;
7 anywhere else did you see him?
8 A. And Kabala, at One Mile.
9 Q. Is there any other description you are able to give us
of
16:06:04 10 him, besides what you've already said?
11 A. Yes, I have one.
12 Q. Please share it with us.
13 A. Well, when he's walking, he has something like a C foot.
14 Q. C foot; what's that?
16:06:42 15 PRESIDING JUDGE: Bow legs.
16 THE WITNESS: Bow legs.
17 MR JORDASH:
18 Q. Bow legs.
19 A. Yes, a mild bow legs.
16:06:58 20 Q. Okay. Could I suggest that you've actually never seen
21 Gullit, Mr Witness?
22 A. I have seen Gullit.

23 Q. And Gullit didn't, I suggest, go north to Kabala at the
24 time SAJ Musa moved to Kabala. It's just a complete
fabrication

16:07:30 25 on your part, I suggest?

26 A. Gullit went to Kabala, but he was not that famous. When
he
27 was -- like the way -- like the way when he was at West Side.

28 Q. Well, Gullit was famous, because he was in the top three
29 members of the SLAs who had overthrown Johnny Paul Koroma --

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1 overthrown President Kabbah, wasn't he? So he's very famous?

2 A. Yes. He was not that wicked like the others, those that
3 were amputating hands, that people knew of all over.

4 Q. Let me suggest as well, Mr Witness, why you are making
this

16:08:27 5 up, because the group that left Makeni did not go to Karina in
6 the first week after the overthrow. They did not go to
Karina, I
7 suggest.

8 A. He went to Karina, and it was in Karina that we
dispersed.

9 We bypassed through the villages.

16:08:57 10 Q. In fact, the group that left Makeni to go north with SAJ
11 went from Makeni to Kabala, from Kabala to Mongo, and then to
12 Kurubonla, not Karina.

13 A. That's the reason why I've told you we were in squads.
We
14 had dispersed. The squad I was with is what I'm talking
about.

16:09:33 15 Q. Well, that's why I asked you who's in your squad.

16 A. That is the reason why I've mentioned them.

17 Q. Okay. How long was it before you left Kabala to go to
your
18 next place?

19 A. It was within a week.

16:10:05 20 Q. Who did you travel with?

then

21 A. Well, I was with some other junta 2s, and commanders,

22 we went to Kono.

23 Q. Any names, please?

24 A. Well, I can only recall the name of one person, when we

16:10:29 25 were in the convoy.

26 Q. Who was that?

27 A. Scorpion.

28 Q. How many people in the convoy to Kono?

29 A. Well, it was a Toyota van that we went with.

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1 Q. Just the one vehicle, was it, which went?

2 A. Yes.

3 Q. How many people in the vehicle?

4 A. Well, let me say roughly we were 10.

16:11:16 5 Q. How long did it take from Kabala to Kono?

6 A. Well, we travelled during the day and the night.

7 Q. Okay. So you arrived in Kono. Which commander did you
8 stay with in Kono?

9 A. Well, when we arrived in Kono, we did mining at first.

16:11:59 10 Q. That's not the question. Which commander were you
attached

11 to in Kono, when you arrived?

12 A. When I arrived, I was not with any commander because by
13 then there was looting everywhere.

14 Q. How long did you stay in Kono?

16:12:25 15 A. I was there for some time.

16 Q. How many days?

17 A. Well, let me say it was up to three to four weeks.

18 Q. Are you sure it was that long, Mr Witness?

19 A. Yes, because we did mining at first.

16:12:49 20 Q. So who did you stay with during your three to four weeks
in

21 Kono?

22 A. I was not with a commander by then.

23 Q. Well, that's not the question. Who did you stay with,
24 whether it's a commander or lower ranks or a civilian, who did
16:13:10 25 you stay with?
26 A. I was with some civilians and some RUFs whom we went
27 together.
28 Q. The same question: any names, please? Real names.
29 A. Yes, the civilians that I stayed with, I know their real

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1 names, that we stayed together.

2 Q. What about RUF?

3 A. The RUFs, I don't know their real names, when we were
4 there.

16:13:43 5 Q. What were their ranks?

6 A. Well, there was one of them, who was a big man.

7 Q. What is his name, nickname?

8 A. Komba Gbundema.

9 Q. Where did you stay with Gbundema?

16:14:07 10 A. At Kono.

11 Q. Whereabouts?

12 A. Sir?

13 Q. Where did you stay with him?

14 A. At Beko [phon].

16:14:26 15 Q. Where is that? Is that in Koidu Town?

16 A. No, very close to Yengema. It's about two miles to go
to
17 Yengema.

18 Q. Okay. Now, I want to ask you about your statement --
Your
19 Honours, page 12209 -- something you told them in 2003.

16:14:59 20 Paragraph 2, and this, I suggest, Mr Witness, may be something
21 close to the truth. Close to the truth. It's the second
22 paragraph, reading from the third line down:

us 23 "After a week I left Makeni because the civilians told
for 24 that ECOMOG was coming to Makeni. We left by lorry, headed
16:15:28 25 Kabala with my friends. We got to Kabala, and I went to my
26 father's village in Konkoba?
27 A. No.
28 Q. You didn't tell the Prosecution that, or you did tell
them 29 that?

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1 A. I told them that we went to Konkoba, but not my father's
2 village.

3 Q. For the record, I agree that you corrected that in
October,
4 and said that, in fact, you went to Konkoba after retreating
to
16:16:17 5 Kabala, on a food mission with the RUF. That's, Your Honours,
6 page 16850, that correction. But what I'm interested in is
the
7 rest of this:

8 "I hid from my friends. I stayed in Konkoba until
ECOMOG
9 attacked then moved to Kabala Town."

16:16:43 10 PRESIDING JUDGE: When was that correction made?

11 MR JORDASH: October 2005, Your Honour.

12 Q. No, let me read that again:

13 "I stayed in Konkoba until ECOMOG attacked, then moved
to
14 Kabala Town. No one knew me there. My grandfather and I then
16:17:02 15 came to Makeni to look for my mother. After a while, we found
16 her and I stayed with her until I started school through
17 Caritas."

18 That's in your statement, Mr Witness. Do you know why?

19 A. No, I don't know why.

16:17:33 20 Q. Well, could I make a suggestion: it's because it's

you 21 something close to the truth, and that's what you said when

22 changed your version of events?

attacked 23 A. Well, I told them that when we went to Kabala, we

did 24 Konkoba, to find food. When we got the food, we returned. I

16:18:12 25 not stay there at all.

26 Q. So you stayed in Kono for three to four weeks and during

27 that time you are mining, am I right, you say, under the

28 commandership of Gbundema?

29 A. Yes.

1 Q. Then after three to four weeks, you then go to where?
2 A. It was at that time that I came to Kailahun. That was
when
3 we had started meeting.
4 Q. Who did you go to Kailahun with?
16:19:05 5 A. We used a vehicle to go to Kailahun for that meeting.
6 Q. Who did you go to Kailahun with?
7 A. CO Augustine Gbao was with us.
8 Q. So Augustine Gbao remained in Kono for three to 4 weeks;
is
9 that what you observed?
16:19:29 10 A. No. It was when all of us had come together and we
11 retreated and assembled in Kono, that's when I say him. So I
did
12 not know whether he was there or not there.
13 Q. He travelled with you to Kailahun. Anybody else?
14 A. It was the one I knew as the head commander. All the
16:19:58 15 others were mixed.
16 Q. So you can't name any?
17 A. No.
18 Q. Let's have a look at what you told us then last week,
shall
19 we, about how long you stayed in Kono. I have a draft
transcript
16:20:17 20 from 30 June for Your Honours, and the Prosecution if they
need a

for 21 copy. I don't think they have a copy, so a copy for them and

22 Your Honour's legal officer. It's the original which arrived
23 after my arrival in the Court this afternoon.

24 PRESIDING JUDGE: So it's original, not draft?

16:20:54 25 MR JORDASH: It's page -- sorry.

26 Q. Did I just understand your evidence to be that when you
27 arrived in Kono from Kabala, you spent three to four weeks
there,

28 and then you meet Gbao at the end of that three to four weeks?

29 A. No, I did not say he was there for three to four weeks.

1 Q. So you did not meet him when you first arrived in Kono?

2 A. Yes, I did not meet him.

3 Q. Did you meet master?

4 A. He was in Kono, but I did not see him in person.

16:21:53 5 Q. So you never saw Sesay the whole of the time you were in
6 Kono?

7 A. Yes.

8 Q. Okay. Let's have a look at what you told us on Friday.

9 Your Honours, page 6 of the final transcript, 30 June, looking
at

16:22:17 10 line 13. You say this, and please understand me, Mr Witness,
11 when I tell you I am reading your words; do you understand
that?

12 Do you understand what I'm looking at is a record of your
words?

13 A. I'm listening.

14 Q. I'm asking whether you understand that I'm reading you a
16:22:55 15 record of your words on Friday, in this courtroom?

16 A. Yes, I can understand. Yes.

17 Q. So there's no trick, these are your words:

18 "We left Kabala to Kono because those of us who were
RUFs

19 were not many together with the AFRC men because they said we
had

16:23:24 20 a meeting in Kailahun. That was the time we left and went to

were
21 Kono." Question from Mr Bangura, "And when you got to Kono,
22 you there for long?" Your words, your answer, "No, we didn't
23 even sleep there."
24 So on Friday you didn't even sleep in Kono. Today you
16:23:58 25 spent three to four weeks there engaged in such things as
mining.
26 Which is the truthful version?
27 A. It's the mining first.
28 Q. Why did you tell us on Friday you'd spent not even a
night,
29 or not even time to sleep in Kono? Why did you say that on

1 Friday?

2 A. Well, if the message that had come from Kabala -- we had
3 been in Kono mining --

4 Q. No. Why did you say in this courtroom, when asked how
long

16:24:39 5 you stayed in Kono, "We didn't even sleep there." Why did you
6 say that?

7 A. Well, it was -- it's because of the time we got the
8 message, that is why we didn't sleep in Kono. We went
9 straightaway.

16:24:56 10 Q. Well, presumably you didn't stay awake for three to four
11 weeks, so presumably you slept?

12 A. I stayed there. Let me make it clear.

13 Q. Well, let me make it clear to you.

14 A. Okay.

16:25:11 15 Q. Why did you say on Friday you had not slept in Kono, and
16 you now you are saying you are working under Komba Gbundema, and
17 were there for three to four weeks?

18 A. Yes, it was at the time we received the message. When
we
19 received the message, when we arrived, we went straight ahead.

16:25:35 20 We did not sleep there.

21 Q. No, but the question you were asked on Friday was: when

we 22 you got to Kono, were you there for long? You answered, "No,
23 didn't even sleep there."
we 24 A. That's what I'm saying. When we received the message,
16:25:56 25 were in Kono at first. When we left Kabala, we were mining.
We
26 would go to Kabala and return to Kono. At the time that we
27 received the message when we left Kabala, we did not sleep in
28 Kono. We went straight ahead to Kailahun.
move 29 Q. If that's the best answer you are going to give, let's

1 on. Reading on:

2 "Q. Did you meet anyone in Kono?

3 "A. Yes. When we went to Kono, we met Master there and
4 Augustine Gbao and others, with some STF commanders."

16:26:38
Kono,

5 A. Yes. That was at the time we left Kabala and came to
6 the first time that we came.

minutes

7 Q. Well, that's different to what you said about two
8 ago, when you said you hadn't met Issa Sesay there?

came

9 A. Yes. The time that we received the message, when we

16:27:00

10 to Kono, we did not find Master there. We did not meet all of
11 them there. We did not see them.

the

12 Q. Well, if that's your answer, let's move on. What was
13 route you took to Kailahun?

14 A. Well, when we left Kono, we used the Gandorhun route.

16:27:37
other

15 Q. Where was the meeting with Johnny Paul Koroma and the
16 commanders you told us about on Friday?

17 A. In Kailahun.

18 Q. From Gandorhun, where did you go to get to Kailahun,
19 please?

16:28:00

20 A. Gandorhun.

21 Q. My fault. From Gandorhun, where did you go to get to

22 Kailahun?

23 A. From Gandorhun, we used the bypass and surfaced at Loma.

24 We went through Peyama, and we bypassed through those
villages,

16:28:24 25 and we surfaced in Kailahun.

26 Q. Okay. How long after you arrived in Kailahun was there
a

27 meeting with Johnny Paul Koroma?

28 A. Well, when we left Kono, we travelled for the rest of
the

29 night, and in the morning we arrived.

1 Q. In Kailahun Town?

2 A. Yes.

3 Q. Did you sleep in Kailahun Town?

4 A. Yes, we slept there.

16:29:03 5 Q. Who did you stay with?

6 A. Well, at that time I was not with anybody. My
commanders

7 were there, but I was not with them at that time.

8 Q. So where did you stay?

9 A. Well, all of us were in the same place. We were all

16:29:25 10 together because we were waiting for an information.

11 Q. Whereabouts?

12 A. In Kailahun.

13 Q. In Kailahun Town. Whereabouts in Kailahun Town?

14 A. At Loma Road.

16:29:42 15 Q. Can I just take instructions, please.

16 PRESIDING JUDGE: Leave granted.

17 MR JORDASH:

18 Q. Okay, and who were you staying with at Loma Road?

19 A. Loma.

16:30:17 20 Q. Loma Road, who did you stay with?

21 A. When we went, at that time our commanders were there,
but

22 we were not with the commanders. We assembled ourselves in
the

23 same place and we were waiting for the last order.

24 Q. So who did you stay with?

16:30:38 25 A. That's what I'm saying. At that time we were not
staying

26 with anybody. We were all in the same place. We were all

27 sleeping together. It was after the meeting that I joined my

28 commander. Again.

29 Q. But who did you stay with before joining your commander?

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1 A. We were all in Master's care, together with CO Mosquito,
2 all of us.

3 Q. So where was Master staying?

4 A. He was staying in Kailahun, but we did not know where
they

16:31:27 5 were going. They had bodyguards. They were just escorting
them.

6 In the morning, they came and they held a meeting.

7 Q. Where was Mosquito staying?

8 A. Mosquito and others were with Master.

9 Q. Was there RUF headquarters in Kailahun?

16:31:46 10 A. Yes, but it was later transferred to Makeni.

11 Q. So from Kailahun Town, all the RUF commanders were
there,

12 from --

13 A. Repeat the question.

14 Q. Forget that question. I will ask a different one, thank
16:32:14 15 you, Mr Witness. Could I suggest to you you couldn't have
been

16 staying on Loma Road in Kailahun Town, because the only roads
in

17 Kailahun Town are Pendembu Road, Buedu Road, Mafador [phon]
Road

18 and Mano-Sewa Road. There isn't a Loma Road in Kailahun?

19 A. Loma Road is there. It's a village.

16:32:48 20 Q. In fact, RUF headquarters was in Buedu, not Kailahun
Town.

21 You've just --

22 A. No.

23 Q. -- you've just picked up some more rumours and have
claimed

24 it as your story, haven't you?

16:33:09 25 A. No. It was at the time that we were advancing.

26 Q. Okay. Let's move on. How long did you stay in Kailahun
27 Town?

28 A. One week.

29 Q. Then after one week, you then go on the attack to Kono
and

1 then to Makeni; is that correct?

2 A. No. We first attacked Tongo.

3 Q. How long were you in Tongo?

4 A. I was not there for long time. We just continued

16:33:53 5 attacking, to advance.

6 Q. How long? How many days?

7 A. Let me say a day. On the second day, we left.

8 Q. And to Kono, you went -- who led the attack on Kono?

9 A. Morris Kallon was with us, Augustine Gbao was with us,

16:34:18 10 CO Mosquito was with us, and some other commanders.

11 Q. Were you accompanying Gbao to Kono?

12 A. Yes.

13 Q. Did you accompany Gbao from Kono, then, to continue the

14 attack to Makeni?

16:34:59 15 A. Yes.

16 Q. Sorry, same question again: any other people you can

17 mention on that attack to Tongo and the attack to Kono? Any
real

18 names you can give us?

19 A. Only Mohamed. CO Mohamed. That was his real name.

16:35:39 20 Q. The same CO Mohamed we have had through the course of
your

21 evidence; am I correct?

22 A. Yes, he's the one.

23 Q. Okay. Thank you. Perhaps I haven't made this clear,
24 Mr Witness, but could I suggest to you that there wasn't a CO
16:36:01 25 Mohamed in the RUF in 1997 or 1998 or 1999? Could I suggest
that
26 to you as the truth?
27 A. No. CO Mohamed was a black guard. They were guards to
the
28 Papay.
29 Q. What was the last name of CO Mohamed? The last name?

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1 A. That's the name I know. CO Mohamed.

2 Q. Sorry?

3 A. Give me a pen so that I can write his other name.

4 Q. Okay.

16:36:50 5 A. I don't want to call it out.

6 Q. Could the witness be --

7 PRESIDING JUDGE: Please provide the witness with a
piece

8 of paper and pen. Go ahead.

9 MR JORDASH:

16:37:03 10 Q. Could you also write on the piece of paper, if you know
it,

11 CO Mohamed's immediate subordinate and immediate superior on
the

12 attack to Kono?

13 PRESIDING JUDGE: Let him do that first, so we don't
have

14 confusion. Mr Jordash, ask him the next question.

16:37:45 15 MR JORDASH:

16 Q. Could you write there, if you know this, Mr Witness, CO
17 Mohamed's immediate superior and immediate subordinate at the
18 time when you attacked Kono on the way to Makeni.

19 A. Well, it was an RPG launcher. I did not know who were
16:38:14 20 under him.

21 Q. So you have no idea who his immediate superior was, or
who

22 his immediate subordinate was?

23 A. No.

24 Q. Thank you.

16:38:29 25 PRESIDING JUDGE: Is there anything else you want him to

26 write down at this stage?

Honours 27 MR JORDASH: I don't think so. I am coming, Your

28 will be pleased to hear, to a close fairly soon. Within

29 20 minutes, I hope. Certainly --

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1 JUDGE BOUTET: We would dearly appreciate, indeed.

2 PRESIDING JUDGE: I'm just asking, for my enlightenment,
3 whether you have any -- that we just cover the ground, the
entire
4 ground, if you have any questions that you need him to write
16:39:00 5 names in respect of.

6 MR JORDASH: Not that I can think, Your Honour.

7 PRESIDING JUDGE: Okay.

8 MR JORDASH:

9 Q. And what was his rank, CO Mohamed, in the attack on
Kono?

16:40:00 10 A. He was a captain.

11 Q. Thank you. Okay. Let's move on. If it hasn't been
clear
12 to you, could I suggest that you were not on any attack to
Kono?

13 A. I?

14 Q. Yes. You.

16:40:25 15 A. I was there.

16 Q. And the attack on Kono that you are trying to place
17 yourself on, took place in December 1998, which was nearly
18 10 months after the intervention?

19 A. I did not give a date.

16:40:48 20 Q. No, but you said you spent three to four weeks in Kono
and
21 then a very short time - I think a week - in Kailahun. So I

22 suggest you got that wrong, because you weren't on the attack?
23 A. Well, I'm saying it's correct because when we were
getting
24 ready to attack, we did not just go like that. We were
16:41:14 25 struggling in the bush before the attack, and that's how we
spent
26 time on the way.
27 PRESIDING JUDGE: What do you intend to do with it?
28 MR JORDASH: It can be exhibited.
29 PRESIDING JUDGE: It's entirely up to you.

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1 MR JORDASH: I would like it exhibited, Your Honour,
2 please.

3 PRESIDING JUDGE: Mr Touray, any objection? Have you
4 looked at it?

16:41:34 5 MR TOURAY: No.

6 PRESIDING JUDGE: Mr O'Shea?

7 MR O'SHEA: No.

8 PRESIDING JUDGE: Mr Prosecution, any objection?

9 MR BANGURA: No, Your Honour.

16:41:43 10 PRESIDING JUDGE: We will receive the document in
evidence

11 and mark it Exhibit 113.

12 [Exhibit No. 113 was admitted]

13 PRESIDING JUDGE: It's in respect of the -- this is the
14 full name of CO Mohamed?

16:41:58 15 MR JORDASH: Apparently, yes.

16 PRESIDING JUDGE: We will indicate somewhere it's in
17 respect of this witness, and, evidently, we will keep it under
18 seal.

19 MR JORDASH: Yes.

16:42:32 20 PRESIDING JUDGE: Proceed.

21 MR JORDASH: Thank you, Your Honour.

22 Q. Since you spent the best part of 10 years with the RUF,
can

23 you tell us what you would say a Vanguard is?

24 PRESIDING JUDGE: Does he accept that, first of all?

16:43:06 25 MR JORDASH: It's the evidence he has given --

26 PRESIDING JUDGE: All right. It's a fair assumption.

27 MR JORDASH:

28 Q. From 1992 until you were disarmed, you were with some of

29 the top command ers of the RUF. You accept that, don't you,
if

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1 what you say is right?

2 A. Yes. I was with some of them.

3 Q. So what is a Vanguard?

4 A. Vanga.

16:43:46 5 Q. Yes, what is a Vanga?

and

6 A. They were the Liberians who were close to the border,

7 it's like a tribe in Liberia.

8 Q. So which Vanguards did you know then, in your time?

9 PRESIDING JUDGE: Let's get it clear. What is the word.

16:44:08 10 MR JORDASH: That is actually --

11 PRESIDING JUDGE: Because I had always proceeded on the
12 assumption, perhaps now wrong, that we are talking about
13 Vanguard.

14 MR JORDASH: Could I ask the question?

16:44:19 15 PRESIDING JUDGE: Quite.

16 MR JORDASH: It may be that --

17 Q. Do you know how to spell Vanga?

18 A. Yes, sir.

19 Q. Could you spell it for us, please?

16:44:29 20 A. V-I-A-N-G-A.

21 MR JORDASH: Actually, in that case, I think there might
22 have to be a correction to the transcript because on the --

23 JUDGE ITOE: It depends whether the spelling is correct.

24 PRESIDING JUDGE: Correct, yes.

16:44:58 25 MR JORDASH: When this witness has spoken -- can I try
and

26 clear this up a bit.

27 PRESIDING JUDGE: I think perhaps one way to resolve it
28 is -- because other witnesses in this Court have given a
29 different pronunciation. We have, I imagine, spelt it on the

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1 basis of that. But if this witness gives his own spelling,
even
2 if the pronunciation is similar, the appropriate thing would
be
3 to record faithfully what we have here.

4 MR JORDASH: Yes, I agree. Previously it has been --
when
16:45:39 5 the witnesses referred to that word, it has been spelt in a
way
6 that --

7 PRESIDING JUDGE: More or less conformed to English
8 phonetical spelling.

9 MR JORDASH: It's been spelt a way it has been said by
16:45:57 10 other witnesses, with a D.

11 PRESIDING JUDGE: Phonetically. But we will have to
leave
12 this as it is. He pronounces it in a way that is similar to
what
13 we have, but then he spells it in his own way.

14 MR JORDASH: He doesn't pronounce it the same. He says
16:46:15 15 Vianga.

16 JUDGE BOUTET: He pronounces it with no D at the end.

17 PRESIDING JUDGE: No D, quite. We will just keep it.

18 JUDGE ITOE: We have had Vanguard and Special Forces.
STF,
19 you know.

16:46:28 20 PRESIDING JUDGE: Yes, interchangeably.

this
21 MR JORDASH: I will seek, in due course, to rely upon
22 difference. We would say, someone who had spent so long would
23 know exactly how to spell and would know exactly what it
meant.
24 PRESIDING JUDGE: All right. Let's leave it, otherwise
we
16:46:47 25 will get too argumentative.
26 MR JORDASH: Can I just speak to my learned friend?
27 PRESIDING JUDGE: Yes. Leave granted.
28 MR JORDASH: Because the record has reflected the
spelling
29 that we have heard before, if I can just clear it with the

1 witness whether that --

2 JUDGE BOUTET: If that is the same or different.

3 PRESIDING JUDGE: That is fine. Go ahead.

4 MR JORDASH:

16:47:20
referred

5 Q. Can I just ask you, Mr Witness, whenever you have

6 to Vanga in your testimony, during this time in Court, today,

7 Friday and Thursday, you've said Vanga as in V-A --

8 JUDGE BOUTET: V-I-A --

week

9 MR. JORDASH: V-I-A-N-G-A. That's what you said last

16:47:49

10 as well.

11 A. I called it out last week, but I did not spell it out.

word?

12 Q. But when you called it out, you called out the same

13 A. Yes, sir.

14 Q. Just for the stenographers --

16:48:09

15 JUDGE BOUTET: But, Mr Witness, Vianga, it is a tribe in

16 Liberia. That's what you refer to, is it?

17 THE WITNESS: We call them, because they were between

18 Sierra Leone and Liberia. That's what we call them when they

19 were in the movement.

16:48:34

20 JUDGE BOUTET: Was this group associated with somebody?

21 Were they the special guards to Sankoh?

many. 22 THE WITNESS: Yes, they were there, but they were not

23 MR JORDASH:

24 Q. So did you know any Vangas in the RUF?

16:49:00 25 A. Yes. Colonel Bull was a Vanga.

26 Q. How do you spell Bull?

27 A. B-U-L-L.

28 Q. Unless I'm mistaken, you've not mentioned him before.

29 Where is he from?

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called
1 A. I had called him before. I called Colonel Bull. I
2 Gullit.
3 Q. Was Gullit a Vanga?
4 A. Bull, yes. Colonel Bull was a Vanga.
16:49:43 5 JUDGE BOUTET: Was that your question, Mr Jordash?
6 MR JORDASH: No, it wasn't.
7 Q. Was Gullit a Vanga?
8 A. No, no, no.
9 Q. Do you know any other Vangas who were in the RUF?
16:50:00 10 A. Yes. Duclay too was a Vanguard. They were the STF.
Woman
11 Monica, too, was a Vanguard.
12 Q. So Gullit was a Vianga, then?
13 A. No, I did not call him.
14 PRESIDING JUDGE: Gullit was not.
16:50:18 15 MR BANGURA: That is not stating the evidence.
16 PRESIDING JUDGE: It's Duclay and Monica.
17 JUDGE BOUTET: Duclay too.
18 PRESIDING JUDGE: Duclay too and Monica.
19 MR JORDASH: Sorry, my mistake. I just misheard.
16:50:29 20 Q. So those two. Anyone else?
21 A. I've called them. I've called Duclay and Colonel Bull
and
22 woman Monica.

23 Q. Okay. Let's move on. Could I ask you this, then,
24 Mr Witness: Am I right that you've never mentioned before
16:50:52 25 Thursday of last week that you went on an attack in Kono,
which
26 led to Makeni, around the time you now place -- sorry, let me
27 start that again. Could I suggest the first time you ever
28 mentioned going on an attack in Kono, which led to Makeni, at
the
29 time you are now suggesting it took place, was Thursday of
last

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1 week, and you've never told the Prosecution that before?

2 A. I had said it before.

3 MR BANGURA: Your Honours, correction. In additional
4 information filed by Prosecution, reflecting interviews on
25th,

16:51:51 5 26th, 27th and 28th October 2005, paragraph 6, witness states
6 that around 1995 his group under the command of Augustine Gbao
7 attacked many times, including Masingbi and Kono.

8 MR JORDASH: I accept that.

9 PRESIDING JUDGE: Do you accept that?

16:52:10 10 MR JORDASH: I accept the point.

11 Q. My correction, Mr Witness. You did mention it in
12 October 2005. You also said this -- Your Honours page 16851,
13 paragraph 11. You talk about the meeting in Kailahun with

Johnny

14 Paul Koroma, Mosquito, and you say:

16:52:48 15 "The purpose of the meeting was to plan how to start
16 attacking the government again. Witness was part of the units
17 that attacked Tongo, Kono, Kabala and Makeni."

18 A. Yes.

19 Q. Well, you didn't attack Kabala, did you, at this stage,
16:53:12 20 when -- after the meeting?

21 A. After the meeting, I did not go to Kabala any longer.

22 Q. So you did tell the Prosecution you had, didn't you, in

23 October 2005?

24 A. I went there before the meeting took place.

16:53:40 25 Q. Okay. I suggest you didn't get trained at any stage in
26 Yengema, after your arrival in Makeni; that's my suggestion to
27 you?

28 A. I was trained. That was the last time that woman Monica
29 went and trained us.

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1 Q. What did the training involve, Mr Witness?

2 A. Well, it was an advanced training that we did.

3 Q. What were you taught?

4 A. Well, we were taught how to set ambushes; how to attack.

16:54:37 5 How to go on reconnaissance missions.

6 Q. What were you taught then about how to go on
reconnaissance

7 missions?

8 A. Repeat the question.

9 Q. What was the training about how to go on reconnaissance
16:55:00 10 missions? Give us a summary of what the training was?

11 A. Well, they would train us sometimes when we'd go on an
12 attack and we get property, if it's like salt or sugar, like
13 those of us who were young boys would go to sell. We would go
14 out and observe where the main places were.

16:55:33 15 Q. The main places to sell the goods?

16 A. No, where the enemies are. We would go on an attack, so
17 that when we'd go to attack, we wouldn't lose.

18 Q. So we know in this courtroom reconnaissance means going
to
19 look to work out the best way to have an attack. That is
clear.

16:56:00 20 But what were you taught that was trained, that was your
21 training?

22 A. Yes, there were others. How to go on spying.

23 Q. Well, how did you do it then?

24 A. Sometimes we would dress neatly and we would go to town,

16:56:22 25 with small boys. Sometimes our bosses' wives would come to
buy

26 wares and they would return.

27 JUDGE BOUTET: Mr Witness, please answer the question.

You

28 are not being asked what did; how you were trained. You said

you

29 were trained to do reconnaissance as such. What kind of

training

1 did you receive to do that. That is the question you have
been
2 asked.

3 MR BANGURA: May it please My Lord. It may be perhaps
the
4 witness has not been clearly understood, but in answer to
16:56:56 5 counsel's first question about how they were training
6 reconnaissance, he started mention something like going to
sell
7 salt and something of that nature.

8 JUDGE BOUTET: Yes, he was mentioning how they did it,
not
9 the training.

10 MR BANGURA: Maybe counsel needs to probe a little
16:57:10 further.

11 PRESIDING JUDGE: Well, yes, quite.

12 MR BANGURA: It seemed to me perhaps like --

13 PRESIDING JUDGE: Counsel, perhaps would you just
clarify
14 that?

15 MR JORDASH: Well, I will clarify that, Your Honour, but
16 for the record the witness answered a little bit more than
just
17 saying that -- something about selling things.

18 PRESIDING JUDGE: Yes.

19 MR JORDASH: He mentioned attacks, food missions,
16:57:35 20 food-finding missions on towns and then selling things. The

21 three things were connected together. He was describing --
22 PRESIDING JUDGE: And that was in answer to your
question.

23 MR JORDASH: Yes. I think my learned friend's
intervention

24 was not an accurate one.

16:57:52 25 PRESIDING JUDGE: We will take a short break and then
come

26 back.

27 MR JORDASH: I have about 20 minutes, if it helps.

28 [Break taken at 5.00 p.m.]

29 [Upon resuming at 5.20 p.m.]

1 PRESIDING JUDGE: Mr Jordash, before the break, you were
2 indicating that you were at the very -- the tail end of your
3 cross-examination.

4 MR JORDASH: For definite.

17:14:15 5 PRESIDING JUDGE: All right.

6 MR JORDASH: I am going to go as swiftly as I humanly
can.

7 PRESIDING JUDGE: Right.

8 MR JORDASH: Could I just indicate, and ask Your Honours
to
9 indicate that the record should be amended so that when there
is

17:14:32 10 reference to Vanga with a "D" it is corrected to --

11 JUDGE BOUTET: By this witness?

12 PRESIDING JUDGE: Yes.

13 MR JORDASH: It is corrected. I think the witness
14 mentioned it on Friday and perhaps even Thursday as well
17:14:46 15 actually.

16 PRESIDING JUDGE: It is so directed.

17 MR JORDASH: Thank you, Your Honour.

18 Q. Who trained you in recognisance, Mr Witness? Who
directly
19 trained you in recognisance?

17:14:58 20 A. It was woman Monica.

21 Q. What did she, personally, teach you about how to conduct

22 recognisance?

23 A. Well, she taught us how to do recky, how to dress to go
to

24 the town, the way I should walk without being panicked until
I've

17:15:43 25 observed.

26 Q. Well, how should you walk?

27 A. Sometimes you would make as if you are a madman.

28 Q. And that would help to do what?

29 A. It helped us so that when we would go on an attack we

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1 wouldn't miss. We will get the target that we want.

2 Q. So she taught you how to dress presumably, in civilian
3 clothes, so that you weren't picked out in the town?

4 A. Yes.

17:16:27 5 Q. And she taught you what, how to act like a madman?

6 A. Yes.

7 Q. Anything else?

8 A. Then she taught us how to carry wares on our head to go
and
9 sell.

17:16:48 10 Q. This was intensive training for recognisance?

11 JUDGE ITOE: How we should carry what?

12 MR JORDASH: How to carry things to go and sell.

13 Q. This was intensive training for recognisance, was it?

14 A. Yes.

17:17:09 15 Q. Anything else?

16 A. That's what you asked me about and that's the answer
I've
17 given to you.

18 Q. Well, if you have got nothing else to say about your
19 training about recognisance, I will move on. Okay. Can I
17:17:30 20 suggest that you were never trained and that --

21 A. The --

22 Q. -- Monica, in fact, didn't conduct the training herself
at

23 the training base, she left it up to instructors?

24 A. It was Monica who trained me.

17:17:53 25 Q. Okay. I want to ask you about the -- before I go into
26 there,
that, after the training, there was a cease fire, wasn't

27 in Sierra Leone?

28 A. Yes, there was.

29 Q. There was no fighting after the training, was there?

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1 A. No, there was fighting.

2 Q. Where?

3 A. Well, it was at the time that they were going to fight
in

4 Guinea, Gegedo [phon].

17:42:18 5 Q. So did you go to Guinea?

6 A. I did not go there.

7 Q. So apart from the fighting in Guinea, no fighting?

8 A. Except for the UNAMSIL.

9 Q. Which you say -- did you have -- did you fight the
UNAMSIL?

17:42:18 10 Did you fight the UNAMSIL?

11 A. Yes.

12 Q. You did.

13 A. Yes.

14 Q. Let's have a look what you told the Prosecution in

17:42:18 15 October 2005. Your Honours, page 16851, paragraph 15. This
is

16 what it says: "During the period of the cease fire in Makeni,
17 circa 2000, witness states that Gbao, Kallon and Colonel Digba
18 breached the cease fire in that they went to UNAMSIL
disarmament

19 camp at Makump and opened fire there." Did you tell the

17:42:18 20 Prosecution that in October 2005.

21 A. I told them but not like you've said. I said that

22 Augustine Gbao and master.

23 Q. So you claim to have told Mr Bangura, in October 2005,
that

24 master was there, did you?

17:42:18 25 A. Yes, I told him that master and Augustine Gbao went to
the

26 camp. That's what I told him.

27 Q. Did you swear on the Bible when you started this
evidence,

28 Mr Witness?

29 A. No.

1 Q. What did you swear on?

2 A. At first, I did not swear on anything.

3 Q. What did you swear on in this Court on Thursday?

4 A. It was the Bible that I swore on.

17:42:19 5 Q. So you swore on the Bible you would tell the truth?

6 A. Yes.

7 Q. So are you suggesting that you told Mr Bangura that Issa

missed 8 Sesay was on that attack and Mr Bangura just seems to have

9 it out?

17:42:19 10 A. I told him that Issa Sesay was on that attack.

UNAMSIL 11 Q. Okay. Let's read on. "In the process, they seized

because 12 vehicles and equipment. Their reason for doing this was

13 UNAMSIL was disarming RUF fighters without their commanders'

on 14 consent." Nothing there about your involvement in any attacks

17:42:20 15 UNAMSIL. Are you suggesting you told Mr Bangura that you had
16 been involved?

17 A. Yes, I was there.

18 Q. Well, I suggest you don't tell Mr Bangura until

19 February 2006 when you suddenly decide you are going to tell

17:42:20 20 Mr Bangura that you had something to do with this; isn't that

21 true?

22 A. Yes, that's true.

23 Q. Why did you tell -- why did you not mention all the
other

24 details about UNAMSIL, and the attacks, when you spoke to

17:42:20 25 Mr Bangura in October 2005, or perhaps you say you did?

26 A. Well, I told you before that I was not brave enough. It

27 was only at this latter part that I have been brave enough to
say

28 everything.

29 Q. Well, why were you brave enough to accuse Issa Sesay of

1 being involved with you, and being the head of the
organisation,
2 the RUF, and accusing Gbao of all these different crimes and
yet
3 you were not brave enough to mention the details about the
4 UNAMSIL attacks until February 2006?
17:42:21 5 A. No, I was not brave enough.
6 Q. Why not?
7 A. Well, like what I told you, I said I was afraid. Even
when
8 we were going to Makeni I told you that I was hiding away from
9 them.
17:42:21 10 Q. Well, okay. Let's move on. You did tell this Court, on
11 Friday, that -- and I will read it to you -- it's page -- I am
12 not sure of the page because there are some pages missing of
my
13 final transcript, but if Your Honours turn to the final
14 transcript, at timings which should be 10.58.29. This is the
17:42:22 15 transcript of 30th June. You said this, Mr Witness. When
16 talking about events after the attacks on UNAMSIL, you say
that:
17 "Well, because," I am reading your answer, "Well because
during
18 those times that we captured the men, we had wanted to kill
the
19 guy, the men, but that was when master said we should not kill

17:42:22 20 them. He said we should release them but gather them all and
put
21 them in one place and that was when we took them and drove off
to
22 Kailahun." Do you remember saying that on Friday?
23 A. Yes. That's what I said, on Friday.
24 Q. So when these UNAMSIL had been gathered in Makeni, you
17:42:22 25 heard Issa Sesay say, "Pass an order that nobody should kill
any
26 of the UNAMSIL"; correct?
27 A. Yes, that's correct.
28 Q. And you heard him say that they should be released?
29 A. Yes.

safety 1 Q. They should all be gathered in one place for their
2 before being released?

3 A. Yes.

4 Q. Thank you. And you must have heard that either directly
17:42:22 5 from Sesay or from other commanders on the ground at Makeni?

said 6 A. Well, I first heard that around, at the time that they
7 they had arrested the Pa. Then they sent a message that Issa
8 should release all the men, and hand over all the vehicles.

9 Q. I'm not asking why he said it, I'm asking that you heard
it 10 from others about him saying it; correct?
17:42:23

11 A. Yes.

12 Q. Because you didn't hear it from Sankoh because Sankoh
was 13 arrested on 8th May, wasn't he?

14 A. Yes.

17:42:23 15 Q. So he wasn't giving any orders after 8th May, was he?

and 16 A. Those who brought the message had come from this town
17 they went to Makeni.

18 JUDGE ITOE: Sankoh was arrested on 8th May of what
year?

19 MR JORDASH: 2000.

17:42:23 20 JUDGE ITOE: 2000.

close 21 MR JORDASH: Can I just take instructions? I am very
22 to finishing.
23 PRESIDING JUDGE: Leave granted.
24 JUDGE ITOE: You say 2000, Mr Jordash?
17:42:23 25 MR JORDASH: Your Honour, yes.
26 Q. Who gave the names, sorry, who passed the message from
27 Sankoh to Makeni?
those 28 A. I do not know the person who passed the message but
29 who took the message had come from this town.

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1 Q. How do you know a message had been taken?

2 A. I was at the task force. When I went there, that's the
3 time I heard the message from master.

4 Q. And you heard, didn't you, that Sesay had tried to stop
any

17:42:24 5 further attacks on UNAMSIL troops; correct?

6 A. Yes.

7 Q. Thank you. And I suggest to you, Mr Witness, that that
is

8 all Mr Sesay's -- sorry, let me start that again. I suggest
that

9 Mr Sesay's involvement with UNAMSIL was limited to that; was
17:42:24 10 limited to trying to stop any further attacks; is that
correct?

11 A. No, it's not correct.

12 Q. So, you were, you say, at St Francis; am I correct?

13 A. Yes.

14 Q. You heard that there had been an attack on Makump?

17:42:25 15 A. Yes.

16 Q. You were not there?

17 A. No, I was not there.

18 Q. So you didn't see what happened, did you?

19 A. It was later when they came, when the things were
getting

17:42:25 20 old, it was then that I discovered them being torn.

camp 21 Q. Yes, but you went there and the people who came to the
22 did not include Issa Sesay, did they? You told us that last
23 week.
24 A. No.
17:42:25 25 Q. Right. So anything you can say about Makump is what
26 someone else has told you; correct?
27 A. Yes, for the meantime.
28 Q. Thank you. And you were not with Issa Sesay after that
29 time, were you, on any of the attacks on UNAMSIL?

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1 A. Yes.

2 Q. So you don't know what he did during the attacks, do
you?

3 A. The one at Makump, I don't know.

4 Q. You weren't with him on Mabanta or Mankneh, were you?

17:42:25 5 A. Yes, Makeni I was with him.

Mabanta,
6 Q. Not Makeni, you weren't with him on the attack on
7 were you?

8 A. Yes.

9 Q. You were with him?

17:42:26 10 A. Yes, he was there.

11 Q. Where were you?

12 A. Well, we had come down and we were shooting to enter
where
13 they had built.

14 Q. What did Sesay do?

17:42:26 15 A. He passed the order to us that we should flatten the
place.

16 Q. What was he doing during when you were flattening the
17 place?

18 A. Well, they were at the under cellar. The drinks that we
19 had looted, they were drinking those drinks.

17:42:26 20 Q. What did he do during the attack?

21 A. They were drinking. Whichever vehicle brought out they

22 would take.

23 Q. Anything else he was doing besides drinking?

24 A. When we brought them out, yes. When we brought out
17:42:27 25 ammunition, they would take them.

26 Q. Anything else?

27 A. We brought out valuables to take them from us.

28 Q. Anything else?

29 A. That's where I'm stopping for now.

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1 Q. So he was sitting in a vehicle taking the goods and
2 drinking?

3 A. No, not in the vehicle. Under the cellar there was a
house
4 there which had a cellar.

17:42:27 5 Q. Was he under the house in a cellar whilst the attack was
6 going on at Mabanta?

7 A. Yes.

8 Q. Was that the same for Mankneh?

9 A. Yes.

17:42:28 10 Q. Issa Sesay was in the cellar while the attack was going
on?

11 A. That happened in Mabanta.

12 Q. In Mankneh, where was Sesay?

13 A. In Mankneh he was after the filling station.

14 Q. Doing what?

17:42:28 15 A. Well, he was the one, with the vehicle that was valuable
16 that passed by, he would seize.

17 Q. Was he outside in a house, or where?

18 A. They were sitting down under a mango tree.

19 Q. Outside, at Mankneh?

17:42:28 20 A. Yes, after the gates. There are mango trees on the
other
21 side.

22 Q. How far is Mankneh from Mabanta?

23 A. I can say a mile. It's in the town. It's just another
24 name.

17:42:28 25 Q. How far from Makump?

26 A. It's, let me say, three miles.

27 Q. Okay. The last two or three questions. Your Honours,
page
28 18204, I'm just really very close. 18204. 28th February
2006,
29 paragraph 2, you are describing the attack on Mabanta Road,
and

pistols

1 you say Issa Sesay stood by observing the operation with
2 raised in either hand. So you told Mr Bangura that during the
3 Mabanta attack Issa Sesay was standing observing with pistols
4 hand, didn't you?

in

17:42:29

5 A. No.

happened

6 Q. Let's move on. Finally, paragraph 3 reads: "What
7 at the second location was more or less a repeat of the first
8 incident except that Issa Sesay stayed behind at the first
9 location near his vehicle." That's what you told Mr Bangura,
10 isn't it, in February of 2006?

17:42:29

11 A. Repeat the question. I have not understood.

12 Q. What happened at the second location, second location
13 presumably, Mr Witness, is Mabanta?

14 A. Mankneh.

17:42:29

15 Q. Mankneh, sorry, "was more or less a repeat of the first
16 incident except that Issa Sesay stayed behind at the first
17 location near his vehicle." Something you told Mr Bangura,
18 it?

isn't

19 A. No.

17:42:29

20 MR JORDASH: I've got nothing further, Your Honour.

21 PRESIDING JUDGE: Mr Jordash, assuming that you will be

22 seeking to exhibit those statements on grounds of prior
23 inconsistency, I suggest that you make sure you highlight the
24 relevant portions. This would expedite the process of
admitting
17:42:29 25 them first thing tomorrow morning.

26 MR JORDASH: It shall be done overnight.

27 PRESIDING JUDGE: So that we can -- I mean, we now
indicate
28 for the records that you will formally close your
29 cross-examination as soon as we resume the proceeding in the

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1 morning.

2 MR JORDASH: Thank you, Your Honours, for Your Honours'
3 indulgence today.

17:42:30 preemptory

4 PRESIDING JUDGE: Yes. And Professor O'Shea, is your
5 application which you gave notice of, is it of such a
6 nature that it cannot wait until we resume tomorrow? Is it a
7 matter of life and death or something?

it's a

8 MR O'SHEA: Technically it relates to a deadline and
9 very simple matter, which I can quickly dispose of in a few
10 words.

17:42:30

11 PRESIDING JUDGE: You can quickly dispose of it now?

12 MR O'SHEA: Very quickly.

13 PRESIDING JUDGE: Right. We will hear you then.

17:42:31 Judge

14 MR O'SHEA: Yes, thank you. Your Honours will remember
15 from the status conference that Your Honour, the Presiding
16 will remember from the status conference, that Your Honour
17 directed that there be position papers made from the
18 and Defence on the question of the application or the
19 of Rule 98.

Prosecution

logistics

17:42:31

20 PRESIDING JUDGE: I used the term the implementing
21 modalities of the amended Rule 98.

22 MR O'SHEA: Thank you. Implementing modalities.

23 PRESIDING JUDGE: Yes.

24 MR O'SHEA: The Prosecution served on us on Friday a
draft

17:42:31 25 which they haven't yet filed on the basis they wanted an

26 opportunity for us to comment on it.

27 PRESIDING JUDGE: Yes.

28 MR O'SHEA: Because of the volume and pace of the
evidence

29 during this session, we, on this side of the Bench, haven't
been

would 1 able to meet to discuss our position paper, as it were. We
2 like to do so with the Prosecution thoughts in mind.

3 So the request is simply this: That we have the
4 opportunity next weekend to meet, the three on the Bench here,
so

17:42:31 5 that we can come up with a common position paper which would
6 require a seven day extension, if Your Honours are amenable to
7 that. Otherwise we will just have to work with what we have.

8 PRESIDING JUDGE: I recall that in that particular
context
9 we did want to admit some flexibility. First of all, I think
we

17:42:32 10 said that the position paper was not meant to be in the
context
11 of an adversarial kind of scenario.

12 MR O'SHEA: Yes.

13 PRESIDING JUDGE: I think the two-week period which we
gave
14 was merely directory.

17:42:32 15 MR O'SHEA: Yes.

16 PRESIDING JUDGE: So it leaves some flexibility for --
of
17 adjustment and I think the Bench would not be averse to any
18 adjustment in that regard to give you a little more time.

19 MR O'SHEA: I'm grateful.

17:42:32 20 PRESIDING JUDGE: I think my learned and distinguished

21 brothers would feel that we could give some room for
flexibility,
22 provided it doesn't prejudice the possibility of the
Prosecution
23 having to encounter some delay in terms of the closure of
their
24 case, if this is possible.

17:42:33 25 MR O'SHEA: Yes. We intend to stick to the
technicalities
26 rather than the law, so it shouldn't be too contentious.

27 PRESIDING JUDGE: Right.

28 JUDGE BOUTET: I, for myself, personally see no problem
in
29 granting what you are asking because I think that if you do

1 consult, and it gives you more time for consultation, we will
2 have a better product as such, and will be hopefully a more
3 useful document, so, I mean, consultation on these matters can
4 only be positive, not negative, and therefore I would
subscribe
17:42:33 5 entirely to granting an additional week to do that.

6 MR O'SHEA: I would be most grateful for that, Your
Honour.

7 JUDGE ITOE: I concur.

8 MR O'SHEA: I am grateful, Your Honour.

9 PRESIDING JUDGE: On that very harmonious note I think
we

17:42:33 10 have to draw this proceeding to a close and come back hale and
11 hearty 9.30 tomorrow morning. The Court is adjourned.

12 [Whereupon the hearing adjourned at 5.50
p.m.,

13 to be reconvened on Tuesday, the 4th day of
14 July 2006, at 9.30 a.m.]

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EXHIBITS:

Exhibit No. 113

WITNESSES FOR THE PROSECUTION:

WITNESS: TF1-117

2

CROSS-EXAMINATION BY MR JORDASH

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