

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

FRIDAY, 19 OCTOBER 2007
9.50 A.M.
TRIAL

TRIAL CHAMBER I

Presiding

Before the Judges:

Benjamin Mutanga Itoe,

Bankole Thompson, Presiding
Pierre Boutet

For Chambers:

Mr Matteo Crippa

For the Registry:

Mr Thomas George

For the Prosecution:

Mr Charles Hardaway
Mr Vicent Wagona
Mr Reginald Fynn

For the accused Issa Sesay:

Mr Wayne Jordash

For the accused Morris Kallon:

Mr Shekou Touray
Mr Kennedy Ogeto
Mr Lansana Dumbuya

For the accused Augustine Gbao:

Mr John Cammegh

1 [RUF19OCT07A - JS]

2 Friday, 19 October 2007

3 [The accused present]

4 [The witness entered court]

5 [Open session]

6 [Upon commencing at 9.50 a.m.]

7 PRESIDING JUDGE: Good morning, learned

8 counsel. We are resuming this session. Mr Wagona?

9 MR WAGONA: Thank you, My Lords.

09:54:59 10 WITNESS: DIS-178 [Continued]

11 CROSS-EXAMINED BY MR WAGONA:

12 MR WAGONA:

13 Q. Good morning, Mr Witness.

14 A. Good morning.

09:55:10 15 Q. I have some questions for you this morning. Now, when
you

16 testified, you mentioned several places that you worked in.

17 These were Giehun, Sandiaru, Dambaru, Giema and Buedu; do you

18 remember, and Kailahun?

19 A. Yes.

09:55:45 20 Q. Is it correct to say that at the time you worked in all
21 these places, these places were occupied by the junior
commandos?

22 A. Yes.

is 23 Q. And the clinics you worked in were managed by the RUF;
24 that right?
09:56:25 25 A. Yes.
you 26 Q. And would I be correct to say that throughout the war
places? 27 were occupied with your medical work in these different
28 A. Yes.
29 Q. And were you being paid?

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1 A. No.

2 Q. Now, when you were at Buedu, Sesay used to visit your
3 clinic; is that right?

4 A. Yes.

09:57:16 5 Q. And was he the one supplying you with the drugs?

6 A. It was our boss men who were giving us medicines that we
7 used. Those who were heading us on the medical side.

8 Q. And you mentioned that you treated wounded people; do
you
9 remember?

09:57:53 10 PRESIDING JUDGE: Who were these boss men? Who were the
11 boss men? Who were the boss men?

12 THE WITNESS: Those who were heading us on the medical
13 side.

14 PRESIDING JUDGE: Who? Who were there?

09:58:09 15 THE WITNESS: The first one was Kulag Banda [sic] and
16 Fabai. These were medical people; they were the heads.

17 MR WAGONA:

18 Q. So, when Sesay used to come to Buedu, were you
interacting
19 with him?

09:58:47 20 A. Yes.

21 Q. Is it correct to say that as a result of that
interaction
22 you became very close with him?

would 23 A. I used to see him. He would come, we would talk. He
24 greet the soldiers, then he would leave us there and go away.
09:59:22 25 That wouldn't show that we will sit for the entire day like
two
26 close friends would be doing, no.
27 Q. So are you saying you did not get close with him?
28 A. There are friends among friends. Sometimes he will
talk,
29 he will have fun but like you will have a friend that you were

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1 going up and down together, that's not it. But when we meet,
we
2 would talk. We would create fun. He would talk to us, he
would
3 work for them. He would encourage us. He was doing that
indeed,
4 very well.

10:00:03 5 Q. And you said you were treating wounded people; do you
6 remember?

7 A. Yes.

8 Q. Is it right to say that these wounded people included
both
9 junior commandos and civilians?

10:00:26 10 A. We were treating all of them.

11 Q. Including women and men?

12 A. All of them, yes.

13 Q. You talked about MP, G5 and IDU offices in Giehun; do
you
14 remember?

10:00:55 15 A. Yes.

16 Q. Is it right that the complaints the civilians made were
17 complaints against fellow civilians?

18 A. Civilian would quarrel with the civilian. If the
soldier
19 would do something to the civilian and that's why they
10:01:23 20 complained.

complain

21 Q. I suggest to you that the civilians were afraid to

22 against the soldiers; what do you have to say?

23 A. They told us that once the soldier does something to you

with

24 you should go to the G5. It is the G5 who would take it up

10:01:53

25 the MP.

26 Q. You said that when you were working at Dambaru you were

27 given a house where you worked; do you remember?

28 A. Yes.

29 Q. So were you accommodated at all the clinics that you

1 worked?

2 A. We were sleeping in the clinic sometimes.

3 Q. And sometimes where would you sleep?

4 A. Well, when we were in the bush, there was a place I would

10:02:52 5 treat people, and there would be a place where you would

6 establish your own hut, so you and the people would be there.

In

7 the morning when you come to work, in the evening when you

change

8 shifts, you will return. That's where you will sleep.

9 Q. I will ask you about civilians farming in Giema. Is it

10:03:19 10 right to say that you personally did not farm since you were busy

11 with your medical work?

12 A. I cultivated the farm.

13 Q. Do you know whether civilians gave some of their harvest to

14 the junior commandos?

10:03:59 15 A. No. The one that we did for ourselves, for civilians, he

16 would farm for himself. A soldier, if he cultivated the farm, it

17 would be for himself.

18 Q. I suggest to you, Mr Witness, that the soldiers took the

19 harvest from civilians; what do you have to say?

10:04:28 20 A. If it happened, I did not see it happen. What I know
that

21 they said, whoever cultivated the farm -- and I did see
soldiers

22 and civilians farming for themselves.

23 Q. I will ask you about Issa Sesay's farm. This farm
existed

24 throughout the war, didn't it?

10:05:12 25 A. Ask that question properly.

26 Q. Do you agree with me that Issa Sesay's farm existed
27 throughout the war?

28 A. No. He farmed, but he didn't continue farming until the
29 end of the war.

1 Q. So when did it stop; before the end of the war?

2 A. Well, at that time that we were together in Giema, he
3 farmed in Giema. When we went to Buedu, he cultivated a farm
4 there. From then on when he came to Kailahun, I did not find

out

10:06:03 5 which commander was farming and which was not. Conditions
were

6 all right, so we were moving up and down.

7 Q. Okay. Do you remember the intervention?

8 A. Well --

9 Q. By the time Johnny Paul Koroma was removed from power,
10:06:31 10 Issa Sesay's farm was there, not so?

11 A. Yes.

12 Q. And civilians were working on it, not so?

13 A. Yes, they used to work there.

14 Q. Now, you did not go to that farm --

10:06:59 15 PRESIDING JUDGE: When you said Issa Sesay's farm was
16 there, where was it, Mr Wagona? Where was that farm? The
17 evidence is that Issa Sesay had, from this witness, that he

had a

18 farm in Giema and in Buedu.

19 MR WAGONA: And in Buedu, yes.

10:07:16 20 PRESIDING JUDGE: When you say it was there, which one
are

21 you referring to?

of 22 THE WITNESS: The farm that I was talking about in terms
23 Issa Sesay is the one that he did in Giema. At the time that
we 24 were in Giema.

10:07:32 25 MR WAGONA:

26 Q. So is it correct that that one was existing at the time
27 Johnny Paul Koroma was removed from power?

28 A. At that time when we farmed, during the harvest of the
in 29 rice, that it happened in 1997, yes, some farming took place

1 1997. When the intervention came there was rice around.
2 Q. And by the time of the intervention, Issa Sesay's farm
in
3 Buedu was also existing; is that right?
4 A. Yes.
10:08:23 5 Q. Now, you did not go to Issa Sesay's farm, did you?
6 A. I did not go there.
7 Q. So you do not know how the work on Issa Sesay's farms
was
8 being conducted, do you?
9 A. I did not go there. How do I know how to work in there?
I
10:09:00 10 used to hear that they were working in Issa's farm, that
people
11 have come.
12 Q. But you heard that his bodyguards were also working
there;
13 do you remember?
14 A. They used to go there.
10:09:23 15 Q. And did you hear that the bodyguards would be armed?
16 A. We were not going there together. I would not go with
them
17 to the farm.
18 Q. So are you saying that you do not know if they were
armed
19 or not?

10:09:48 20 A. At that time, whether they had guns I wouldn't know.
But

21 when they are guarding they would have guns. Sometimes I
would

22 meet them guarding Issa with guns.

23 Q. Where did you see them?

24 A. At that time when Issa was passing by, when he was at
his

10:10:13 25 house, they would be there.

26 Q. When did you stop working with Mendegla, Hawa?

27 A. Well, Hawa Mendegla, at the time --

28 THE INTERPRETER: Your Honours, can the witness be

29 instructed to speak slowly and repeat his last statement?

1 MR WAGONA:

2 Q. Witness, could you please repeat your answer?

3 PRESIDING JUDGE: Slowly, slowly, Mr Interpreter says.

4 THE WITNESS: Okay. When they did the disarmament, I
and

10:11:08 5 her were not working together, but we used to move around
6 together. At that time everybody was free, but she used to do
7 her job at the house delivering women.

8 MR WAGONA:

9 Q. Okay. At the beginning of 1998 were you working with
her?

10:11:54 10 A. Yes.

11 Q. Now, you talked about the airfield at Buedu. You did
not
12 go there, did you?

13 A. I did not go there.

14 Q. And so you do not know how the work at the airfield was
10:12:20 15 being conducted, do you?

16 A. No.

17 Q. And you said people coming from the airfield would
18 sometimes pass by your clinic; do you remember?

19 A. Yes.

10:12:42 20 Q. And this would be in the evenings; is that right?

21 A. Sometimes in the evening and at other times in the
morning.

be

22 Q. I'm asking you about when they're returning. That would

23 in the evening, not so?

24 A. Yes.

10:13:04 25 including

Q. Now, the work you were doing of treating people,

26 wounded commandos, I suggest that made you become very popular

27 among the junior commandos and even the RUF commanders; do you

28 accept that?

29 A. Well, not everybody would know you, but there was some

1 people who knew me.

2 Q. So did they like you for doing your work?

3 A. From what I saw, it's not everybody would like you.

Some

4 people they would like you. Some people be with you, they

would

10:14:29 5 show that they like you but they don't like you. But I think

6 most people liked me.

7 Q. And you were treating them and their family as well, not

8 so?

9 A. Yes.

10:14:29 10 Q. And as a result, did you remain in contact with many

11 commanders, junior commandos and their families?

12 A. Like what?

13 Q. Did you remain in contact -- I suggest that as a result

of

14 your work you then stayed in contact with Mr Issa Sesay, for

10:15:11 15 example; do you accept that?

16 A. I and Issa Sesay were not just seeing each other. We

were

17 working for them. They were encouraging us. When they meet

us

18 working they would laugh to us, but we were not in too much of

a

19 [indiscernible]. Sometimes we would hear about them at a far

10:15:42 20 distance.

suggest

21 Q. I'm sorry to take you back to the airfield, but I

22 that you did not know how the civilians came to start going to
23 work at that airfield; is it right?

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

10:16:13 25
did

Q. Now, you spoke about trade at the Guinea border. You

26 not go there, did you?

27 A. Oh, yes, I went there one day.

28 Q. What had you gone to do?

business

29 A. Well, they were saying that people were bringing

1 wares there. They were trading there. So I took a time off
one
2 day to go and see. People were coming from Guinea, our
people,
3 they would bring wares. I went and my sibling was there, he
had
4 some wares and I met him or her there and we were talking
10:17:29 5 together. I was happy to see him or her. That was what gave
me
6 cause to go there.

7 Q. But you did not become familiar with this system of
trading
8 at the Guinea border, did you?

9 A. No, I wouldn't explain because I was not doing business
10:17:29 10 there.

11 Q. Now, witness, I suggest to you that you have not told
the
12 whole truth regarding your role in the RUF?

13 PRESIDING JUDGE: Why are you suggesting that to him?
Why
14 do you have cause to arrive at that conclusion?

10:17:51 15 MR WAGONA: I'm coming with the next question.

16 PRESIDING JUDGE: You'd better come fast.

17 MR WAGONA:

18 Q. As early as 1991, you were an RUF fighter, weren't you?

19 A. No.

10:18:14 20 Q. Witness, I put it to you that as early as 1991 you were
an
21 RUF fighter as well as a combat medic; what's your response?
22 A. In 1991 itself, I escaped from the fighting. I went to
23 Guinea.
24 Q. You actually fought at the war front in Mobai in 1991;
what
10:18:45 25 do you have to say?
26 A. No. I do not even know what happened in 1991 in
relation
27 to the war.
28 Q. And I put it to you that you were treating the
combatants
29 at the war front; what do you have to say?

them

1 A. No, I was just there where we were, they would bring
2 and we would treat them.

3 Q. Witness, I also put it to you --

or

4 JUDGE BOUTET: Sorry, your last question relates to '91
5 any period of time?

10:19:54

6 MR WAGONA: '91, My Lord.

7 JUDGE BOUTET: '91. Thank you.

8 THE WITNESS: Pardon me?

9 MR WAGONA:

10:19:54 10 participated

Q. Witness, I also put it to you that you later

11 at other war fronts like Tongo; what do you have to say about
12 that?

they

13 A. No, I did not work in Tongo. I was not in Tongo when
14 were fighting.

10:20:09 15 for

Q. Witness, I also put it to you that you were responsible
16 giving information to Mr Issa Sesay and Sam Bockarie

concerning

17 the medical unit and concerning RUF fighters; what do you have
18 say?

to

19 A. No. Whatever we were doing we have heads, whatever was
20 happening to us we would put -- take to these people and they

10:20:37

were 21 would take our problems to Issa and Mosquito and those who

wouldn't 22 commanders. We were just there working with them. We

23 give messages to them.

24 Q. During disarmament you were in Kailahun, not so?

10:20:56 25 A. Yes.

so? 26 Q. And you were one of the people against disarmament, not

come 27 A. They said they should disarm us so that the war would

28 to an end. We agreed.

telling 29 Q. Witness, I put it to you that you were one of those

1 RUF fighters in Kailahun that they should not disarm and that
2 Issa Sesay had sent you to tell them not to disarm; what's
your
3 response?

4 A. I'm telling the Court that I am happy. I was happy so
that
10:22:17 5 the disarmament would come to an end because at the time we
were
6 going to school so that it would stop so I would go back to
7 school. So we were happy for the disarmament to take place.

8 MR WAGONA: That's all, My Lords. Thank you, Mr
Witness.
9 Just a moment, My Lords.

10:22:32 10 MR WAGONA: My Lords, with your leave, I just have one
more
11 question.

12 PRESIDING JUDGE: Yes, go ahead.

13 MR WAGONA:

14 Q. Witness, in Kailahun are you aware if civilians were
paying
10:24:01 15 tax?

16 A. Tax? What tax?

17 Q. Was there any form of tax system imposed on the
civilians
18 by the RUF?

19 A. I'm surprised when you're talking about tax, I did not
hear

10:24:01 20 about taxing the RUF. It was only after the war that they
asked

21 us to be paying for our houses. I don't know anything about
22 taxing.

23 MR WAGONA: That's all, My Lords. Thank you, Mr
Witness.

24 PRESIDING JUDGE: Yes, Mr Jordash.

10:24:40 25 MR JORDASH: Sorry, can I just take instructions?

26 PRESIDING JUDGE: Yes, you may, please.

27 MR JORDASH: No questions, thank you.

28 PRESIDING JUDGE: Mr Witness.

29 THE WITNESS: Yes, sir.

back

1 PRESIDING JUDGE: You are very much in a hurry to go
2 to the business in which you are now, and I think the time has
3 come for you to go back.

4 THE WITNESS: Okay.

10:25:35 and

5 PRESIDING JUDGE: SO, your lawyer has kept his promise
6 has not kept you here for too long. So we thank you for
7 to assist us with your evidence and we wish you all the best
8 the restructuring of yourself and your life. We wish you all
9 best in that process; okay? Good luck.

coming

in

the

10:26:39 10

 THE WITNESS: Amen.

witness

11 PRESIDING JUDGE: Right. Can VWS please lead the
12 out.

water,

13 Take your time. Drink, drink. Please. Let him drink.
14 Let him take his time. Mr Witness, if you want some more
15 you can drink. Do you want another glass? Okay.

10:27:14 15

16 MR JORDASH: Can Mr Sesay use the bathroom, please, Your
17 Honour?

18 PRESIDING JUDGE: Yes, he can.

19 MR JORDASH: Thank you.

10:27:47 20

[The witness withdrew]

21 PRESIDING JUDGE: Yes, Mr Jordash.

22 MR JORDASH: Your Honour, the next witness is an
insider,

23 but, before I call him, I'd like to raise just a very brief

24 issue. It's an issue which affects all our insiders and it's
an

10:28:02 25 issue of -- relating to protective measures. DIS-281, the

26 witness that we referred to before --

27 PRESIDING JUDGE: Who is your next witness? DIS-069?

28 MR JORDASH: Your Honour, yes.

29 PRESIDING JUDGE: That's the one who's coming here?

1 MR JORDASH: Yes. The issue I want to raise is that
2 DIS-281 has been told by one of the Prosecution's old
witnesses
3 that the Prosecution --

4 PRESIDING JUDGE: Can we --

10:28:38 5 MR JORDASH: It's probably best that this witness isn't
in
6 court, I think. He speaks fairly good English.

7 PRESIDING JUDGE: Please, take him out. Take him out,
8 please. Yes, Mr Jordash.

9 MR JORDASH: DIS-281 was contacted by Prosecution
witness

10:29:54 10 and told that during the giving of evidence of Defence
witnesses,

11 insider witnesses, there are Prosecution witnesses who sit
within

12 the Prosecution compound watching the proceedings and knowing
13 exactly who the witnesses are, and those witnesses, we are
told,

14 and the news is out --

10:29:54 15 PRESIDING JUDGE: In the Prosecution's compound?

16 MR JORDASH: Yes.

17 PRESIDING JUDGE: Where?

18 MR JORDASH: In their office somewhere. We don't know
19 where. And what they do, according to the news we have from

10:29:54 20 Defence witnesses who have spoken to Prosecution witnesses, is

21 that they call in Prosecution insiders to sit and watch the
22 proceedings and comment on the Defence witnesses' evidence
23 knowing full well who the Defence witnesses are.

24 JUDGE BOUTET: How do they know that?

10:30:02 25 MR JORDASH: Because the Prosecution tell them.

26 JUDGE BOUTET: So you are stating the Prosecution is
giving

27 this information to these Prosecution witnesses?

28 MR JORDASH: Yes.

29 JUDGE BOUTET: It's not just the mere fact they are

1 listening, because if they are listening they don't know and
they
2 don't see the witness. I mean, they hear the voice, they
don't
3 see who it is. So, you're saying it's not the fact of
watching
4 per se, it's the fact that, according to you, the Prosecution
is
10:30:32 5 disclosing to their -- to these, their own witnesses,
Prosecution
6 witnesses, that have been called or were to be called,
whatever
7 it may be.

8 MR JORDASH: Yes.

9 JUDGE BOUTET: They are giving them additional
information
10:30:42 10 as to who is giving evidence; that's your position?

11 MR JORDASH: Telling them who it is and asking them to
12 comment on the correctness or otherwise of what they are
saying
13 and how it relates to that particular identified witness.
I've
14 sought clarification from the Prosecution about this, and thus
10:30:59 15 far --

16 PRESIDING JUDGE: That was what I was going to ask you,
17 whether you had sought clarification; whether you had talked
to
18 the Prosecution about this?

I 19 MR JORDASH: Well, I sought clarification and the answer
10:31:10 20 received back was that this particular witness had not -- the
21 answer was incomplete, let me put it like that. But the
22 Prosecution denied that it happened in relation to the AFRC
23 trial, which was where my information first of all related to.
24 Let me try to clarify that: The information we had was
10:31:38 25 that a Prosecution witness had sat and watched the AFRC trial.
26 When I put that information to the Prosecution, they denied,
in 27 very closely, carefully defined terms, that that witness had
28 watched the AFRC proceedings, but I was not able to obtain a
full 29 and comprehensive answer to my real enquiry, which was: Will

1 this happen during the RUF trial?

2 If it is going to happen, this is something which we
ought

3 to have decided by the Trial Chamber, and the Trial Chamber
ought

4 to be allowed to say whether this is or isn't an acceptable

10:32:22 5 practice according to the protective measures orders. That is
6 all I have sought from the Prosecution and haven't been able
to

7 obtain a full answer to what my real enquiry was.

8 JUDGE BOUTET: But you have no information, from what I
9 hear, about this practice, whatever it may be, has been
happening

10:32:42 10 with the RUF trial. You are presuming, based on the
information

11 you have, that you are saying it has happened based on your
12 information in the AFRC trial and you say because it has
happened

13 there it may -- it is likely to happen here. So that is
14 basically what you are saying, but you have no more
information

10:33:43 15 than that?

16 MR JORDASH: No more information than that, and I'm not
17 making any allegations that it is happening, but I thought
before

18 we call our first insider, and the insiders are of course

19 sensitive about giving evidence, and as nervous if not more

10:33:43 20 nervous than other witnesses, and I thought it was of concern
21 that we haven't been able to obtain a clear answer from the
22 Prosecution and a real concern if it is happening.

23 JUDGE THOMPSON: This is more or less in answer to
24 Honourable Justice Boutet, you are in fact taking a preemptive
10:33:43 25 action here?

26 MR JORDASH: Yes.

27 JUDGE THOMPSON: So it would be necessary perhaps to ask
28 the Prosecution what their response to this is.

29 MR HARDAWAY: Good morning, Your Honours. This is the

not
I
as

1 first that I've heard of it, along with Your Honours. So I'm
2 in a position to answer right now, so that is where we stand.
3 would have to go back to my office and speak with my superiors
4 it relates to it, to this matter.

10:34:21 5 PRESIDING JUDGE: In any event, you will speak to your
6 people in the office, and you will let us know, you know, what
--

7 MR HARDAWAY: That is correct, Your Honour.

8 PRESIDING JUDGE: What the position is.

9 MR HARDAWAY: Yes, Your Honour.

10:34:35 10 PRESIDING JUDGE: But I think Mr Jordash is right in
being
and
in

11 preemptive because of the past experience which he has had,
12 because he may have cause that the same things may be repeated
13 the course of this trial. We are not saying --

14 MR HARDAWAY: Well, that's if the original allegation is
10:34:59 15 correct, Your Honour, and I'm not in a position to necessarily
16 speak to that.

Defence
you

17 PRESIDING JUDGE: No, I'm just not saying that as a
18 counsel, who is taking care of the interests of his client,
19 would appreciate that he has cause to be apprehensive of these

10:35:21 20 practices, if they do exist at all, and if they don't I think
he

21 has cause to be preemptive if he, indeed, has cause to
entertain

22 feelings that they may occur. So I think all you will do is
you

23 will check that information up and --

24 MR HARDAWAY: Yes, Your Honour.

10:35:45 25 PRESIDING JUDGE: -- you will let the Chamber know in
due

26 course.

27 MR HARDAWAY: Yes, Your Honour.

28 PRESIDING JUDGE: Maybe in the course of today or so, or
on

29 Monday, why not?

Your

1 MR HARDAWAY: I can go back and speak to my superiors,

2 Honour know. I will do so.

3 PRESIDING JUDGE: Not immediately, though.

4 MR HARDAWAY: As the Court pleases.

10:36:01 is

5 PRESIDING JUDGE: I don't think so, and I hope that it

I

6 not that urgent, you know, to warrant us suspending the trial.

7 don't know, what does Mr Jordash think about this?

8 MR JORDASH: I'm keen to go on. I'm keen for a candid

9 answer from the Prosecution, but I'm also keen --

10:36:26

10 PRESIDING JUDGE: He cannot offer that now.

as

11 MR JORDASH: And I understand that. I did catch

12 Mr Hardaway somewhat by surprise here. I'm happy to continue

if

13 long as the Prosecution will be candid on this issue. So that

Chamber.

14 it is a practice, we can have it ruled upon by the Trial

10:36:46

15 PRESIDING JUDGE: Well, we are not there yet, so that's

16 okay, Mr Hardaway, you may -- yes, I think can the witness be

17 called in now?

18 MR JORDASH: Your Honour, yes, thank you.

19 [The witness entered court]

10:38:21

20 PRESIDING JUDGE: Yes, Mr Jordash.

closed

21 MR JORDASH: Your Honour, may I apply to go into a
22 session for half an hour? The reason being is that I can lay
23 a chronology of this witness's life which I think will assist
24 everyone to follow the evidence over the next two days.

10:38:40
closed

25 PRESIDING JUDGE: Well, yes, you may. We will be moving
26 into a closed session. I think the gallery has heard the
27 session is for 30 minutes. So can Court Management take the
28 necessary -- the usual measures, please. Yes, Mr Hardaway?

29 MR HARDAWAY: For the record, Your Honour, there is no

1 objection from the Prosecution.

2 PRESIDING JUDGE: For the closed session? Well, at
least

3 we need to have the application. It is -- he is going to make
4 it, but let's be in the closed session already.

10:39:25 5 MR HARDAWAY: Just being preemptory, Your Honour.

6 PRESIDING JUDGE: That's all right. That's okay. I'm
7 being very generous and kind, isn't it?

8 MR JORDASH: As always, with Mr Hardaway.

9 PRESIDING JUDGE: Is this the eleventh -- Mr Jordash, is
10:39:51 10 this the eleventh witness?

11 MR JORDASH: The eleventh, yes, Your Honour.

12 PRESIDING JUDGE: And he is DIS-069?

13 MR JORDASH: Yes.

14 PRESIDING JUDGE: He will be testifying in what
language?

10:40:45 15 MR JORDASH: Krio, Your Honour.

16 PRESIDING JUDGE: Krio.

17 [At this point in the proceedings, a portion of the
18 transcript, pages 20 to 47, was extracted and sealed under
19 separate cover, as the proceeding was heard in a closed
session]

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SCSL - TRIAL CHAMBER I

1 [Open session]

2 [RUF19OCT07B - MD]

3 [Upon resuming at 12.15 p.m.]

4 PRESIDING JUDGE: We are resuming this session,
and I

12:20:36 5 understand that the technology has taken us back to the open
6 session, so we are now resuming the proceedings in an open
7 session, on the understanding of course that we will still be
8 going back at a later stage of your examination-in-chief to a
9 closed session; okay?

12:21:04 10 MR JORDASH: Yes, Your Honour.

11 PRESIDING JUDGE: Right. You may proceed in open
session.

12 MR JORDASH: Thank you.

13 Q. You understand we are in an open session now?

14 A. Yes.

12:21:15 15 Q. So if there's a problem answering a question without
16 revealing your identity, indicate to the Court.

17 A. Okay.

18 Q. Now, I want to deal with a few time periods in the early
19 years, or a few subjects, I should say. The first subject is
the

12:21:56 20 training base at Pendembu, where you've told us you went, and
you

21 told us you went voluntarily. Were there other people being

22 trained at the base?

23 A. Yes, a lot of people came; many of them.

24 Q. Are you able to estimate how many came during your six
12:22:10 25 months there?

26 A. Yes; we were over 2000.

27 Q. And were you able to speak to some of these people and
28 understand why they came, or how they came?

29 A. Yes. A lot of them, I meet them personally, and I was
able

SCSL - TRIAL CHAMBER I

1 to talk to them, and they said to me that they came
voluntarily.

2 Nobody forced them to come.

3 Q. Well, why did they and why did you go to the base to be
4 trained?

12:22:59 5 A. Well, during that time, you know, as I said, I was a
6 teacher. You should know that during that time the government
7 that was in place, the country had a high rate of corruption.
8 For instance, I had been working up to six months and they

would

9 only come and pay us for one month. During that time, the
12:23:30 10 country for -- during that time everybody was not happy about
the

11 way they had been living in the country. There was no food.
12 Salary would not come on time. So, people were really --

would

13 even go on talking that if war was not waged on this country
14 there would be no betterment in this country and the country
12:24:02 15 would not forge ahead, so all those that they came they felt
that

war

16 it was necessary to be part and parcel of the war, when the
17 came.

18 Q. You've talked about food: Food in Kailahun, at that
time,

19 what was the situation?

12:24:19 20 A. During that time it was a rice quota. We had one
Lebanese,
21 when we were at Pendembu. He was the only one that had been
22 selling rice. The Lebanese man was called Nadeem. We would
go
23 and kill for rice, which was our staple food, and when we
went,
24 if you wanted six or ten cups, see, whatever he, the Nadeem,
felt
12:24:54 25 that he was able to sell to you, that is what he would sell to
26 you. Even if you were 100 in the queue, if he said that he
was
27 going to sell four cups to you during that day, it was only
four
28 cups of rice that he will sell to you and the whole situation
was
29 bad because during that time there was no food.

1 Q. Were you taught any ideology?

2 A. Yes. When we went to the base, we will be taught
ideology.

3 In fact, most of the time, we will spend most of our time in
the
4 ideology class.

12:25:39 5 Q. And what did you personally think of the ideology you
were
6 being taught?

7 A. Well, the ideology, I personally felt that the ideology
was
8 good because, in fact, it started with -- by saying that
9 whosoever was fighting war, who did not have any ideology, was
a

12:26:14 10 criminal. You see, that is, if you had been fighting a war
and
11 you did not know what you had been fighting for, you did not
have
12 any idea about you taking up arms to fight, you will end up by
13 being a criminal, so that was what made -- made the ideology
14 class to be necessary for us.

12:26:45 15 Q. And you talked about your friends being there; these
were
16 friends from where?

17 A. I had a colleague teacher. He was also with me. He
also
18 went to the base.

trained? 19 Q. What were the age of the people at the base being
12:27:05 20 A. Well, from 18 years above.
21 Q. And the six months you spent there at the base, was that
a 22 usual time period for people to be trained, at that time?
23 A. Yes, that was the usual time. It was for six months.
24 Q. Did you play any role concerning the base?
12:28:43 25 A. Yes. I was the platoon commander.
you 26 Q. Now, after you'd finished training -- well, let me take
27 somewhere else. When you met Issa Sesay, in 1991, was he
28 married?
29 A. No. By then, he was not married, during the time that
we

1 met.

2 Q. Did he get married?

3 A. Yes. He had to marry later.

4 Q. And did you observe or were you associating with him
around

12:29:04 5 that time?

6 A. Yes, yes, I had a rapport with him.

7 Q. When did he get married?

8 A. Well, he got married immediately after -- when tap 20
had

9 finished, when he came from the gaol, because they were
arrested

12:29:33 10 during that tap 20, and they were put in gaol at Kuiva. When
he

11 was released, that was the time that he went and married and
he

12 had a friend who was moving up and down with him, he was the
one

13 that had that lady but -- that of his friend Augustine
Kpanabay,

14 he was killed.

12:29:56 15 Q. Killed by who?

16 A. The NPFL soldiers who arrested Issa and the others when
17 they were taken to Kuiva gaol, and they had executed
Augustine,

18 so that was the time that he was with that lady. In order not
to

19 leave the woman to strain, Issa said that he was going to take

12:30:22 20 this lady as a wife. That was how he came to marry the lady.

21 Q. What was the lady's name?

22 A. Well, the lady's name was Elsie Kaitonge.

23 Q. And do you know how it was she came to agree to the
24 marriage?

12:30:59 25 A. Well, really, at that particular time, the woman had
been

26 living with her aunt, who brought her up. Her name was Aye.

27 Then, they knew that Issa was a good boy, so he did not have
any

28 problem. Elsie, I mean, it was -- Elsie was with Augustine

29 Kpanabay and they had been seeing Issa moving up and down with

1 him, and they had been doing everything in common so they had
2 already known his character, so I believe that it was based on
3 those grounds that even when the Issa went in for her, so as
to
4 be looking after her, and later to marry, she, the Elsie,
agreed.

12:31:52 5 Q. Did you -- have you ever met Elsie? Let me rephrase the
6 question. Did you meet Elsie at that time?

7 A. Yes, I had been meeting her, yes.

8 Q. Did you meet Elsie's family at that time?

9 A. Yes. I -- I used to meet Elsie's family. In fact, I'm
12:32:26 10 even related to them.

11 Q. Where are Elsie's family from?

12 A. They are from Daru. I am also born of Daru.

13 Q. At the time of the NPFL, in the early years of the war,
14 could you explain to the Court the nature of the command
between

12:33:16 15 the NPFL fighters and the Sierra Leonean fighters?

16 A. Yes.

17 PRESIDING JUDGE: Yes, Mr Hardaway?

18 MR HARDAWAY: Yes, Your Honour. Objection on the
grounds

19 of relevance and, again, even with the historical background
it's

12:33:37 20 outside of the time frame of the indictment.

know 21 PRESIDING JUDGE: Well, we've been through this. We
and 22 where you are coming from, but we will overrule it, you know,
23 just proceed. Let's get it and see, you know, how far we go.
24 MR HARDAWAY: Very well, Your Honour.
12:33:59 25 PRESIDING JUDGE: Yes.
26 MR JORDASH:
time. 27 Q. Just briefly, Mr Witness, then we can move forward in
NPFL 28 What was the nature of the command relationship between the
29 and the Sierra Leonean fighters, in the early years?

but, 1 A. Well, the relationship, at the initial stage, was good
2 as time went on, it became bad because all the command was in
3 their hands. And even the weaponry, they were the ones that
had 4 been controlling it, and they had been doing everything so
they 5 were the bosses for us, until it came to a time when they
12:34:43 started 6 maltreating us and when they started doing bad things to us
and 7 our families. So, when we had the opportunity to rise against
8 them, we did so. So they had been the ones that had been
his 9 controlling everything from Charles Taylor. They had, he had
12:35:10 10 immediate commander here. He was in charge and it was through
11 him that he had been selling ammunition, down to ammunition
and 12 down to the arms. So, so they were in charge of the war until
13 the time that we rose against them.

14 Q. Who rose up against them?

12:35:37 15 A. We, we, the RUF. We, the RUF boys, especially us that
are 16 born in Sierra Leone.

17 PRESIDING JUDGE: Are you referring to you, the junior
18 commandos or so?

19 THE WITNESS: Yes, sir. We, the junior commandos,
because

12:35:58 20 we were in the majority. Then we wait for the Vanguard, who
21 came, who came with --
22 THE INTERPRETER: Your Honours, I did not get the last
bit
23 of the witness's testimony.
24 MR JORDASH:
12:36:09 25 Q. Repeat the last sentence, please.
26 A. We, the junior commandos, plus the Vanguard, who put us
27 together so that we would be able to drive the Liberians.
28 Q. Okay. Thank you.
29 JUDGE BOUTET: What do you mean by "Vanguard"?

1 THE WITNESS: Well, the Vanguard, they were the men,
they
2 were the people who were trained by Foday Sankoh in Liberia,
who
3 were Sierra Leoneans, born Sierra Leoneans and Liberians, and
4 these were the people whom we taught the ideology of the RUF
war.

12:37:00 5 JUDGE BOUTET: So you are saying that these Vanguard
were
6 composed of Sierra Leoneans and Liberians?

7 THE WITNESS: Yes. But these Liberians, most of them,
8 these were the people who --

9 THE INTERPRETER: Your Honours, would the witness be
12:37:22 10 instructed to go a little bit slow?

11 MR JORDASH:

12 Q. Go slow, please.

13 A. Okay. The Vanguard that I'm talking about, they were
both
14 Sierra Leoneans and armed Liberians, or Sierra Leoneans born
of
12:37:39 15 Liberian parents, or some Sierra Leoneans had gone to Liberia,
16 they have spent some time there in Liberia. They had married
17 there. They had given birth to children there. Those were
the
18 children that joined. The other Sierra Leoneans who were
trained
19 there as Vanguard and they were the ones that came together.

12:38:05 20 JUDGE BOUTET: I'm not sure it's clear in my mind, but
21 anyhow.

22 MR JORDASH:

23 Q. Let's -- were there any pure Liberians, who were
Vanguards?

24 A. We did not -- there were no pure Liberians.

12:38:24 25 Q. So, the Vanguards were -- were there any -- were the
26 Vanguards who were Liberian were mixed Liberian or
27 Sierra Leoneans who'd lived for some time in Liberia; is that
28 right?

29 A. Well, they were mixed Liberians, from both Sierra
Leonean

1 parents and Liberian parents. For instance, the father would
be 2 a Liberian but would not be a Sierra Leonean and the children
3 that they had, these were the ones that I was referring to.

4 Q. Thank you.

12:39:14 5 JUDGE BOUTET: But the Vanguard, as you described them,
6 were people that had been trained as, if I understood what you
7 have been saying, by Sankoh in Liberia, to come and train
people 8 in the ideology, these are what you described as Vanguard and
9 they were composed of Sierra Leoneans?

12:39:41 10 THE WITNESS: Yes.

11 JUDGE BOUTET: Thank you.

12 PRESIDING JUDGE: And if I may follow up, you know, like
13 Issa Sesay, Kallon, and the rest of them were Vanguard?

14 THE WITNESS: Yes, sir.

12:40:21 15 PRESIDING JUDGE: Because they were trained in Liberia?

16 THE WITNESS: Yes, sir.

17 PRESIDING JUDGE: Yes, Mr Jordash, ready?

18 MR JORDASH: Thank you.

19 Q. Now, you were there as a fighter in the early years.
Could

12:40:50 20 you describe, briefly, the nature of the fighting, in the
sense

21 of what was being attacked, what was a front line; does my

22 question make sense to you?

Maybe

23 PRESIDING JUDGE: It doesn't make much sense to me.

24 you may take it again.

12:41:19 25

MR JORDASH: Let me try to put it more simply.

Kono

26 Q. There is an attack, as you've told us, Mr Witness, on

27 in 1993; am I right?

28 A. Yes.

29 Q. And the attack on Kono, in 1993, two, sorry, I think --

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1 yes, I think that's right. The evidence was that it was 1992.

2 When was the attack on Kono?

3 A. It was in 1992. I have said so.

4 Q. Yes, my fault. And before the attack on Kono there, RUF
12:42:18 5 had entered Gandon Gbaneh; is that right?

6 A. Yes.

7 Q. Before Gandon Gbaneh, where had the RUF attacked?

8 A. Well, when we moved from Yombalu, the first base that we
9 attacked was Sandiaru, Bengewa. There the military was based.

12:42:46 10 Q. Then from Sandiaru, where did it go?

11 A. From -- we came to Gandon Gbaneh, where the government
12 troops were based.

13 Q. Right. Now it may be obvious to you, and perhaps it's
14 obvious to everyone, but when you attacked Gandon -- well,
when

12:43:05 15 you attacked Sandiaru, what then became the front line?

16 A. Before we attacked Sandiaru, the front line was at
Yombalu,

17 because by then it was River Moa that was between us and the
18 enemy zone, where the enemies were, which was across the Moa.

19 Before ever we attacked Sandaru, we had to attack -- we had to
12:43:41 20 cross Moa. Immediately we crossed Moa then we were already in

21 the enemy territory. So, so they did not base any other side,

22 other than Sandiaru, the government troop. So, so that was
the

23 front line.

24 Q. So, when you attacked Kono, where was the front line?

12:44:10 25 A. After we had captured Koidu Town, all the way to Jiama
26 Sewafe, it was Mamudu checkpoint towards the bridge to go to
27 Masingbi, that was where the front line was. The front line
was
28 on three sides. The front -- the one that was on the main
29 highway when we were coming to --

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1 THE INTERPRETER: Your Honours, would the witness go a
2 little bit slow?

3 MR JORDASH:

4 Q. Slowly, Mr witness.

12:44:35 5 A. Yes. Then the other was towards Yomandu, when you went
6 through Kurubonla. When you went through Kurubonla, that is
7 Kabala road, then of course the other one was at Jiama
Nimikoro,
8 the one which was coming down to Tongo Field. So those were
the
9 front lines, those three areas, during that time.

12:45:03 10 Q. And during your activities as a soldier what happened
with
11 civilians at the front line?

12 A. Well, like, when we had captured a town we would gather
all
13 the civilians and we would send them where there was a safety
14 zone because we don't like to leave them amongst us for fear
12:45:42 15 that -- in case there was any time that the government troop
came
16 and repelled us; if they were met there, during the cross-
fire,
17 they would be damaged. So we would take them from there and
send
18 them to our back, which we called the rear. This was how we
19 operated most of the time.

12:46:11 20 Q. And did anything happen to civilians left in the towns

21 after you were repelled by government forces?

22 A. Yes, a lot of things happened to them. Sometimes they
23 would be killed because they used to refer to them as
24 collaborators.

12:46:48 25 Q. Let's try to make this more specific: When you, the
RUF,

26 attacked Koidu and Kono, did anything happen there with
27 civilians, when you attacked there?

28 A. Yes. I would recall because the attack that we made on
29 Kono, we did not only hit once and then captured Kono at the
same

1 time. We attacked Kono on three separate occasions before
ever
2 we were finally able to capture the place and there, we
settled
3 there. I would recall the first time that we entered there,
we
4 were there for the rest of the day.

12:47:35 5 Q. And who were you attacking in Koidu?

6 A. The government troop. They were based in government --
in
7 Koidu Town. So whenever we attacked, at times there would be
a
8 cross-fire, so, as I said, before ever we were based there,
the
9 last time, or the second to the last attack, we were there for
10 the rest of the day, so some civilians were brave enough to
11 join
12 us.

12:48:01 10 the rest of the day, so some civilians were brave enough to

11 us.
12 Q. What happened? Go on.
13 A. So they were with us. But, unfortunately, the
government
14 troop repelled us. They pushed us back. So when we went, one
of

12:48:29 15 the guys, the civilian I was referring to, he was the town
16 commander at Yengema. So when we returned, when the

government
17 troop came, he was killed. So when we came finally and
captured

18 the town, we asked for him. We said, "Who, where is our town

when 19 commander?" And we were later informed that he was killed,

12:48:56 20 the government troop came, because he joined us when the
town. 21 government troop came. He joined us when we took over the

with 22 That was why we normally -- we are normally afraid to stay
23 them.

24 Q. Sorry, you were normally afraid to stay with them. I am
12:49:14 25 not sure --

joined 26 JUDGE BOUTET: Can you explain what you mean by, "He
27 us"?

time 28 THE WITNESS: Joined us in the sense that most of the
to 29 when we captured a town, we had people who were brave enough

We
us
people
12:49:53 when
as
12:50:14 time
and

1 join us. We can -- we normally invite civilians to join us.
2 preach the ideology to them, because that was what they taught
3 at the base, telling them the purpose of the war, why the war,
4 so, in the interim, while preaching the concept, so, some
5 will be brave enough to identify themselves to join us, so,
6 the government troops came and pushed us back, then, when they
7 remained as civilians, those people are normally referred to
8 collaborators and most times they are killed.

first
12:50:14 time
and

9 JUDGE BOUTET: BUT to use your example, you said the
10 time you went there you didn't stay there for the rest of the
11 day; first attack on Kono. And this individual you are
12 describing you say he joined you, so, when did you have the
13 to preach your ideology at that time? I'm trying to follow
14 reason what you are trying to explain.

12:50:38 three
the

15 THE WITNESS: I started by saying we attacked Kono on
16 occasions before we were based there. On the second occasion,
17 before finally we were based there, that was the time this
18 incident occurred. By then, we stayed there for the rest of

19 day, but we were short of ammunition, so the government troops
12:51:00 20 went and reorganised themselves and repelled us. So, during
that
21 time, while waiting, or by then, the place was free. We
normally
22 invite civilians to come out from their houses. So when they
23 came out, we will talk to them. That is the time we normally
24 preach the ideology of the revolution. So during that time,
we
12:51:28 25 teach them the ideology. So, later on, we were repelled. The
26 government troop repelled us, late in the evening. We went
back
27 to our area, before finally, we came back and attacked the
town
28 and captured there, and we were based there for two months.
29 JUDGE BOUTET: So if, the first time, the first attack,

1 civilians did not join you. On the second attack some joined
you
2 because you were there for the day and you invited the
population
3 out. You talked to them and many of them joined you. You
were
4 repelled and you came back for a third attack where you stayed
12:52:12 5 for two months; am I describing what you're saying accurately?

6 THE WITNESS: Yes.

7 JUDGE BOUTET: Thank you. And this man that was killed
was
8 one of those civilians that had joined you after the second
9 attack?

10 THE WITNESS: Yes.

11 JUDGE BOUTET: But he did not retreat with you; he
stayed
12 in town?

13 THE WITNESS: Yes, he did not go with us. When we are
14 repelled, he stayed in the town.

12:52:52 15 JUDGE BOUTET: Thank you.

16 MR JORDASH:

17 Q. Why did he not go with you, do you know? Why did he
stay
18 in the town when you were repelled?

19 A. Well, I don't actually know the reason why he did not go
12:53:11 20 with us because, during that time, the enemies pushed us. I

21 don't know the reason why he did not join us.

22 Q. And the civilians that did join --

23 JUDGE BOUTET: Mr Jordash, if I may, just one last
24 question.

12:53:30 25 MR JORDASH: Certainly.

26 JUDGE BOUTET: Mr Witness, you mentioned that during the
27 first attack and the second attack government troops responded
28 and there was cross-fire between your attacking forces and the
29 government troops. What do you mean by cross-fire and were

there

you
Kono;
1 any victims in the cross-fire? I take it that these attacks,
2 are attacking the government troops, it was in the town of
3 am I right?

because
12:54:05 4 THE WITNESS: Well, when I talk about cross-fire,
firing, 5 when we went to attack a position, they, too, will return
6 so as we fired towards their position, they, too, will fire at
7 our positions.

You
8 JUDGE BOUTET: Yes, but that position, where is that
9 position? Is it in town, in the Kono Town, or where is it?

12:54:23 10 are attacking, you say the government troops, where are they
when 11 you attacked them?

12 THE WITNESS: They were right in Koidu Town but they did
13 not have any barracks but they had deployment centres in Koidu
14 Town.

12:54:40 15 JUDGE BOUTET: Thank you.

16 MR JORDASH:

the 17 Q. On the same subject, Mr Witness, so that we understand
18 nature of this --

19 A. Yes.

12:54:48 20
Yombalu,

Q. -- these military engagements, the towns of Koidu,

21 Sandiaru, Gandon Gbaneh, where were the government forces

or

22 situated in relation to these towns? Were they in the towns

23 out of the towns? Whereabouts in the towns, if in the towns?

24 A. They were right in the town.

12:55:27 25
to

Q. And were they -- where were the civilians, in relation

26 the soldiers?

27 A. Like, Sandiaru, when we went there, there were no

Gandon

28 civilians. There were only government troops. Likewise,

29 Gbaneh. The only site that we met civilians was Koidu Town.

1 Q. And where were the civilians in Koidu Town situated in
2 relation to the soldiers?

3 A. The civilians were in their houses in Koidu Town. Like,
in
4 Koidu, we had this place, what is the name of this place,
after

12:56:17 5 Gandon, by entering into Koidu, Kimberlite, where the
Kimberlite
6 mining is based, the military was based there. They had a
guard
7 post there; their guard post was there. That was where they
were
8 based. So after we have captured Kono, going towards Yengema,
by
9 Yengema road junction by Tankoro, we met them also there.

12:56:43 10 were also based there. They were based within the town
11 checkpoint. Then, the civilians were in their houses,
quarters.

12 Q. And, so that we are clear, when you attacked Koidu, and
you
13 told us you were attacking the soldiers --

14 A. Yes.

12:57:03 15 Q. -- what did the civilians do during the attack?

16 A. Well, most of them normally run. Some will stay in
their
17 rooms.

18 Q. And after the soldiers had been attacked and battle had

19 stopped, what would -- what did happen in relation to the
12:57:31 20 civilians?
21 A. If it happened that we captured the ground, then we will
22 call the civilians. We will check in their houses and call
them.
23 Then we will talk to them and try to preach the ideology of
the
24 war to them. Then, from there, the next step will be, if you
12:58:06 25 observe that the particular area is not safe, then we will
take
26 them out and send them at the back referred to, the rear.
27 Q. And what would happen if, after attacking a particular
28 town, you went on then to attack the next town, so the next
town
29 became the front line; what would happen to the previous town?

1 Would the civilians remain or would they be removed?

2 A. If, if you had captured a town, then we move from one --

3 that was what we did. While we were coming towards Kono, most
of

4 the civilians, while we were going to Kono, we send them to

12:59:29 5 Gandon Gbaneh because it was far away from the front line
because

6 the front line was at the -- by the Koidu axis by Sewafe, so

we

7 send the civilians to stay at Gandon Gbaneh, where we thought

was

8 secure and safe for them, and they will go about their normal

9 routine.

12:59:29 10 Q. Why did you think Gandon Gbaneh was the safe place?
What

11 was there to make it safe?

12 A. Well, Gandon Gbaneh was a safe place because, one, the

13 front line was far away from it and we had no area or threat
from

14 the enemies when they were close to us. Most of the time they

12:59:57 15 were far off from Gandon Gbaneh.

16 PRESIDING JUDGE: Which was the front line near Gandon

17 Gbaneh?

18 THE WITNESS: Well, the front line --

19 PRESIDING JUDGE: If Gandon Gbaneh was the safe zone,
which

13:00:13 20 was the safe -- yes, which was the front line?

21 THE WITNESS: The front --

22 PRESIDING JUDGE: You said you moved the civilians to

23 Gandon Gbaneh which you felt was safe; where was the front
line

24 from where you moved them?

13:00:29 25 THE WITNESS: The front line was, as I said before, one
was

26 at Jiama Nimikoro, that is the way leading to Tongo, and the

27 other was the main highway leading towards Masingbi by Mamudu

28 checkpoint. Then the other was on the way to Tefaya axis.
That

29 is Yomandu. So, you see, the front lines were far away from

1 Gandon.

2 MR JORDASH:

3 Q. And so what would happen, or what did happen in Gandon
4 Gbaneh with the civilians?

13:01:09 5 THE INTERPRETER: Your Honours, can the learned counsel
6 please take back his question?

7 MR JORDASH:

8 Q. Sorry, I just want to -- I've got a message from the
9 translator to repeat the question. What happened to the
10 civilians who were sent back to the safety zone of Gandon
11 Gbaneh?

12 A. Well, we had the G5 unit, which is responsible for the
13 civilians. They would search out accommodation for them and
14 ensure that they are resettled. That unit was there. So we
15 would send them to that unit directly because that is their
16 responsibility. They are responsible for the civilians.

13:01:51 17 Q. Did you come across any children at the front line of
18 Koidu
19 Town or other towns you've mentioned?

20 A. Yes. Like Koidu Town, we met children. There were
21 children in Koidu. Some children were left. Their parent
left

13:02:16 22 them. They were there.

23 Q. What happened to them?

leave 22 A. We took them. They are human beings, you can't just
23 them. We took them. We brought them and took them to the
rear.
24 Q. Now, don't mention names but did you have any children
13:02:40 25 around the time of the Koidu Town attack?
26 A. Yes, I found three boys.
27 Q. Where did you find them?
28 A. That was right in Koidu Town. I met them, one was
working.
29 I asked him, "Where are your parents?" He said his parents
have

would
him
1 left him, so I took him. I gave him to the G5 so that he
2 be taken to Gandon until I returned and the other one I met
3 at the compound. He was alone. When I asked him about his
4 family he said they have run away. I said --

13:03:33 5 THE INTERPRETER: Your Honours, can the witness please
6 speak slowly?

7 MR JORDASH:

8 Q. He said his family had run away and then what?

9 A. Yes.

13:03:44 10 Q. Go on.

I
him
until
11 A. So, I said, well, the best thing is to take you along.
12 asked him about how he survived. I said, well, I had to take
13 and handed him to the G5. So I collected three boys and sent
14 them to the rear, to the G5 at Gandon, to be taken care of

13:04:11 15 I returned.

16 Q. How old were the three boys, approximately?

17 A. Well, they were between the ages of ten, ten, 11 and 13.

18 Q. And after going to the G5, what happened to these three
19 boys?

13:04:35 20 A. Well, during that time, we sent them to the G5 because
by

them 21 then we were at the front line, so the G5 took them and sent
22 to Kailahun at the head office. That is the G5 headquarters.
So 23 they were there until later they were sent to the base.
24 Q. What for?
13:05:04 25 A. Well, they were sent there so that they could be trained
on 26 ideology because they were small children, until I returned.
27 Q. And after you returned, what happened to them?
28 A. After I had returned, I collected them. They were with
me 29 as family members.

1 Q. And as family members, did they work?

2 A. Well, they were not working because the only work that
was
3 available, that is food-finding because, by then, there were
no
4 places for us to buy food. Sometimes we will go out to look
out
13:05:52 5 for bananas together. Sometimes when we had rice, we would
eat
6 it. Sometimes when we cultivated the farm, then we all
working
7 the farm.

8 PRESIDING JUDGE: Mr Jordash, I think --

9 MR JORDASH: Can I just ask one question, Your Honour?

13:06:10 10 PRESIDING JUDGE: Just one.

11 MR JORDASH: Thank you.

12 PRESIDING JUDGE: Just one.

13 MR JORDASH:

14 Q. Did they play any role in the fighting?

13:06:19 15 A. No, they are small boys. They are children. We can't
use
16 them. We don't use them.

17 MR JORDASH: Thank you. That's it, Your Honour.

18 PRESIDING JUDGE: Well, the Chamber will recess for
lunch
19 and we'll resume the session at 2.30.

13:07:32 20 We'll rise, please.

21 [Luncheon recess taken at 1.05 p.m.]

22 [RUF19OCT07C - JS]

23 [Upon resuming at 2.50 p.m.]

24 PRESIDING JUDGE: Yes. Yes, Mr Jordash, you may pursue
14:52:40 25 your examination-in-chief.

26 MR JORDASH: Thank you.

27 Q. Good afternoon, Mr Witness.

28 A. Good afternoon.

29 Q. I want to ask you about supplies from outside of Sierra

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you 1 Leone in the early years of the war, just very briefly. Do
2 remember when ULIMO were fighting in Liberia?

3 A. Yes.

4 Q. Which years do you remember they were fighting?

14:53:36 5 A. ULIMO started fighting in Liberia. That was, they
crossed 6 over and they started in Sierra Leone. They forced their way
7 here and went to Liberia. That was in 1992, '91, '92, within
8 that time.

Leone 9 Q. And were any supplies coming from Liberia into Sierra
10 for the RUF?

11 A. Yes, supply had been coming. We used to get ammunition
12 from Liberia, and even sometimes --

13 PRESIDING JUDGE: Yes, Mr Hardaway?

14 MR HARDAWAY: Yes, Your Honour, objection on two
grounds:

14:54:31 15 The first is that the Prosecution has no notice of this part
of 16 the testimony. There is nothing in the summary or on the
17 additional supplement as it relates to this particular
evidence

18 which is being led by Mr Jordash; and second, as I stated
19 earlier, the fact that it is outside of the period of the

14:54:52 20 indictment. But first and foremost is the Prosecution has no

21 notice of this evidence.

22 MR JORDASH: Well, is it disputed that Taylor was
supplying

23 the RUF in the early years? Is it disputed that ULIMO was

24 fighting at the border? Is it disputed that the RUF got
supplies

14:55:17 25 from outside of Sierra Leone? I thought this was the
Prosecution

26 case.

27 JUDGE BOUTET: Well, ask them.

28 MR JORDASH: Well, I'm asking a rhetorical question
because

29 the Prosecution appear to not want evidence which appears to
be

Prosecution

1 accepted from both sides, and I thought this was the
2 case.

and

3 JUDGE THOMPSON: Do we have a dossier of agreed facts
4 law?

14:55:46
to

5 JUDGE BOUTET: We do, but we don't have that in there,
6 my recollection.

to a

7 JUDGE THOMPSON: I was thinking that if that question is
8 being put now, one way of resolving it would have been to go
9 dossier of agreed facts and law, so that the issue can be
10 harmoniously resolved.

14:56:05
themselves

11 PRESIDING JUDGE: What if Prosecution witnesses
12 came up with evidence like that, that there were supplies, you
13 know, from Liberia which I think we have -- abundantly there
14 even a time. There was even a time, I remember in the
evidence,

14:56:33
identifying

15 when it was suggested and somebody came very close to
16 Taylor with trucks --

17 MR HARDAWAY: But that's the representation --

18 PRESIDING JUDGE: -- with trucks and supplies which were
19 off-loaded in Kailahun somewhere, you know, around there.

14:56:51 20 MR HARDAWAY: If that's the Court's recollection then I
21 will withdraw the objection.
22 PRESIDING JUDGE: That is my recollection of the
evidence.
23 MR HARDAWAY: Very well, Your Honour.
24 MR JORDASH: The Prosecution have called witnesses from
14:56:59 25 Liberia to suggest that Mr Taylor was funding the operation
26 throughout the early years and beyond, so this evidence is
27 unsurprising.
28 JUDGE BOUTET: But I don't recall, however, that this is
29 contained in the agreed statement of fact. I have looked at
it

1 earlier this week and that particular aspect is not contained
2 therein at all.

first

3 MR JORDASH: I can say now that it's accepted by the

14:57:44
by

4 accused that up until a particular point in time some supplies
5 were coming from Taylor. The time when it stopped is disputed
6 the Prosecution, and that's why it hasn't been subject to an
7 agreed fact, because we do not agree when it stopped. But we
8 certainly agree, I think, in the first one or two years it was
9 happening.

14:58:08
treated

10 PRESIDING JUDGE: In addition to that, we have been

even

11 by the Prosecution witnesses to some evidence that there was
12 some informal trading in arms with ULIMO and the rest of them,
13 you know, which were -- the arms were coming from Liberia and
14 ending up in Freetown. That is the way I recollect the
evidence,
15 you know.

14:58:44

16 JUDGE THOMPSON: If I can factor in here, my specific
17 recollection too would be that of the General Tanno. His
18 evidence was quite extensive.

19 PRESIDING JUDGE: It is very extensive.

14:58:56

20 JUDGE THOMPSON: In fact, it was very encyclopaedic. He
21 virtually some day might write a best seller on that kind of

22 thing, but I recall that and I think I want to confirm the
23 position here.

24 JUDGE BOUTET: But I do not necessarily disagree with my
14:59:37 25 brothers. The issue is not whether it has been led by the
26 Prosecution; the issue is whether or not you have disclosed
this
27 kind of information as part of the evidence that this witness
is
28 supposed to be talking about so the Prosecution could prepare
for
29 that purpose. So, I mean, this is a new subject that this

1 witness is supposed to be talking and you have not disclosed
2 that. That's basically my understanding of the grounds of
3 objection, so -- but now the Prosecution abandons that part,
4 that's fine with me. I will not pursue that.

14:59:41
what

5 MR JORDASH: Well, this then may come up again because
6 the Prosecution know is who this witness is; they know who he
7 We -- I know that. They've investigated him; we know that.

They

8 know that he played a role and that's at number eight of the
9 additional information, in the early years of the war, and it
10 involved supplies for both civilians and soldiers. They know
11 this witness was in Kailahun and the border of Liberia and
12 Guinea, working in these areas.

15:00:09

ULIMO

have

13 Yes, we have not mentioned to them, the Prosecution,
14 directly in relation to supplies, but could the Prosecution

15:00:37

since

anticipated

15 anticipated that this witness would be dealing with the supply
16 situation in this region which necessarily involves across the
17 border, as is consistent with the case we've been running
18 the beginning of the trial, then yes, they could have
19 that, so that's --

15:00:56 20
withdrawn

JUDGE BOUTET: That's fine; that's okay. They've

21 their objection, so just proceed ahead, Mr Jordash.

22 MR JORDASH:

23 Q. Just briefly then, Mr Witness, are you able to say
anything

24 about supplies coming from Taylor in the early years of the
war?

15:01:24 25 A. Yes. Charles Taylor had been supplying us with both
arms

26 and ammunition. Not only that, at times when his manpower
used

27 to be here, the NPFL boys were here. Most of the time he
would

28 send food for them, like pig foot, pig feet, and even down to

29 rice, he used to send it to them. So those are the things
that I

1 knew of.

2 Q. And when was this that he was, according to you, sending
3 these supplies?

4 A. This was during the early part of the war, around 1991
up
15:02:14 5 to let me say early 1992.

6 Q. Do you know why it stopped?

7 A. Yes. After we had pushed from Kono, we were in Koidu
when
earlier
So
9 on, started in this country. It was formed in this country.

10 they had to fight their brothers along that Pujehun axis.
That

11 was why they forced their way and went to Liberia. So, when
they
12 entered Liberia, they did not go straight to Gbarnga, they cut
13 our supply lines and they went up to -- they entered through
14 Lower Lofa, so they went up straight to Upper Lofa where we
had a

15 motor car road which connected us and Upper Lofa. We meant
the

16 Vonjama area. They went and occupied that area and they based
at

17 Vonjama. So with that, we were not able to get any link again
18 with NPFL. So we were not able to get any supply again

because

19 they had blocked our own area which used to come from --

15:04:15 20 THE INTERPRETER: Your Honours, would the witness repeat
21 the last sentence of his testimony?

22 MR JORDASH:

23 Q. Repeat the last sentence, Mr Witness.

24 THE INTERPRETER: Your Honours, will the witness still
go

15:04:18 25 over what he said. He is still a little bit fast.

26 MR JORDASH:

27 Q. Repeat the answer.

28 A. They, when they came to Lower Lofa part, towards the
29 Bomi-Hills part, they did not go straight to the city or went
to

1 Charles Taylor straight. So what they did, they went up along
2 the border between Sierra Leone and Liberia and up to Fuokama.
3 Then they went to the district headquarters which was Vonjama.
4 They went and based there. That meant that was the road that
was
15:05:04 5 coming to us through from Fuokama. Fuokama was the last town
in
6 Liberia; the last, the biggest town. So from there, by then,
we
7 had a motor car route which would enter direct, and would
either
8 lead you to Koidu or use a bypass road to go to Buedu, which
was
9 a motor car road through Fuoyatindia. But since they are
based
15:05:27 10 in that borderline we did not have any dealings with Liberia.
11 They had cut off our supply route with Liberia so nothing had
12 been coming to meet us any more.
13 Q. Okay. And just to finish this section, do you know the
14 date when that cut-off occurred?
15:05:55 15 A. That was in 1993, when we had already retreated. That
was
16 in 1993. I wouldn't be able to give you the exact date but it
17 was in 1993.
18 Q. Okay. What happened -- do you know what happened to
Rashid
19 Mansaray?

15:06:31 20 A. Yes. Rashid Mansaray was killed.

21 Q. By who?

22 A. Well, well, it was Foday Sankoh that passed the order
that

23 he should be killed.

24 Q. Now, I want to take you --

15:07:11 25 PRESIDING JUDGE: Why did he pass the order that he
should

26 be killed?

27 THE WITNESS: Well, Rashid Mansaray, according to Pa
Foday

28 Sankoh, he said that he had planned to overthrow him.

29 MR JORDASH:

1 Q. You've told us before lunch that in May of 1993 you were
2 pushed back to the Liberian bush; do you remember that?

3 A. Yes.

4 Q. And who occupied Pendembu at that point, please?

15:08:04 5 A. It was the government troop that occupied there.

6 Q. And where was Issa Sesay at that point, please?

7 A. It was I and Issa that were in the same jungle.

8 Q. And the name of that jungle was?

9 A. Well, we were at Pumudu. The place was called Pumudu;
that
15:08:26 10 was the headquarters.

11 Q. And Mohamed Tarawallie occupied which position at that
12 point?

13 A. He was not with us because he was in the other village
that
14 was called Tedu. There he was based.

15:08:39 15 Q. And where was he in the command structure?

16 A. Well, at that time he was the second in command to Pa
17 Sankoh.

18 Q. And who was third in command?

19 A. You had Sam Bockarie.

15:09:02 20 Q. And what was Mr Sesay doing in Pumudu, please?

21 A. Well, Mr Sesay by then, he was the target commander. By
22 then, we had gone to that jungle because when we were on the
main

how 23 road everything was in confusion. So we did not have, like
-- 24 we were previously, that was not as the same position. So we
15:10:11 25 he was there to organise and settle our own area.
26 Q. Who occupied Giema at this point, please?
Papa 27 A. Giema, you had Sam Bockarie and other commanders, like
28 and others.
29 Q. Was there a HQ?

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1 A. Well, at that initial stage, really, Giema was the
2 headquarters.

3 Q. Where was Foday Sankoh?

4 A. Well, when we entered the bush initially, Foday Sankoh
had
15:10:23 5 been going to us at Pumudu, but later he went and met Sam
6 Bockarie at Giema.

7 Q. Now, you told us you were doing a particular job in
1993.

8 Don't mention it, please. But could you explain whether there
9 was anything, and the details of it, going on at the border?

15:11:06 10 A. Well, something had been going on in the border between
--
11 especially when the other side. We used to have, as I have
12 been saying, we had already been cut off. We had not been
13 receiving -- get anything again from the outside world, so we
used
14 to get -- we had been trying to get food what to eat, salt,
and
15:11:53 15 even to try to get ammunition, so that we would be able to
upkeep
16 the jungles in which we lived.

17 Q. What were the civilians doing in the jungles which were
18 occupied by the RUF?

19 A. They were with us. At least they also had been going
out,
15:12:07 20 you know, to get their own food, their own daily living.

21 Q. And were they going to the border?

22 A. Yes, they used to go to the border.

23 Q. Was anything happening with palm oil?

24 A. Yes. In fact, palm oil was the item which was very
15:12:38 25 precious to us. That was what we had been trading on.

26 Q. And were the civilians trading on or was it the RUF
27 soldiers?

28 A. It was all of us, both.

29 Q. Was there a trading site?

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1 A. Yes, we opened a trading site. There they used to go.

2 Q. What was it called?

3 A. We called the place Kpamalu.

4 Q. Is that K-P-A-M-A-L-U?

15:13:16 5 A. Yes.

6 Q. And was it the case that any civilian could go there or
7 what was the situation?

8 A. Well, the situation, I was -- all of us had been living
in
9 the same jungle, so we would go there weekly. Whenever I
wanted

15:13:44 10 to go with the -- we all of us would assemble. Whosoever knew
11 that he had palm oil, see, all of us would assemble and we
would
12 make one convoy. Then, the commander would give us escort,
armed
13 escort, because we had to pass through very close to Liberia
14 border which -- where you had the ULIMO killed --

15:14:24 15 THE INTERPRETER: Your Honours, would the witness go a
16 little bit slow?

17 MR JORDASH:

18 Q. Sorry, take the last two sentences again.

19 A. Yes. Then when we had prepared to go, the commanders
would

15:14:38 20 give us an armed escort so as to go and escort us because the

to 21 ULIMO came where -- at the nearest town which was very close
22 us -- they called the town Mendekoma on the Liberian side and
23 there they were based.
24 Q. M-E-N-D-E-K-O-M-A.
15:15:09 25 A. So they were based there, so we had to pass through that
26 place. So when we were going to this trading site, at times,
the 27 government troop would come and set ambush and ambush before
us, 28 so that was why we had been going with armed men, when we were
29 going there. We would not chose anyone that would have to go
to

enable
would
at
we
15:16:25

1 waterside. As long as you had the palm oil, which would
2 you to get the necessary things that you wanted, then you
3 go; whether he was civilian or a soldier, all of us would go
4 that time, and we would go and do that business. That was how
5 had been operating.

6 Q. Did the G5s have anything to do with that, at that time?
7 A. Well, yes. Yes, because, as I had been saying, the G5s
8 were responsible for the civilians and most of the time, at
times
9 they would go with them, really.

15:16:26 10 Q. And the items that were obtained in exchange, what were
11 they?
12 A. Well, mostly, because during that time we had been doing
13 complete smuggling. We -- what was important during that time
14 was salt and Maggi because, if you had the salt and the Maggi,
15:16:55 15 you'd be able to find food, bush yams, banana and boil them;
16 you'd eat and survive. So most of the time we would go for
salt.

17 Q. And what would happen to these items, such as salt and
18 Maggi, how would they be distributed, if they were
distributed?

19 A. Well, at times when we got the salt, if we went -- I
mean,

15:17:31 20 the government quota, when we --

slow? 21 THE INTERPRETER: Your Honours, would the witness go

22 MR JORDASH:

23 Q. Repeat the last two sentences.

oil 24 A. Sometimes when we went, apart from the individual palm

15:17:49 25 that we had been taking along, the movement, at times we would

26 come together and collect palm oil for himself. So, for he

would 27 himself, and would take it along. And when they went they

28 give it to you directly. And when we went it was I that we

29 exchanged that for salt and Maggi. Then, at times, medicines.

1 So these supplies, when I got them, I would come and hand them
2 over directly to the commander from whom I got them. So the
3 commander, in turn, would call the various people who were
4 concerned. For instance, if I came with salt, they -- he
would
15:18:34 5 call the target commanders and he would give them their own
6 share. Then if, with regards to the civilians, he would call
the
7 G5 and would give them their own share, and they would go with
it
8 and he would go and distribute it. That was what we used to
do.
9 Q. Were there contributions from civilians?
15:19:49 10 A. At that stage, no. We did not have anything to do with
get
11 civilians, see. I would say the way we had been managing to
12 those goods, we had soldiers who were very good, see, to chop
13 palm fruits. At times we would distribute them using targets.
palm
14 We would say that target A, you come with two jerry cans of
15:19:49 15 oil. Target C, you come with two jerry cans of palm oil. It
was
16 these jerry cans that we put together and we would take them
and
17 sell them. At that time we did not have anything to do with
18 civilians.
19 Q. And this was which year? Remind us, please.

15:19:53 20 A. That was in 1993 when we were going to the bush, the
early

21 part.

22 Q. And did this situation change then from not having
anything

23 to do with civilians; if so, when?

24 A. Yes, the situation changed. That was in 1995 now. When
15:20:18 25 finally we came, when we reoccupied our towns and went to
Koidu,

26 Buedu, Dia and all the way to Kailahun, that was the time when
27 the enemies had retreated and they had gone as far as Pendembu
28 and based there. So the situation changed by then.

29 Q. In what way?

1 A. Well, during that time we were going to the waterside.
We
2 were crossing. We'd go to the opposite side, their own side,
and
3 we would find out that the goods, we would not see the goods.
4 They just talk what you want. They would go and bring it for
15:21:14 5 you. But in 1995, when we came, when we occupied those towns
--
6 Q. Let me just stop you for a moment.
7 A. All right.
8 Q. When you're talking, try to say who "we" is. When you
say,
9 "We did this," and "They did this," try to say who "we" and
15:21:37 10 "they" are, so we can follow exactly who's doing what. Go
ahead.
11 A. Okay. As I was saying, the RUF, by then, was already in
12 town. That was in 1995 when RUF had recaptured their towns.
So
13 the government troop, they had retreated and based at
Pendembu.
14 That was the time when the situation changed a little bit for
us
15 because, when we were in the bush, the counterparts with whom
we
16 were doing the trading with, they don't come to our side, to
the
17 RUF side, they will be on their own side, and we will cross
and
18 meet them in their own side. The RUF will cross and meet them

They

19 there in their own side. And again, the items we went for, we
20 will never see them. We would hand over our goods to them.

--

21 will sell it, sell them, before we buy our own items and bring

spread

22 and they come with them to us, the RUF. But in '95 things
23 changed. They were coming towards the RUF side, and when they
24 come, they will come with their market and then they will

25 it.

26 Q. Where would they come to?

27 A. When they cross towards the RUF side, our counterparts.

28 Q. Yes.

if

29 A. So they will spread their market, all their goods, and

1 somebody goes there now, and you can sell your goods and buy
the
2 things you want.
3 Q. And who went there to sell their goods?
4 A. Everybody was going there, especially women, they were
going
5 going there because the time when the jungle women were not
6 because of distance.
7 Q. So this trading site, which towns and villages did it
serve
8 in 1995?
9 A. Well, like my own side, on my own side, it was serving
the
10 Buedu axis, Buedu, Koindu, Dia, Gangama.
11 Q. Kangama, was that, or Gangama?
12 A. Kangama, Kangama, and the surrounding villages. They
were
13 serving us.
14 Q. You've described the Buedu axis. Was there any other
axis
15 that the RUF had at this time?
16 A. Yes. Although we are all in the same area, but we had
two
17 axis under that area. We had Giema axis; they also had a
18 crossing point.
19 Q. So you were, you personally, which axis were you in?
20 A. I was on the Buedu axis.

job

21 Q. And did you have a counterpart, someone doing the same
22 as you in the Giema axis?

23 A. Yes, he was there.

24 Q. Where was Mr Sesay?

25 A. Mr Sesay was in Giema. He was stationed there.

the

26 Q. Now, I'm just going to deal with a few other aspects of

invite

27 RUF in these years, and then I think I'm going to have to

28 Your Honours to go into a closed session. But did anything

29 happen in the RUF organisation in 1994, 1995?

much

We

the

we

what?

between

period.

would

that

1 PRESIDING JUDGE: Mr Jordash, are we not spending too
2 time in the pre-indictment period? Don't you think we are
3 spending a lot of time? We have followed you very patiently.
4 have not wanted to interrupt this, you know, notwithstanding
5 objections on the other side. But don't you think that we've
6 heard enough, you know, of this historical nexus between the
7 indictment period and the beginning of the war. I don't think
8 should be laboured with this for too long a time.

9 This said, you may proceed. If anything happened, so
10 What's the relevance, if I may ask, beyond what we really are
11 supposed to take in terms of making the link, you know,
12 the beginning of the -- between 1991 and the indictment
13 This is the dilemma of the court. We want to be very very
14 tolerant, we want to be very fair to the Defence, but there
15 be a limit to which we would be prepared to go along this way.
16 You may proceed.

17 MR JORDASH: May I indicate one thing: That I think
18 what we wanted to do was call a member of the RUF to deal with

early
after
19 what the civilians have been dealing with in terms of these
20 years and also to deal -- and this witness may be, I think,
21 this witness, we will be calling other insiders who will jump
22 more swiftly, if not straightaway, to -- and miss out these
23 issues of trading and farming.

side
after
which
24 But we felt it important that you heard from the other
25 in terms of, you've heard from civilians and now you can hear
26 from somebody who was dealing directly with them. And in
27 relation to the farming and trade and so on, we can move on
28 this witness although, having said that, in terms of 1994 and
29 1995, militarily, something happened with the RUF, we say,

1 had dramatic effects on this organisation and which played out
in 2 the junta period.

3 So yes, we are going to move on and we take Your
Honour's 4 point about the farming and the trading and so on. We feel as
5 though we have made our point. But, in terms of the military
6 organisation, 1994, 1995 is important for our case.

7 PRESIDING JUDGE: You may proceed. I just wanted to
make 8 this remark because it is good for us to put you on notice as
to 9 how we are following you from the Bench here, so you may ask
that 10 question.

11 MR JORDASH: I take your point and I think we can -- if
I 12 can move swiftly with this witness, within half an hour or so
we 13 can have moved past the trade and farming and be dealing with
14 some wholly new issues about --

15 PRESIDING JUDGE: Yes. He is an insider witness. In
fact, 16 this is a very important witness for you. It depends on where
17 you want to place him. Do you want him to be an insider
witness 18 for history or an insider witness on core issues which -- this
is

19 a very important witness.

20 MR JORDASH: Yes.

21 PRESIDING JUDGE: Very, very important.

22 MR JORDASH: And the farming is a core issue, we would
say.

23 PRESIDING JUDGE: Yes.

24 MR JORDASH: Because it defines this organisation, the
RUF.

25 PRESIDING JUDGE: It is a core issue, but at what point
in

26 time? This is it. Maybe we may proceed.

27 MR JORDASH: Yes. I will be as swift as I can. I take
28 your Honour's point and I am moving as swift as I can.

29 Q. Did anything happen in and around 1994 and 1995 to the
RUF,

1 as an organisation?

2 A. Yes. That was the time when we opened other jungles.

3 PRESIDING JUDGE: That's 1994, 1995?

4 MR JORDASH:

5 Q. When was that, Mr Witness, precisely? Do you know when
and
6 how the jungles were opened?

7 A. Well, I will start with Zogoda --

8 PRESIDING JUDGE: Is it that they opened more jungles or
9 that was when they started opening jungles?

10 MR JORDASH: Yes.

11 Q. When was this, first of all?

12 A. That was in 1994.

13 Q. And in 1994, before any other jungles were opened, the
RUF
14 occupied which area?

15 A. We occupied Giema and the bush where we were by Liberian
16 border.

17 Q. And who made the decision to open other jungles?

18 A. It was Brigadier Foday Sankoh. He made that decision
for
19 us to open -- for us to open jungles.

20 Q. And what happened? How did this decision work?

21 A. Well, like, he himself went, after he had left us, he
left

all
connect
wanted
other

22 us at Pumudu. He went to Giema. He met Sam Bockarie and he
23 collected Sam Bockarie and some other armed men. They went
24 the way to open their own jungle, and that jungle was to
25 the other brothers who were operating around the Pujehun area
26 who, by then, we did not have much link with them. So he
27 to connect us. So he and Sam Bockarie went and opened that
28 jungle. When he was going, he left instructions to Papa and
29 others and said they should cross the Moa. They themselves

they
us
jungles
these
which
Isaac
them
other
So,
the
the

1 should open a jungle at Tongo, the place called Peyema, and
2 told CO Mohamed to wait. When he reaches, then he would tell
3 where we should move. So that was how we started to open
4 in '94.
5 Q. And were there further or other jungles opened after
6 jungles you've told us about?
7 A. Yes. After those jungles, he instructed CO Mohamed, he
8 should collect Superman and others. By then, Superman was in
9 Peyema, so that they would go and open the Northern Jungles
10 was the Kangari Hills. So they went there together with CO
11 Mongor. They opened that jungle. From there, he instructed
12 to open, because during that time they had joined with the
13 brothers from Pujehun, so they have had more reinforcement.
14 from there, he told them they should open another jungle at
15 Western Area. They were based at Rotifunk area. Those were
16 other two jungles that were later opened.
17 Q. And during all of this time when the jungles were being
18 opened, where was Issa Sesay?

19 A. Issa Sesay was in Kailahun, in Giema.

10:36:46 20 Q. And what was the movement between the jungles, if any,
21 after they'd opened up until the junta period?

22 A. Yes. Like, the Western Area jungle was there. Even
23 Kangari Hills was there. It was only Peyema that had
dissolved

24 and also the base in which we were in Pujehun District, called
15:37:10 25 Libya, it also had dissolved, and Zogoda also had dissolved.

26 Q. And was there movement of men between the jungles or
not?

27 A. Well, at the early part men were moving between these
28 jungles, but you can only move when you have -- when you had
call

29 or you had an instruction from the leader.

1 Q. What about in 1996 and thereabouts; was there any
movement
2 between the jungles?
3 A. Yes, we were still moving, but it was very difficult for
4 someone to leave like Kailahun and go straightaway either
north
15:38:17 5 or you go to the Western Area, where the movement was more --
was
6 between the north and Western Area. There they had a lot of
7 movement and we also come to Peyema; we go over Zogoda.
8 Q. Okay. So let me take you, if I can, through what was
9 happening in Kailahun before we get to the junta. Have you
ever
15:38:47 10 heard of someone called Saleem?
11 A. Yes. Saleem was a contractor at the Giema axis.
12 Q. Which is?
13 A. Well, I think it -- that was the time we were pushed.
That
14 was around 1993, yes.
15:39:48 15 Q. Until when? When was he -- when did he continue until?
16 A. Well, Saleem was there right through because he was
there,
17 he was the contractor there, and until 1998 Sam Bockarie made
him
18 the overall contractor who was in charge of all the trading
sites
19 within the RUF zone.

15:39:48 20 Q. Did you meet him around 1996 at all?

21 A. Yes, I met him in 1996.

22 Q. And what was he -- just describe briefly but in detail
what
23 he was doing in 1996 and where?

24 A. In 1996 he was still a contractor, but I had cause to
meet
15:40:18 25 him at the crossing point. That -- it was for two reasons:
We
26 had one man who was across there, who wanted to be buying our
27 goods, so we went, we went there to negotiate the prices with
28 him.

29 Q. The prices with somebody -- with who?

1 A. With the counterpart we had in Guinea who said he had
come
2 so that he would buy our goods. It was on those occasions we
met
3 with Saleem and we went to the waterside there, in the
presence
4 of the deputy area commander, who was Mr Peter Vandí.
15:41:13 5 Q. And at this time when Peter Vandí was the deputy, the
area
6 commander was who?
7 A. Peter Vandí was the deputy area commander.
8 Q. And the area commander was?
9 A. And the area commander was Mr Issa Sesay.
15:41:38 10 Q. So Saleem's job as a contractor --
11 A. Yes.
12 Q. -- where did he get the goods from to contract?
13 A. Well, he was getting his goods from the RUF members;
both
14 civilians and the soldiers.
15:42:04 15 Q. And this was -- I want to deal with 1996 because it's
16 relevant to this trial, and how did it work? Explain to us
how
17 Saleem's operation worked. Start us from the people giving
him
18 goods and the reason why.
19 A. Well, he was in charge of the trading site. So when
they

15:42:41 20 came --

21 Q. When who came?

22 A. The civilians, the soldiers, anybody who was going to

the

23 trading site, when you take your goods there, you would have

to

24 hand them over to him. He would do the necessary negotiations

15:43:28 25 for you and -- because by that time we had introduced the

26 commission business. Then you give a small commission which

you

27 should give to the movement. That was how it was operating.

28 Q. And this commission; what is this? Explain this for us,

29 please.

1 A. Well, this commission, it's like -- because during that
2 time we were getting -- we started doing trading on our
produce,
3 and the produce, we usually weigh them, and so any produce
that
4 you weigh you will have to pay a certain percentage for that;
15:44:00 5 percentage in the sense that it was a commission. Like, for
6 example, if you had 1,000 KG or let's say 100 kilogram of
coffee,
7 you would pay, you will pay 15 per cent of that 100. So that
15
8 per cent is what they take. They gather it together. We buy
9 salt, Maggi and even buy medicines for the area. That was how
10 this commission came in. If it is palm oil, you will go with
15:45:06 one
11 jerry can because by then we negotiate one jerry can was
5,000.
12 After the 5,000 francs you would pay 500 Guinean franc. Then
it
13 was that same, when you put together and we would buy some of
14 these things they might need. That was how we were doing it.
15:45:11 15 Q. Who might need?
16 A. Well, like the medicines, we had some wounded soldiers
and
17 we even have our civilians, and even we have people who were
18 pregnant who needed treatment, so it was those medicines they
19 were using on those people. It was for everybody.

15:45:45 20 Q. How did the items get to the trading site from the towns
21 and villages in Saleem's axis and in your axis?
22 A. Well, because most of the time where we do this trading,
it
23 was not motorable. And even if it was motorable we had no
24 vehicles. We all carried it on our head. Each and every one
was
15:46:19 25 responsible for our own load, to take it down the waterside.
26 Q. Thank you. 1996 and early 1997, before the junta, was
27 there such a thing as an agricultural unit in these times?
28 A. Yes, we had agricultural unit which was responsible for
29 farming. This was wholly and solely owned by civilians and it

1 was headed by Mr EA Vandy, and Paul Binda. They were heading
2 that department, and even Saleem, he was a member. In fact,
3 before Saleem became a contractor, he was a full-fledged
member
4 of that agricultural, so it was based on when they had that
15:47:44 5 agricultural organisation they were able to convince the
6 commanders for them to open that crossing point at Giema, so
that
7 they would also begin to do trading and get people to be
lively
8 within -- how come Saleem was appointed as a contractor to be
9 managing that trading site.

15:48:31 10 Q. Just briefly, do you know anything about Issa Sesay
having
11 a farm in Giema?

12 A. Yes.

13 Q. When did he have a farm?

14 A. Issa had a farm. That was before he went to Ivory
Coast.

15:49:43 15 That was in '96. He had a farm at Giema around his house.
There
16 the farm was.

17 Q. Now, you've mentioned Mr Sesay going to Ivory Coast.
But,
18 without giving any personal details of Mr Sesay away into the
19 public, why did he go to the Ivory Coast?

15:49:43 20 A. He was not well. He was ill. He had a hernia and I
think

21 they went and operated him.

22 Q. And how long was he in the Ivory Coast being treated?

23 A. I cannot tell how long it was. It was -- he was there

24 until he was well, before he came.

15:50:04 25 Q. Are we talking weeks or months?

26 A. Months.

27 Q. And are we in 1995 or 1996?

28 A. It was from 1995 to '96. I cannot tell the exact time

29 because I did not keep any records about that.

Did 1 Q. Okay. Let me take you then back to Issa Sesay's farm.
2 you ever visit Sesay in Giema?

so 3 A. Yes. During the time when he was ill, so he sent to me
4 as to buy medicines for him. So when I bought the medicines
it 5 was I myself that took them to Giema. I went and met him in
15:51:05 6 zoo bush which they had made just at the edge of the farm.

7 Q. And sorry if I've asked this question, when was this?

8 A. It was in 1995, yes.

9 Q. Did he have any security in 1995?

15:52:07 10 A. Yes, he had security.

11 Q. Who were they?

12 A. He had Boy George.

13 Q. Right. In 1995 how old was Boy George?

14 A. Boy George was around 23 to 24.

15:52:07 15 Q. Actually, I should ask you this so that there's no doubt
16 what we're talking about.

17 A. Yes.

18 Q. How long had Boy George been security to Issa Sesay in
19 1995?

15:52:13 20 A. From the time that we went to Kono, that was in 1990,
early 21 part of 1993, yes, when we were retreating to come.

22 Q. Early part of 1993.

23 A. Yes.

24 Q. And in 1995 --

15:52:29 25 A. Yes.

26 Q. -- he was 23 or 24, and when you saw --

27 PRESIDING JUDGE: Where is Boy George now? Do you know

28 where he is?

29 THE WITNESS: No, I don't know his whereabouts now.

SCSL - TRIAL CHAMBER I

1 MR JORDASH:

2 Q. Actually, perhaps I can ask you this question: When was
3 the last time you saw Mr Sesay?

4 A. I? It was in 19 -- during the time before he went for
the
15:53:13 5 operation?

6 Q. No. Obviously you have seen him today. When was the
last
7 time you saw him before today?

8 A. From -- before disarmament; the year 2001.

9 Q. Before disarmament?

15:53:29 10 A. Yes.

11 Q. And then today's the first time since then?

12 A. Yes, yes.

13 Q. Now, Boy George, 1995, 23, 24. What other security did
he
14 have in 1995?

15:53:46 15 PRESIDING JUDGE: He said he was 23, 24 years of age?

16 MR JORDASH: Your Honour, yes.

17 PRESIDING JUDGE: In 19 --

18 MR JORDASH: In 1995, and he had been as a security
since
19 1993.

15:54:00 20 Q. What other security did you observe in Giema in 1995,

21 Mr Witness?

22 A. He had Mohamed James.

23 Q. And in 1995 how old was Mohamed James?

24 PRESIDING JUDGE: And Boy George was security since what

15:55:11 25 date?

26 MR JORDASH: 1993, Your Honour.

27 Q. Mohamed James, in 1995, approximately?

28 A. Approximately, he was around 23 years of age.

29 Q. And do you know how long he'd been a security to Mr

Sesay,

1 in 1995?

2 A. No.

3 Q. Did Sesay have security in 1991, 1992, from what you
4 observed?

15:55:12 5 A. No. At that time he did not have any security; '91,
'92.

6 Q. When did he get security?

7 A. Well, he had security, he started having security when
we
8 had already entered Kono, and when we retreated and when we
had
9 been retreating from Kono, in 1993.

15:55:35 10 Q. In 1993?

11 A. Yes.

12 Q. So there's Boy George, Mohamed James; who else, in 1995?

13 A. You had Musa.

14 Q. Musa who?

15:55:51 15 A. Musa Vandí.

16 Q. In 1995 how old was Musa Vandí, just approximately,
please?

17 A. Musa Vandí, if I'm not mistaken, all of them, he was one
of
18 the youngest. He was around 19, 19 to 20 years old.

19 Q. How long had he been a bodyguard to Sesay, please?

15:56:22 20 A. This was the time that I had been talking about, when we
21 had been retreating from Kono.

22 Q. 1993 then. Who else; anyone else?

23 A. You had Bolopio. Ishiaka.

24 Q. How old was Bolopio in 1995?

15:56:43 25 A. Bolopio was an old man. He was old -- he was a fairly
old

26 man. He was around 30 years, Bolopio. Around 30 years.

27 Q. Anybody else, was there security to Mr Sesay in 1995?

28 PRESIDING JUDGE: Ishiaka.

29 MR JORDASH:

SCSL - TRIAL CHAMBER I

1 Q. How old was he?
2 A. Ishiaka and Musa were the youngest. They were around
19, 3 20.
4 Q. Thank you. Anyone else you can remember as security to
15:57:38 5 Sesay, in 1995?
6 A. No, I cannot recall now.
7 Q. Thank you. Anyone else? Did you observe anyone living
at 8 Mr Sesay's house or in the bush where you saw him?
9 A. Yes. Most of those boys who were with him, for example,
15:57:48 10 Mr Vandu, his mother's younger brother were all with Issa.
11 Q. Thank you. Did you observe anything on Mr Sesay's farm?
12 Did you go there?
13 A. Yes, I met his young boys scaring the birds, during the
14 time the rice had just started sprouting, when I visited them.
I 15:58:17 15 even passed by the farmhouse. I met Musa's mother. In fact,
it 16 was to her that I get some water.
17 THE INTERPRETER: Your Honours, would the witness go
over 18 the last bit of his testimony?
19 MR JORDASH:
15:58:30 20 Q. The last sentence, can you repeat, please, Mr Witness?

before 21 A. When I was coming, it was through them that you pass
but 22 going to where Issa was. In fact, I did not go to the house,
23 I passed through the farmhouse. I met the old woman in the
24 farmhouse, Musa's mother. So she -- I went and asked her for
15:59:04 25 water and she gave me some water and I drank and I asked her -
-

26 PRESIDING JUDGE: Musa the bodyguard?

27 THE WITNESS: Yes, his mother.

28 MR JORDASH:

29 Q. Did you observe any other civilians on the farm?

scaring
his

1 A. Yes, Musa's younger brother, all of them were there
2 birds, and his younger brother was a civilian and he was with
3 mother in the house.

4 Q. Do you know how long this farm existed, Mr Witness?

15:59:32 5 A. That farm was for one year; one season. After that, you
6 close that chapter.

7 Q. Why did the chapter close, do you know?

8 A. Well, because when you Have harvested, you have nothing
to
9 do there again.

15:59:54 10 Q. And just jumping a bit in time to 1997 and 1998. Are
you
11 okay, Mr Witness?

12 A. Yes.

13 Q. Are you sure?

14 A. Yes. Let's just carry on.

16:00:16 15 Q. In 1997 and 1998, did Sesay have a farm anywhere; do you
16 know?

17 A. 1997, 1998. '98 he had a swamp farm that I knew about.

18 Q. Where was that, in 1998?

19 A. It was one village very, close to Pendembu. The place
was
16:00:43 20 called Jiama.

ever

21 Q. Okay. I will come to that later, in Jiama. Did you

22 come across a man called George Mansaray?

23 A. Yes, I knew him.

24 Q. Did you ever see the ICRC in Kailahun?

16:01:25 25 A. Yes. They used to enter there with supplies.

26 Q. Did you see that happen?

27 A. Yes, it happened before me.

28 Q. Who did the supplies go to?

29 A. They went to the civilians.

SCSL - TRIAL CHAMBER I

1 Q. Who administered the supplies?

2 A. Well, before ICRC, when they had negotiated to come with
3 those supplies, this agric committee, which was there, they
4 formed another group, which the group was called OSM,

16:02:11
so

5 Organisation to Save Mankind. They formed that group as CDO

the

6 as to work together with the ICRC so as to help the ICRC with
7 supplies, so that it would reach the beneficiary.

axis,

8 Q. Okay. Let me ask you this: In your axis, the Buedu
9 were there any personal farms in 1995?

16:02:47

10 A. Yes, we had personal farms. I also had my own personal
11 farm.

12 Q. Civilians, were there any civilian personal farms?

13 A. Yes, they had a lot. They had a lot of personal farms.

14 Q. What happened to the products?

16:03:09

15 A. They were the owners. They are the ones that would eat
16 them. They had the last command for them.

at

17 Q. Do you know what a community farm is? And I'm looking
18 1996.

within

19 A. Yes, there were community farms in almost every town

16:04:01
community

20 that liberated zone, the RUF liberated zone. There are

21 farms.

22 Q. And were there community farms in 1996? Was there any -

23 let me rephrase that. Was there any time between 1996 and the

24 end of the war when they did not exist in Kailahun?

16:04:01 25 A. Yes. At the early stage of the -- well, 1993 to '94,
when

26 things were so bad off, for us, there were no community farms

27 during those times.

28 Q. In 1996 to the end of the --

29 JUDGE BOUTET: The question was '96 to the end of the
war,

1 not '93.

2 MR JORDASH:

3 Q. Was there any time between 1996 and the end of the war
when
4 community farms did not exist in Kailahun?

16:04:29 5 A. There were community farms up to the time of the end of
the
6 war; there were community farms.

7 Q. And who cultivated the community farms?

8 A. The community. It was they, themselves, that made the
9 farms, and they were the ones that harvested them and they
would

16:04:50 10 harvest them and would keep the rice, and they are the ones
that
11 had the sole right to do anything that they wanted to with
them.

12 Q. Did the G5s have, and the town commanders, have anything
to
13 do with the community farms?

14 A. Yes, they were members of the community, so they were
the
16:05:17 15 ones that were working that out.

16 Q. And I'm focusing on '96 to the end of the war; is that
what
17 your answer related to?

18 A. That is what my answer is telling you.

19 Q. And where did these community farms, between 1996 and
the

16:05:36 20 end of the war, get their husk rice from, please?

two 21 A. Well, we started that -- in fact, it was divided into

22 prongs. The first one, we would gather -- we would subscribe
23 money and we got commissions when we --

24 THE INTERPRETER: Your Honours, would the witness go a
16:06:06 25 little bit slow?

26 MR JORDASH:

27 Q. Okay, stop there, and repeat your answer please,

28 Mr Witness.

29 A. I said that at the time that we had been collecting the

1 commissions from the goods, the agricultural unit appealed to
the
2 commanders, the area commanders, and the other senior
officials
3 that they were to assist them with seed rice. So they had to
4 write to the nearest crossing point and they asked us to buy
husk
16:06:47 5 rice out of the commissions that we collected. I bought about
6 ten bushels of seed rice.
7 Q. You personally?
8 A. I, the crossing point in which I was, yes.
9 Q. Thank you.
16:07:06 10 A. Yes. So it was out of that that we were able to get
that
11 seed rice. Then the other area again, OSM asked ICRC that we
12 would like to do some planting, that we wanted to lay farms.
So
13 they themselves also helped us to get seed rice and tools, so
14 those are the two areas from which we were able to get husk
rice
16:07:38 15 that served us.
16 Q. Thank you. Now, I want to move from farming and trade
and
17 travel to Issa Sesay and the court-martial. Now, I know
you've
18 said something about it in closed session, but I want you to
19 explain to the Court what you know about what it was that

16:08:37 20 Issa Sesay was alleged to have done specifically, and if you
know
21 what it was that was found as a result of the court-martial?
22 A. Yes. As a matter of fact, one, he was court-martialed
23 because he failed to monitor the activities of we, the
24 subordinates, who were found guilty because we were found
guilty
16:09:14 25 of embezzlement. So he, as the overall commander by then,
they
26 said he was supposed to have picked it up and to have done the
27 necessary punishment or other things to us before allowing
28 defence security to sit down and investigate. It was because
of
29 that point that he was demoted and he was court-martialed.

1 Q. What was the --

subordinate,

2 PRESIDING JUDGE: Are you saying that you, the

3 embezzled and because he didn't control you, that's why he was

4 gaoled because you were one of the subordinates who was

16:09:52 5 court-martialed with him.

6 THE WITNESS: Well, according to what the Court came up

7 with, they said yes, we embezzled, and because he failed to

8 report that, that was why he was punished.

9 MR JORDASH:

16:10:09 10 Q. What was the money -- where did the money come from in
the

11 first place?

12 A. The money, the money came from Foday Sankoh.

13 Q. What was the money supposed to be for?

14 A. Well, the money was for both the soldiers and the

16:10:32 15 civilians, for the welfare of the civilians and the soldiers.

So

16 when the money was brought, we divided it into two parts and

we

17 distributed the money to soldiers, had their own money and

they

18 appealed that we are to buy ammunition. Because the money was

so

19 small, and if it were said that we are to buy food, it would

not

16:10:49 20 be enough for everybody. Then the civilians, the quota for
the
21 civilians, they said we were to buy food. So it was out of
the
22 civilians' quota that we bought the food and the food was not
23 enough, and when we were distributing the food, they said that
we
24 had embezzled the money. They said that in fact the money was
16:11:12 25 not --

26 THE INTERPRETER: Your Honours, would the witness go
over
27 the last segment of his testimony?

28 MR JORDASH:

29 Q. The last sentence, please, Mr Witness, say it again.

used

see,

we

16:11:47
things

was

the

16:12:06
was

16:13:19

defend

1 A. Well, as I was saying, the quota of the civilians, we
2 it to buy rice, salt and Maggi. But the money was so small,
3 because at that time we would buy one bag of rice for 25,000
4 Guinean francs and the money was so small, so the things that
5 bought, we handed them over to the G5. The way that these
6 were distributed to the people, they were too small. So it
7 not everybody that had a share. Because of that they reported
8 against us to the leaders and they said that we had embezzled
9 money.

10 Q. Just so that it is clear, did you embezzle the money or
11 it that it was too -- well, did you embezzle the money?

12 PRESIDING JUDGE: Well, the Court so found, that he
13 embezzled.

14 THE WITNESS: Well, we did not embezzle the money.

15 PRESIDING JUDGE: Does he need to tell us whether he did
16 not embezzle the money?

17 MR JORDASH: Well, I -- he might want to defend himself
18 from --

19 PRESIDING JUDGE: Well, this is not where he should

16:13:19 20 himself. He should have defended himself then. If they knew
I 21 that he was not guilty they would not have found him guilty.
22 don't think we want to get into that.
23 MR JORDASH:
24 Q. Well, did you embezzle the money?
16:13:19 25 A. No, I did not embezzle the money. We bought the
materials.
26 PRESIDING JUDGE: You are not standing trial here for
your
27 embezzlement. You are not standing trial here for
embezzlement.
28 You said you embezzled and because you embezzled, the first
29 accused was also found guilty for not controlling you and your

1 embezzlement. Those are the facts, isn't it?

2 THE WITNESS: Yes, that's what I said.

3 PRESIDING JUDGE: Okay, all right. That's all right.

4 THE WITNESS: Okay.

16:13:25
have

5 PRESIDING JUDGE: He didn't embezzle. Look here, we
6 it on record.

7 MR JORDASH:

8 Q. Okay. So having not embezzled --

9 A. Yes.

16:13:39
out

10 Q. -- and Mr Sesay getting blamed for it --
11 PRESIDING JUDGE: We will make whatever sense we make
12 of that anyway.

13 MR JORDASH:

demoted

14 Q. Okay. So anyway, Mr Sesay, as you've told us, was

16:14:11
Abidjan

15 after a visit to Zogoda. When Sankoh returned from the

to

16 peace talks and the agreement, did anything happen in relation

17 ranks of any RUF members?

18 A. Yes. When Sankoh had returned, he came --

16:15:11
Abidjan?

19 PRESIDING JUDGE: Mr Jordash, is that the return from
20 Abidjan?

21 MR JORDASH: Abidjan.

22 PRESIDING JUDGE: Thank you.

23 MR JORDASH:

24 Q. What happened?

16:15:17 25 A. Then they reinstated all of us that are demoted. They
was 26 make Issa to get his rank and I also had my own rank and it
27 not only I, we were many.

28 PRESIDING JUDGE: The rank of second lieutenant?

29 THE WITNESS: Yes, sir. All those that were demoted.
Yes,

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1 sir.

2 MR JORDASH:

3 Q. Did anything happen to Superman?

4 PRESIDING JUDGE: You were happy, were you?

16:15:41 I 5 THE WITNESS: Yes, I was happy. Yes, I should be glad.

6 should be glad.

7 MR JORDASH:

8 Q. You should be glad after being so wrongly accused?

9 A. Exactly.

16:15:57 convicted. 10 PRESIDING JUDGE: After having been so wrongly

11 THE WITNESS: Yes.

12 MR JORDASH:

13 Q. So what happened to Superman?

14 A. Well, Superman was still at the Western Area jungle.

16:16:15 rank 15 Later, he himself was also promoted. He was promoted to the

16 of colonel.

17 Q. Did anything happen to Sesay?

18 A. Yes. Sesay also had his own rank later on. He had the

Mosquito 19 rank of lieutenant-colonel, he and Peter Vandl. General

16:16:37 20 and Superman had the rank of colonel.

being 21 Q. You've mentioned something about bases, the jungles

22 dissolved. At what time were some of the jungles dissolved?

23 A. Well, that was the time when -- before the AFRC coup in

24 '96. That was the time that they dissolved these jungles.

16:17:21 25 Q. And did anything happen at Zogoda at that time?

26 PRESIDING JUDGE: Sorry, the jungles were dissolved
when?

27 MR JORDASH:

28 Q. Mr Witness, did you hear the question from His Honour,
the

29 Judge? When were the jungles dissolved?

1 A. Zogoda and others, in 1996.

2 Q. Is this the beginning, middle or the end of 1996?

3 A. From the end of 1996. From the middle to the end of
1996.

4 Q. And how was it that Zogoda became dissolved?

16:18:07 5 A. Well, Zogoda, during the time when the leader had
returned,

6 when Foday Sankoh was in Ivory Coast, it was --

7 THE INTERPRETER: Your Honours, would the witness go a
8 little bit slow?

9 MR JORDASH:

16:18:22 10 Q. Repeat your answer, please, Mr Witness.

11 A. Zogoda was dissolved because there was a lack of
12 ammunition. We did not have any ammunition by then.

13 Q. And who attacked Zogoda?

14 A. It was the CDF and the government forces, the government
16:18:47 15 troops, combined.

16 Q. Did anything happen to civilians?

17 A. Yes. There were a lot of people, there were a lot of
18 civilians who died. Those who were strong enough were able to
19 manage to go towards Pujehun. Some crossed to Liberia. Some
16:19:05 20 forced their way. They dispersed them very badly. A lot of
them

21 died. A lot of people died during that year.

22 JUDGE BOUTET: Why did they die?

23 THE WITNESS: Well, it was the attack. It was when they
24 were attacked by the enemy because by then we were all
together
16:19:27 25 with the RUF, with the RUF soldiers. They were trying to find
26 their ways to go to their brothers, where the RUF brothers
were.
27 So, in the interim, when they met with the enemies, they would
28 open fire on them. Some were captured, some were killed.
29 MR JORDASH:

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1 Q. Who was all together? Let's be clear about this.

2 A. I mean, the civilians, who were with them at the jungle
and
3 the RUF fighters.

4 Q. So they were all attacked; that's what you're saying,
16:20:15 5 together?

6 A. Yes.

7 Q. Were the civilians, the ones who weren't killed, what
8 happened to them?

9 A. Some went, they crossed over to Liberia and they
16:20:31 10 surrendered to ULIMO-K, and some -- even some RUF fighters.

11 Q. And where were the RUF then based after Zogoda fell
12 besides -- put aside the Northern and Western Jungle for a
13 moment, where were the RUF based in Kailahun District after
14 Zogoda fell?

16:20:58 15 PRESIDING JUDGE: Sorry, ULIMO-K; what does that "K"
stand
16 for again?

17 THE WITNESS: Koroma.

18 PRESIDING JUDGE: Why was it called ULIMO Koroma?

19 THE WITNESS: Because they also had the split. They had
16:21:19 20 ULIMO-K, ULIMO Georgia and ULIMO Koroma. When they crossed it
21 was one ULIMO.

22 MR JORDASH:

District 23 Q. So where did -- did any RUF remain in the Kailahun
24 after the Zogoda fell?
16:21:44 25 A. Yes. Kailahun District was the only area for that
matter
26 where a lot of people were trying to find their way, because
by
27 then the Peyema had already dissolved. They all had gone to
28 Kailahun.
29 Q. Okay. Just so that we're clear, which jungles then

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1 dissolved around this time?

2 A. Baima had dissolved, Zogoda dissolved, Libya base, which
3 was in Pujehun District, it also had dissolved.

4 Q. Okay.

16:22:37
there

5 PRESIDING JUDGE: Is there any -- you should know, is

6 any reason why you called the Pujehun Joe Bush or why did you
7 call it the Libyan -- the Libya base?

8 THE WITNESS: Well, it is a code name. That was to
9 camouflage the enemies.

16:23:40

10 PRESIDING JUDGE: I see. Okay, thank you.

11 THE WITNESS: Yes.

12 MR JORDASH:

13 Q. Now, let me take you forward, Mr Witness, to the junta
14 period. Where were you when you heard the news that there had

16:23:40

15 been a coup in Freetown?

16 A. I was in Buedu.

17 Q. And how did you hear the news?

18 A. Well, during that time we heard the radio, SS base was
19 functioning. It was through there I got the news.

16:24:13

20 Q. Where was Sam Bockarie at that time, do you know?

21 A. Yes, Sam Bockarie was in Giema.

22 Q. And Issa Sesay was where?

23 A. The two of them were together at that time.

24 Q. And what happened when the news came?

16:24:19 25 A. Well, when the news came, we never believed, because
that

26 particular day, in fact, we were under attack by both -- both
by

27 the CDF and the government troops. They were trying to force

28 their way to capture Kailahun via Giema also. So when we
heard

29 this, we never believed, not 'til when CO Sam Bockarie
verified

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here

1 it with the army defence headquarters, which was Cockerill
2 in Freetown, and then he had to tell them that we were under
3 attack. How would we believe? That was the time they ordered
4 their men to stop the fighting and that they should retreat

back

16:25:24 5 to Pendembu where they were based.

6 Q. Did you go anywhere?

still

7 A. That particular time I didn't move out early. I was
8 at Buedu.

9 Q. Did Sam Bockarie go to anywhere?

16:26:35 10 A. Well, he went, but he didn't go immediately. They
didn't

11 go immediately.

12 Q. Did he and Sesay at some point go to Freetown?

13 A. Yes, so I heard.

14 Q. And you went at some point to Freetown; is that right?

16:26:35 15 A. Yes, later I went to Freetown.

16 Q. How long after the coup in May of 1997 was it before you
17 went to Freetown?

18 A. It took about a month.

19 Q. And you went on official duties; is that right?

16:26:51 20 A. Yes.

do

21 Q. Now, when you got to Freetown, where was Sesay living;

22 you know?

23 A. Yes. Sesay, I met Issa, he had been given quarters. He
24 was at Hill Station.

16:27:17 25 Q. And who was he living there with?

26 A. Sam Bockarie himself was there and even --

I'm 27 Q. Sorry. When I ask the question who was he living with,
28 talking about in his house?

29 A. Oh.

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1 Q. Who was he living with in his house?

2 A. He was there together with his wife and his bodyguards.

3 Q. The bodyguards you've mentioned as being in Giema or
4 different ones?

16:27:54 5 A. The same bodyguards were there with him.

6 Q. Could I ask you whether Musa Vandj has another name, a
7 nickname?

8 A. Yes, he was called Boys.

9 Q. Thank you. Now, without giving away your job, if you
can

16:28:31 10 explain in public what it was you did when you went to
Freetown?

11 A. Well, my job was to come and collect the food and the
12 condiments which were there for Kailahun District and I should
13 take them there.

14 PRESIDING JUDGE: In the capacity to which you had been
16:29:05 15 appointed. I don't want to mention the name. You had been
given

16 a --

17 THE WITNESS: Yes, that was my job.

18 PRESIDING JUDGE: It was in that capacity that you came
to
19 collect these provisions?

16:29:18 20 THE WITNESS: Yes.

21 MR JORDASH:

22 Q. Who did you report to, Mr Witness?

23 A. Well, I report directly to Issa Sesay.

24 Q. Where was Issa Sesay when you reported to him that first
16:29:37 25 time?

26 A. Well, the first time, when I came, I met him at his
house.

27 Then he said we should meet at the office the next morning,
which

28 was army defence office at Cockerill. So I had to meet him in

29 the office the next morning and that was the place where
business

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1 was being transact.

2 Q. So this office, whose office was it?

3 A. That was the office the AFRC gave the RUF.

4 Q. And who was in the office besides Sesay?

16:30:32 5 A. We heard Issa Sesay was there. There was one G1 Kosia
and

6 even Francis Musa and others. We had -- like Zina, one other
7 clerk that was called Zina, they were all there, they were
8 working there.

9 Q. What were they doing there?

16:31:10 10 A. Well, they were doing some clerical jobs.

11 Q. Do you know what Sesay was doing there?

12 A. Well, besides when I usually come work -- what I know,
when

13 I report to him, I would meet -- because he was Chief of
Defence,

14 the Chief of Defence Staff, we will give the RUF quota to him

16:31:24 15 because we were not paid.

16 Q. Pause there a minute. I think with your Honour's leave
I

17 would be more comfortable doing this in a closed session
because

18 I think it is quite specific to what this witness was doing?

19 PRESIDING JUDGE: So you are making an application to go

16:31:46 20 back --

21 MR JORDASH: Your Honour, yes please.

22 PRESIDING JUDGE: -- to closed session.

23 MR JORDASH: Yes, please, Your Honour, yes.

24 PRESIDING JUDGE: I'm sure Mr Hardaway is not, in his
usual
16:32:07 25 generosity, objecting?

26 MR HARDAWAY: I don't want to be preemptory, Your
Honour,

27 so if this is the appropriate time then there is no objection.

28 PRESIDING JUDGE: Right. The application is granted.
You

29 may move back.

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1 MR JORDASH: Thank you.

2 PRESIDING JUDGE: Of course, we shall take a break and
by

3 the time we are coming back we hope that the technology will
have

4 taken us back to closed session. So the Chamber will rise for
a

16:33:13 5 few minutes.

6 [Break taken at 4.30 p.m.]

7 [RUF08OCT07A - MD]

8 [Upon resuming at 5.10 p.m.]

9 MR GEORGE: The Court is in closed session, Your Honour.

17:27:29 10 PRESIDING JUDGE: Yes, Mr Jordash.

11 MR JORDASH: Thank you.

12 Q. Now, we are in closed session, so as much detail as you
can

13 about what job you were doing and how it related to Mr Sesay.
Am

14 I correct you were logistics officer?

17:27:29 15 A. Yes.

16 Q. And where was your actual base?

17 A. I was based at Daru Barracks.

18 JUDGE BOUTET: Mr Jordash, we have been through that in
a

19 closed session this morning.

17:27:29 20 MR JORDASH: Yes, and I was simply situating the
witness.

21 PRESIDING JUDGE: Just building the bridge. Making the
22 connection.

23 JUDGE BOUTET: Make it a short bridge, please.

24 MR JORDASH: Only if you promise to walk across it.

17:27:30 25 PRESIDING JUDGE: Yes.

26 MR JORDASH:

27 Q. Okay. So, who were you reporting to at the Daru
Barracks?

28 A. I was reporting to Captain Denis Lansana.

29 Q. Denis Lansana was RUF or SLA?

1 A. He was an RUF fighter. He was the senior man in the
2 barracks. He was the commander there.

3 Q. Were there SLAs in the barracks?

4 A. Yes, there were SLAs. You had the battalion commander
and

17:27:30 5 the deputy battalion commander and also the adjutant and his
men;

6 all were there.

7 Q. And did any of the RUF report to the SLAs or vice versa?

8 A. No. Well, we were not reporting to one another. The
only

9 thing was that we had been sharing information. The RUF would

17:27:31 10 report to RUF commander and the SLA would report to SLA
was

11 commanders but if we had any information which we felt that

12 necessary to share, we share it together.

13 Q. Do you know who Denis Lansana reported to?

14 A. Well, at that time, Denis Lansana reported to Mosquito,
Sam

17:27:31 15 Bockarie.

16 Q. Now, your job in the Daru Barracks involved what?

17 A. Well, most of the time --

18 THE INTERPRETER: Your Honours, I did not get the
beginning

19 of the witness's testimony.

17:27:31 20 MR JORDASH:

21 Q. Repeat your answer, please, Mr Witness.

22 A. My job at the barracks, most of the time when I had come

23 with the supplies, I would give the supplies to the commander
and

24 I will see to it that I would assist in the delivery.

17:27:31 25 THE INTERPRETER: Your Honours, the witness is still too

26 fast.

27 MR JORDASH:

28 Q. I think it's fairly late on a Friday, so everyone's a
bit

29 tired, so take your time. Repeat your last answer.

1 A. I said when I had come, I had come from Freetown, with
the
2 supplies, I would give them to the commander, who was Denis.
3 Then, from there, we would sit together and make sure that we
4 distributed them equally among the -- the various areas that
we
17:27:32 5 had. Because at that time we had Kuiva, Pendembu, Baima, all
the
6 way to Koindu, so we made sure that they had their own quota.
7 And when I came we would ask them to come, so as to come and
8 collect them in Pendembu. From there again, when I came, I
would
9 be involved in general duties. That is, I -- I would act as
the
17:27:34 10 clerk or adjutant for us, the RUF. I would make sure that
11 whosoever had a problem, within the township, and even the
12 surroundings, would take care of that. I and Denis Lansana.
13 Q. Now, the supplies that you were responsible for getting
14 from Freetown, what did they include?
17:27:34 15 A. At times we would have rice, salt, agro oil, Maggi,
16 cigarettes and the like. Those are the things we used to have
17 most of the times. At times we would have fish.
18 Q. And you told us you went to Freetown about once a month?
19 A. Yes.
17:27:34 20 Q. And you told us you reported to Issa Sesay?
21 A. Yes.

Sesay 22 Q. And what, when you reported to Issa Sesay, did Issa
23 do? What was his job, as you saw it, in Freetown?
24 A. Okay. At the time that I saw him in Freetown, he was a
17:27:34 25 sort of liaison officer, between the RUF and the AFRC, or the
26 military, the SLAs, because when I came, he was the one that I
27 would see. The CDF Chief of Defence Staff, he would go and
28 collect the RUF quota for the condiment. Then, from there, he
29 would distribute them to the various areas. So, we would come

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1 and collect them and go. That was what I saw him do.

2 Q. Right. Pause there. The CODS, the Chief of Defence --
3 this is -- my headphone is going in and out. It's offputting.

I

4 will try again. The Chief of Defence Staff, who is that?

17:27:35 5 A. He was Brigadier something Koroma. He was Johnny Paul's
6 elder brother. I do not know his full initial but it ended

with

7 Koroma. It was Johnny Paul's elder brother who was the Chief

of

8 Defence Staff.

you

9 Q. Sorry, and what role did he have in the supplies that

17:27:36 10 received?

11 A. Who, the Chief of Defence Staff?

12 Q. Yes. You describe Sesay as something like a, something
13 like -- sorry, it's annoying. Yes. You described Mr Sesay as
14 something like a liaison officer between the RUF and the AFRC?

17:27:36 15 A. Mm-hmm.

16 Q. And you said something about the Chief of Defence Staff.
17 What did you say about him?

the

18 A. Well, the Chief of Defence Staff, he was in charge of

19 entire military, and it was from him that we used to get our

17:27:36 20 funds for the logistics and it was Issa who would go and
collect

21 the money and it would be given to him.

22 Q. And the role you played, were there other RUF playing
23 similar roles, but for other areas?

24 A. Yes, other members used to come. People used to come
for
17:27:36 25 their own supplies.

26 Q. And they would come to who, at the office?

27 A. They would come to Mr Issa Sesay, at the office.

28 Q. Now, I'll come to command and chains of commands when we
go
Sesay
29 back into an open session, but, in terms of this role that

1 was playing, did you observe him play, do anything else, in
2 relation to supplies?

3 A. Apart from the logistics and the supplies that he used
to
4 give us I did not know anything about that again.

17:27:37 5 Q. And you've mentioned Francis Musa and Kosia. Do you
know
6 what they did in relation to the supplies or in relation to
Issa
7 Sesay?

8 A. Yes. When, you see, Francis Musa, the G5, they were the
9 ones directly working in the office. Paperwork. They were
the
17:27:37 10 ones that had been doing it and I knew that it was because of
11 that money, he would not just get that money; it involved some
12 clerical paperwork. So I believe that they were the ones that
13 had been doing that. Issa was only there as executive head in
14 the office.

17:27:38 15 THE INTERPRETER: Your Honours, would the witness go a
16 little bit slow?

17 MR JORDASH:

18 Q. Slow, slow, Mr Witness.

19 A. I believe that most of the paperwork, it was G1, Kosia
and
17:27:38 20 Francis that had been doing that.

21 Q. How long would you stay in Freetown, when you came?

would 22 A. Well, at times, I would take two weeks because what
which 23 delay me, normally, at times, was for us to get a vehicle,
24 will take things up the provinces. That was what would create
17:27:38 25 problems because, at times, the military would say that all
their 26 vehicles were not in good working order so we needed time to
make 27 them, so I would wait until they were repaired before I left.
28 Q. And during the two weeks or so that you were in
Freetown,
29 how often would you see Sesay, on average?

1 A. Yes. On average, as long as he had given me the money,
2 most of the time, see, he would give me money so as to buy the
3 logistics. As long as I signed for the money I would buy the
4 logistics and after I boxed them I would go back to him.

Then,

17:27:39 5 for the vehicle issue, he would direct me to the commander at
6 Murray Town Barracks, who was in charge of vehicles. So I
would
7 go there for the vehicle. If I found out that they were
trying
8 to repair a vehicle then I and he would not see each other
again.

would
9 Most of the time I would stay at Murray Town Barracks but I
17:27:39 10 be there so as to make sure that I would be able to get the
11 vehicle on time.

12 Q. Are you able to say anything about how much time Sesay
13 spent in the office?

14 A. Well, really, I would not be able to tell how long they
had
17:27:39 15 been there because it came to the time, say, I would not come
any
16 more. I was just based in Daru.

17 Q. When was that time that you stopped coming to Freetown?

18 A. That was in late, let me say mid-1997.

19 Q. So did -- why did you stop coming to Freetown?

17:27:40 20 A. Well, they alleged that I and Francis Musa and the

called 21 commander that was in charge of Bintumani Hotel, who was
with 22 CPO Saffa, one of the Vanguard's, Pa Balla, he had a problem
23 CPO but I did not know. He was the one that told Sam Bockarie
24 that we theft the -- we stole the rice and that we --

17:27:40 25 THE INTERPRETER: Your Honours, would the witness go
slow?

26 MR JORDASH:

27 Q. Stop, stop, stop. So there was a problem with the rice.

28 Go on, from there.

29 A. Yes. Pa Balla went and told Sam Bockarie that Francis
CPO

1 and I connived to steal the rice, and gave the rice to our
2 girlfriends. So, because of that Sam Bockarie, he himself
sent a
3 message to Issa saying that he was to report -- he was to
report
4 with us and by then Sam Bockarie was already in Kenema and he
17:27:40 5 said that we were to go to Kenema. So we, ourselves, Issa
passed
6 that message. At that night Issa travelled and went to
Kenema.
7 We reported to him and they said I was to go and wait in
Kailahun
8 until we were court-martialed again. From then, I stopped
9 coming.

17:27:41 10 Q. And what did you remain doing in Kailahun?

11 A. Well, I was still based in Daru. I still continued my
12 general duties. I was still the adjutant for RUF, at Daru
13 Barracks.

14 Q. And what about supplies from Freetown; do you know how
they
17:27:41 15 came, or whether they did come after you had been told to
remain
16 in Kailahun?

17 A. Yes. One Mohamed Kamara, he was the one that was
appointed
18 in my place later. He was the one that had been coming with
19 supplies by then.

17:27:42 20 Q. Kamara?
21 A. Yes.
22 Q. And do you know who he got the supplies from, when he
came
23 to Freetown?
24 A. Well, at that time, I myself, I did not have any time.
I
17:27:42 25 did not know because, during that time, we found out that the
26 AFRC, or the junta regime was not stable any more. There were
27 problems all over. There were attacks. Then even we found
out
28 that we, and the Kamajors, the Kamajors had been setting
ambushes
29 on the highways, so things were upside down. Things were
upside

1 down by then.

2 Q. And you say this was middle of 1997?

3 A. Yes, down towards the end. The middle of --

4 THE INTERPRETER: Your Honours, I did not get the year.

17:28:25 5 Would the witness be instructed to give me the year?

6 MR JORDASH:

7 Q. What was the year?

8 A. It was still 1997. Towards the end.

9 Q. Towards 1997. The end of 1997. Just so we are clear,

17:28:46 10 was --

11 A. Yes.

12 Q. -- was that when you say the junta was not stable or is

13 that when you say you stopped coming to Freetown? Could we
just

14 clarify that, or both?

17:29:00 15 A. I said during that time when Mohamed Kamara started
taking

16 supplies up to us, that was in the middle of 1997, when they

17 terminated my services. That is what I said, so I was in
Daru, I

18 had been working there as ordinary soldier. At the time when

19 Mohamed had been going there the country was very shaky
because,

17:29:25 20 towards the end of 1997, towards December, when the Kamajors

21 themselves had started setting ambushes on the highways, so I
did

22 not actually know, in fact, it had not been reported to me
23 directly and if he went with the rice he would take it
directly
24 to Pendembu, so I and he did not have anything in common, so I
17:29:53 25 did not know from where he had been getting the supplies.
26 MR JORDASH: I would be content with Your Honour's leave
to
27 go back into an open session.
28 PRESIDING JUDGE: You would no longer be going back to
the
29 closed session, Mr Jordash? Because I wouldn't want -- I
would

We
the
we

1 like us to rise because we are just three minutes off 5.30.
2 would rise and you will give it a thought. We will not go to
3 open session as yet. Give it a thought over the weekend and
4 will see how we move.

17:30:57 5 MR JORDASH: Well, there is an issue in 2000 I can deal
6 with in a closed session. It's a bit out of turn
chronologically
7 but I don't think it will make a huge difference.

8 PRESIDING JUDGE: That's all right. We will accommodate
9 it. That's all right.

17:31:50 10 Well, the Chamber will rise for the weekend and we'll
11 resume sitting at Monday at 9.30.

12 The Chamber rises, please.

p.m., 13 [Whereupon the hearing adjourned at 5.30
14 to be reconvened on Monday, the 22nd day of
15 October 2007 at 9.30 a.m.]

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SCSL - TRIAL CHAMBER I

WITNESSES FOR THE DEFENCE:

WITNESS: DIS-178 2

CROSS-EXAMINED BY MR WAGONA 2

WITNESS: DIS-069

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EXAMINED BY MR JORDASH

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