

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

MONDAY, 22 OCTOBER 2007
9.59 A.M.
TRIAL

TRIAL CHAMBER I

Presiding

Before the Judges:

Benjamin Mutanga Itoe,
Bankole Thompson
Pierre Boutet

For Chambers:

Mr Matteo Crippa
Mr Felix Nkongo

For the Registry:

Mr Thomas George

For the Prosecution:

Mr Charles Hardaway
Mr Vincent Wagona

For the accused Issa Sesay:

Mr Wayne Jordash

For the accused Morris Kallon:

Mr Lansana Dumbuya
Mr Kennedy Ogeto

For the accused Augustine Gbao:

Mr John Cammegh
Ms Prudence Acirokop

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CLOSED SESSION

1 [RUF22OCT07A - JS]

2 Monday, 22 October 2007

3 [The accused present]

4 [Closed session]

5 [Upon commencing at 9.59 a.m.]

6 [At this point in the proceedings, a portion of the
7 transcript, pages 1 to 63, was extracted and sealed under
8 separate cover, as the proceeding was heard in a closed

session]

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OPEN SESSION

1 [Open session]

2 [Upon resuming at 2.49 p.m.]

3 PRESIDING JUDGE: Good afternoon, learned counsel. We
will

4 resume in open session, I understand. Mr Jordash, you confirm

14:49:35 5 that we are back to the open session, I suppose. You are
through

6 with --

7 MR JORDASH: Yes.

8 PRESIDING JUDGE: But there is one question which I
wanted

9 to -- supposing, you know, I don't know how we're going to
manage

14:49:35 10 it because some of the questions might, in cross-examination
in

11 open session, might touch on issues, you know, that arose in

12 closed session. So, I don't know what -- yes.

13 MR JORDASH: My feeling is that the witness can testify
to

14 the events without reference to his own role or without too
14:49:54 15 specific a reference to his own role from here on in.
16 PRESIDING JUDGE: Mr Hardaway, is that -- yes, Mr Ogeto,
is
17 that -- Mr Hardaway, can you sit down, please.
18 MR OGETO: Yes, My Lords. The nature of the questions
that
19 we will be asking this witness will most likely not identify
him,
14:50:29 20 so for now I think I can say that we will safely conduct our
21 cross-examination in the open session.
22 PRESIDING JUDGE: Right, okay. Thank you. Mr Cammegh?
23 MR CAMMEGH: I intend to ask questions in open session
24 only.
14:50:43 25 PRESIDING JUDGE: Thank you. Yes, Mr Hardaway, what's
your
26 position?
27 MR HARDAWAY: I'm sure during that the course of my
28 cross-examination, Your Honour, I will be referring to
positions
29 held by the witness. However, I believe I can frame them in
such

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1 a way as to be very general and refer to the positions perhaps

2 based on location as opposed to specific title.

3 PRESIDING JUDGE: Well, all we're trying to do is to
ensure
4 that his identity is not disclosed and that the purpose for
which
14:51:21 5 we went into a closed session is not defeated in the course of
6 the cross-examination in open session. Well, this said, I
think
7 we can safely move on to the -- Court Management, are we in
open
8 session already?

9 MR GEORGE: We are, Your Honour.

14:51:47 10 PRESIDING JUDGE: Right.

11 This is the ruling of the Court regarding the two
12 applications by Mr Jordash for the Court to move into a closed
13 session. We will now resume the trial in open session and
this
14 is a ruling of the Chamber in respect of Mr Jordash's
application
14:52:05 15 for the first accused, and it is this:

16 Consistent with the general requirement that criminal
17 proceedings are to be conducted in public as enjoined by Rule
78
18 of the Rules of Procedure and Evidence of this Court, and
taking
19 into consideration Article 17(2) of the Statute of the Court,
but
14:52:25 20 exceptionally as authorised by Rule 79(A)(ii) of the said
Rules
21 and the need to protect witnesses as provided for in Rule 75,
22 this Chamber, on the application of counsel for the first
23 accused, made an application for certain portions of the
24 testimony of witness number DIS-069 or so, 069, to be heard in
14:53:00 25 closed session. The Chamber did, by way of an exceptional

26 procedure, grant the said application for reasons advanced in
27 support thereof.

28 Mr Jordash, we may now proceed.

29 MR JORDASH: Thank you, Your Honour.

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1 PRESIDING JUDGE: And continue with your
2 examination-in-chief in open session.

3 MR JORDASH: Thank you.

4 Q. Mr Witness, good afternoon.

14:53:25 5 A. Good afternoon.

6 Q. We are in an open session, so don't say anything which
7 might identify you to the public.

8 A. Okay.

9 Q. You've spoken about going to Zogoda. Just briefly,
could
14:53:55 10 you describe Zogoda; was it in a forest?

11 A. Yes, Zogoda was in -- it was in the Kamboi Hills. In
the
12 Kamboi Hills.

13 Q. And did it -- what did it consist of?

14 PRESIDING JUDGE: It was in which hills?

14:54:26 15 MR JORDASH: The Kamboi. K-A-M-B-O-I.

16 Q. When you -- I want you to relate it to your visit --

17 PRESIDING JUDGE: Is it Kamboi Forest or Kamboi Hills?

18 THE WITNESS: Kamboi Hills. Those are the hills. It is
19 the hills that comprise of the forest.

14:54:48 20 MR JORDASH:

21 Q. And which -- what did you find as you went towards it;
22 could you describe it?

23 A. Yes. We had guard posts. The first area we met before
24 entering Zogoda, it was called Kenema bypass. That is the
first

14:55:24 25 place you have to enter. There, they have to search you and
make
26 sure that you are the rightful person who should enter Zogoda.
27 Then, from there, you will proceed very close to Zogoda. You
28 will meet the first checkpoint, which they will have to search
29 you for -- so that you don't take any drugs. Even at that
time,

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1 see, everything he is seeing you, they will take it from you,
2 then you should not enter there with any alcohol. Then you
have

3 to go again from there. You will meet another gate where a --

4 manned by the MPs and the Black Guards. There again, there
you
14:56:29 5 will have to hand over your arms, if you have come with any
arms,
6 and from there now finally you will enter Zogoda. And at that
7 time it was only soldiers that were living in Zogoda.
Civilians
8 were not living in that camp. So this was how Zogoda was.
9 Q. You went, as you've told us, in 1996. Do you know if
14:57:16 10 civilians had been there earlier or were there after that
time?
11 If you don't know, you don't know.
12 A. Well, actually, up to the time I went there, civilians
were
13 not there. I never knew -- I cannot tell whether civilians
have
14 lived there before, but up to the time I went there, there
were
14:57:41 15 no civilians.
16 Q. Thank you. At this time in 1996, and throughout 1996,
17 where was the nearest front line to Kailahun Town?
18 A. In 1996, Kailahun of itself was a front line. Kailahun
19 Town was enemy zone. Enemy troops occupied there. So we were
14:58:31 20 right in Kailahun Town. Let us say from Giema up to Bandajuma
21 Sinneh.
22 Q. What about Pendembu; was that --
23 A. Pendembu itself, it was government troops were based
there.
24 We had our front line in Jaima. One for Pendembu. For
Kailahun
14:58:56 25 we had Bandajuma Sinneh and Borbu.
26 Q. Now, I want to take you back to the junta period, and I
27 mentioned on Friday I wanted to deal with command, but before

the 28 taking you to the junta, I want to have you explain some of
ask 29 command just before the junta. So, first of all, I want to

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where 1 you about the unit operating in Giema and Buedu, which is
units 2 you've told us the RUF were. Just briefly, what were the
3 operating in these regions?

14:59:56 4 A. Well, during that time the unit headquarter was all in
5 Giema, because Giema was the headquarter. Buedu was just a
6 section, but you had like the MP commander, who was based at
7 Giema, and you know that MP were responsible for law and
order,

and 8 within the liberated zones, and they had suboffices at Buedu
9 any of the major towns they had men they deployed there. And
15:00:36 10 among all those units they were -- in fact they were the only
11 people carrying arms. That's the military police, yes.

12 Q. Let me stop you there. Are you saying of the unit, the
13 only people or the only unit which had men carrying arms was
the
14 MP?

15:00:58 15 A. That was the only unit. That's what I mean.

16 Q. Okay. So there was the MPs. What other units operated?

17 A. You had the IDU, the G5s. The G5, they were responsible

18 for the civilians. They themselves had their own commander who

was

19 based at the headquarter was in Giema. They were a sort of a

15:01:26 20 liaison officer between the civilians and the fighters.

21 Q. What -- sorry, I interrupted you. Go on.

22 A. They were between the civilians and the fighters.

Anything

23 the fighters wanted from the civilians, or they want to speak

24 with them or to meet with them, they will go through the G5

and

15:01:57 25 the G5 themselves, they should make sure that the civilians

were

26 living happily, and any of their problems they would bring

them

27 up to the commanders for any actions to be taken. Then we

have

28 the IDU who, they themselves, their commander was based in

Giema.

29 They had deployment all over the protected zone. Then, they

were

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1 in for internal security. That is, they were in the liberated

2 areas. They were looking out for any or whether anybody was
3 there who was playing a double role or for any -- if any enemy
4 passes through the back and entered there, they were a sort of
15:03:07 5 CIDs.

6 Q. Did you just say they were sort of?
7 A. Sort of, yes.
8 Q. Sort of, S-O-R-T?
9 A. Yes. They were there to investigate matters mostly when
15:03:22 10 they have seen those type of things where they investigated,
and
11 then they present it to the joint security, which the MP and
the
12 IDU and the G5s were all over the IOs and the Black Guards.

13 Q. But let me stop you there for a minute so that we can
14 understand this. When you say "joint security" and all these
15:03:47 15 units were part of it, what was the joint security then? What
16 was it?
17 A. Well, the joint security was a board which was made to
18 investigate and also to court-martial anybody who would cause
19 problem. If you are found guilty, they will give the
necessary
15:04:18 20 recommendations to the commanders. That was the work of the
21 joint security.

22 Q. Did the joint security investigate civilians or soldiers
or
23 both?
24 A. No, the joint security was mostly for the soldiers. It
was
15:04:42 25 not for civilians.

26 Q. And was there a joint security in Giema in 1996 and
1997,
27 before the coup?

28 A. Yes. Any time where we had the IDU, the MP, the IOs, I
29 mean, especially the headquarters, they would inform the Joint

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1 Security Board.

who

2 Q. And the unit commanders in Giema in 1996, do you know
3 they were reporting to?

15:05:26

4 A. The unit commanders, yes, they were reporting to the
5 commander who was on the ground, the area commander who was
6 there, because the area commander himself based there.

area

7 Q. So the unit commanders in Giema were reporting to the
8 commander in Giema. Now, what about in early 1997, the

situation

9 in the Northern Jungle and the Western Jungle. Starting with
10 Northern Jungle, do you know if there were units there?

15:05:50

was

11 A. Yes, the same units were there because it was a -- it
12 part of RUF movement, but anywhere they opened a jungle, they

had

13 those units there that would operate there or anywhere they

were,

14 the units were supposed to be there. They had units in the

15:06:21 15 Northern Jungle.

16 Q. And the Western Jungle?

17 A. Yes, yes, they also have them. But the only thing when

18 they were there, each jungle you are in, you have to report to

19 your area commander who was there. Like the Northern Jungle

had

15:06:42 20 nothing to do with Kailahun or us at Giema. You will not

leave

21 your commander in the Northern Jungle and send reports to

Giema,

22 no. They always report, they channel their reports to their

area

23 commander who was there.

24 Q. Okay, you've answered my next question. But who were

the

15:07:04 25 area commanders then, in early 1997, in the Northern Jungle,

the

26 Western Jungle and the Kailahun base; who would they report

to?

27 A. They were reporting directly to Pa Foday Sankoh, who had

28 constant communication with them. He gets in touch with them,

29 all the various jungles.

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1 Q. How do you know this?

all, 2 A. It was he who made the appointment. He appointed them
3 and they all were answerable to him at that time.
4 Q. Now, in late 1996, who was the battle group commander of
15:07:51 5 the RUF?
6 A. In late 1996, at that time, when we went to Mohamed
7 Tarawallie Zinu.
8 Q. And where was he?
9 A. He was based at Zogoda.
15:08:11 10 Q. Where was Sam Bockarie at that time?
11 A. Sam Bockarie at that time, he was in Peyema, because he
had 12 problem and he had been sent to Peyema.
13 Q. Was there a battle-field commander at that time?
14 A. Well, up to that time, the time we are talking of, late
15:08:45 15 1996, when Pa Sankoh was in Ivory Coast, we did not have these
16 structures as of now. He had dissolved them. Only that, he
17 said, let CO Mohamed, wait for him at Zogoda and then coupled
up 18 with his Black Guard commander, who was called Rambo, and the
19 task force commander, who was the other Rambo, who was killed
in 20 Makeni, they, by then, were the people who had the power at
15:09:09 21 that time, in late 1996, when Pa Sankoh was in Abidjan.
22 Q. So, I'm trying to understand something about battle
group 23 commander and battle-field commander; what was the intended
role 24 of the battle group commander or what was it, do you know?
15:09:40 25 A. The role they were playing?

was

26 Q. Well, let me be more specific. Was there a role, what
27 the role for the battle group commander, Mohamed Tarawallie as
28 you tell us, in 1996?

29 A. Well, Mohamed Tarawallie was the -- when we say battle

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command

1 group, all the commanders who were there in the various

that,

2 posts, they will send reports to him. He was in charge of

3 in charge of all the commanders of the battle.

15:10:23

4 Q. But how did this reporting work then, if the area
5 commanders were reporting to Foday Sankoh, what reports was
6 Mohamed Tarawallie receiving?

Coast

7 A. At that time when -- which I am trying to talk -- when
8 Mohamed Tarawallie was in charge fully, Foday Sankoh was not
9 there; he was not there at that time. He had gone to Ivory

15:10:53
of

10 on the peace accord. So Mohamed Tarawallie took full control

time

11 the movement. So every commander who was there within that

12 would send report to him through the field radio we have, you

13 see, that was how they were sending reports to him.

man? 14 Q. But before Sankoh went to Abidjan, who was his second
15:11:30 15 A. Before Sankoh went to Abidjan, it was Mosquito who was
the
16 second man, until they fell apart with him before he went.
17 Mosquito was the second man before he went; Sam Bockarie.
18 Q. What was Sam Bockarie's assignment at that point?
19 A. By then he was the battle group, but he was all the way
at
15:12:07 20 Matru Jong area. There he was.
21 Q. Where is the Matru Jong area?
22 A. That is the southern part, back of Bo, going towards
Sierra
23 Rutile area. Those areas.
24 Q. So when Sam Bockarie, the battle group commander, knew
he
15:12:28 25 was in the Matru Jong area, who were the area commanders, as
you
26 observed, from the Western Jungle, the Northern Jungle and
27 Kailahun reporting to?
28 A. The Western Jungle, we had Superman.
29 Q. Who was he reporting to at the time when Sam Bockarie
was

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1 battle group commander, based in Matru Jong?

Northern 2 A. He was reporting to Sankoh directly. Then in the

3 Jungle you had CO Isaac Mongor.

4 Q. Who was he reporting to?

15:13:21 5 A. To Foday Sankoh.

point? 6 Q. And the area commander of Kailahun was who, at this

7 A. He was -- to Foday Sankoh.

8 Q. Who was that, at that time?

9 A. At that time it was Mr Issa Sesay.

15:13:41 10 Q. So do you know what Sam Bockarie was doing in relation

to 11 his assignment of the battle group commander? Do you know

12 whether he had any functions at that time attached to the

13 assignment?

14 A. You see, there are times these positions used to be

15:14:06 15 conflicting, conflicting in the sense that the old man Sankoh

16 would give those titles. But, as long as he is here, he will

were 17 take charge of everything, you see? So that was how things

18 happening.

19 Q. Now, let's jump to the junta. Issa Sesay, you've told

15:14:34 20 us --

to 21 JUDGE BOUTET: But before you get there, I'm just trying

So 22 understand what the witness is saying about this reporting.

located 23 when Sankoh is in the country, where is Sankoh physically

24 then?

15:14:51 25 MR JORDASH:

26 Q. Before he went to Abidjan, where was Sankoh's base?
27 A. He was based at Zogoda, Camp Zogoda. That was his base.
28 That was his headquarters.

29 JUDGE BOUTET: And the people from the various jungles,
as

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1 you say, would report direct to him at Zogoda?

2 THE WITNESS: Yes, sir.

3 JUDGE BOUTET: Would they also report to Bockarie or
4 Bockarie was totally out of the reporting scheme?

15:15:28 5 THE WITNESS: When Sankoh was there, Bockarie would be
out
6 of the reporting procedure. He would just be informed.

7 JUDGE BOUTET: But he would be informed; that's my
8 question.

9 THE WITNESS: Yes, yes, they would inform him. They
would
15:15:45 10 inform him.

11 JUDGE BOUTET: So what about the other commanders when
they
12 report to -- if Superman was to report to Sankoh, based on
what

13 you've just said, so Bockarie would be informed and would
Mongor

14 and Sesay be also informed?

15:16:05 15 THE WITNESS: Yes, sir.

16 JUDGE BOUTET: So any time there was communication from
17 areas as such, going to Sankoh, other areas would be informed
as
18 well, so that was the procedure?

19 THE WITNESS: Well, it does not necessarily mean that
the

15:16:26 20 other area had to be informed. If I, like the Giema jungle,
had

21 any information which I want to give to Foday Sankoh, I would
22 call Foday Sankoh's station directly, which was based at
Zogoda.

23 Then, I will pass the information to him. When you pass the
24 information to him, he will inform the battle-field
commander's

15:16:55 25 office, where he himself had a radio. When they were all
there

26 they had code names; this was how it was working.

27 JUDGE BOUTET: Okay. Well, my question was: You had
just

28 said that they would be informed when reporting, so what you
are

29 saying now is that it is Sankoh who would inform them. In
other

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that
1 words, if Superman is reporting to Sankoh, it's not Superman
2 informs Mongor and Sesay; it is Sankoh that will inform them
once
3 he has a report; is that what you are saying?

4 THE WITNESS: If it is necessary that what Mongor had
15:17:40 5 reported to Sankoh, to say, that it has anything to do with
the
6 Giema, it was Sankoh who is on Giema or inform Issa, as you
7 rightly said it. But if it has nothing to do with Issa, then
8 Sankoh would not inform him.

9 JUDGE BOUTET: Yes, but listen to my question. I asked
you
15:18:00 10 a very very -- I thought very clear question. You said, well,
11 yes, they will be informed. Now you are coming to say that,
12 well, they may or may not be informed. My question was, based
on
13 your evidence, that when they report to Sankoh, who is
informed?

14 That was my question. Now you're saying, well, there may or
may
15:18:17 15 not be. It depends. What was the situation?

16 THE WITNESS: The situation was, and what I am trying to
17 say, the information I was trying to give was the battle group
18 who is to be informed.

19 JUDGE BOUTET: So the battle group is informed by whom?

15:18:37 20 THE WITNESS: By the sender of the message, the area
21 commander who would send the message to Sankoh.

22 JUDGE BOUTET: So in the battle group was Mosquito at
that
23 time.

24 THE WITNESS: Yes, sir.

15:18:52 25
the

JUDGE BOUTET: You also refer to, maybe by mistake, to

26 battle-field commander. Was there a battle-field commander at
27 that time?

28 commander.
commander.

THE WITNESS: I did not talk about battle-field

29 I talked of battle group in terms of --

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1
2
to
3
4
battle

JUDGE BOUTET: Maybe you did not, maybe it is the
translation that said battle-field, but anyhow, it came across
me that you had said battle-field, but if you didn't say that,
that's okay. There was none, according to you. It was a

15:19:24 5

group and no battle-field.

6 THE WITNESS: Yes, sir.

7 JUDGE BOUTET: Thank you.

8 PRESIDING JUDGE: Yes, Mr Jordash, you may proceed.

9 MR JORDASH: Thank you.

15:19:46 10
copy

Q. The area commanders then, from what you've said, may

11
12
reports

the battle group, but would they copy the area -- other area
commanders -- or would the area commanders receive their

13 from the leader if necessary?

14 A. If it is necessary, if the report concerns them, the
leader
15:20:40 15 would inform them.

16 Q. Okay. Thank you. Now, let's move to Freetown. You've
17 told us about Issa Sesay's role with supplies. What was
18 Issa Sesay's assignment, aside from that, if he had one, in
19 Freetown, during the junta?

15:21:01 20 A. When he was in the office I didn't know any other
21 assignment he had.

22 Q. What was his standing within the RUF in Freetown?

23 A. Well, he was the -- in Freetown, he was representing the
24 RUF because the commander, the person who commanded the RUF by
15:21:30 25 then was Sam Bockarie and he left him in Freetown and he was
in
26 Kenema. But still he was on top of situations. Issa was
27 answerable to him.

28 Q. We know from what you've told us that you went to
Freetown
29 during the junta. How many times do you think you went?

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1 A. I did not stay long there, actually. I did not stay
long

2 on that job.

3 Q. How many times, separate times, did you go?

4 A. When I came to Freetown for the goods, I came about
three
15:22:40 5 times.

6 Q. Are you able to give an estimate of how many RUF you saw
in
7 the city?

8 A. No, I would not, because I didn't work in all the areas.

9 Q. Are you able to say, from the men from the Northern
Jungle,
15:23:07 10 the men from the Western Jungle and the men from Kailahun,
which
11 was the larger group?

12 A. It was the Western Jungle that were many. There were
many
13 in Freetown, more than any other group, because the west, they
14 were the first group that reached Freetown, and they all came
15:23:36 15 from the jungle and they came into Freetown. You see,
likewise,
16 the other jungles like the north, some stayed in Makeni, not
all
17 came to town. Likewise Kailahun, not all left Kailahun to
come
18 to Freetown, but the Western Jungle, they all came to
Freetown.

19 Q. Do you know what proportion of Kailahun soldiers came to
15:24:07 20 Freetown compared to those who remained in Kailahun?

21 A. The one, those who came from Kailahun to Freetown, there
22 were few. That was the first men who were fighters, who came
23 with CO Mosquito, when he came to Freetown earlier, which
would
24 be approximately -- I don't think it would be up to 50 armed
men,

15:24:46 25 because it was about two buses that came with them and then,
26 apart from that, not until when the calls from commanders
would
27 come, like that Pa, whom they call to call, to take up that
28 ministerial position, Pa Binda, who was Deputy Education
29 Minister, those were the kind of people that were coming, but
the

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1 bulk of the armed men were staying in Kailahun.
2 Q. And do you know where the men from the Western Jungle
were
3 stationed in Freetown?

4 A. Well, they were scattered all over Freetown.

15:25:37 5 Q. And did you -- you've told us that -- well, what was
6 Issa Sesay's rank?

7 A. He was lieutenant-colonel.

8 Q. And you've said he was a representative of the RUF; did
he
9 have a title to go with that?

15:26:02 10 A. Well, that was what I knew.

11 Q. And do you know who Issa Sesay took his orders from, if
12 anyone?

my 13 A. Yes. Directly from Sam Bockarie because it happened in
stealing 14 presence; for example, when he was informed that we were
15:26:36 15 the rice, so he sent a message directly to Issa saying that he
16 should not hand over anything to me and that all of us who
were 17 involved in the rice issue, Issa should report with us to
Kenema, 18 and he did exactly that.

19 MR JORDASH: Can I just have a moment, please?

15:27:31 20 Q. Do you know who Superman reported to in the junta
period?

21 A. Superman more or less, since he came, he had less time
with 22 the RUF office. Most of the time he was with the SLA
commanders. 23 He was having transaction with the SLA commanders. He was
going 24 up and down with them. I do believe that he had direct
command 25 from JP Koroma who was by then the leader of the AFRC.

26 Q. How do you know this?

27 A. Because on one occasion I was fortunate to go to JP's
28 lodge, together with Pa Vandí. We met Superman there, so that
29 was how I concluded that he received his orders from.

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orders
1 Q. And do you know about Isaac Mongo, who he received
2 from?
3 A. Well, all of them had very little time with the office
4 because whenever I come to receive my food, I hardly find --
see
15:29:10 5 them in the office. And I do believe that if they had any
6 dealings at that particular time, or they were taking command
7 from Issa and others, they would have been frequenting the
8 office, but they were just in Freetown on their own.
9 Q. And do you know anything about the relationship between
the
15:29:41 10 three men; Isaac Mongor, Superman and Issa Sesay in Freetown?
11 A. Relationship -- in what way?
12 Q. Let me make it simpler: Do you know who Issa Sesay
13 commanded in Freetown?
command
15:30:10 14 A. Well, really, the time I used to come, Issa Sesay's
15 in Freetown was not widespread. He had only a few men, except
16 those that came from Kailahun. Those were the people I see
17 Issa Sesay with.
18 Q. Did you observe anything about the relationship between
the
19 men from Kailahun generally and the men from the Western
Jungle?
15:30:50 20 A. Yes, because most of them, the Western Jungle men, I had
no
21 acquaintance with them, especially some of us who came from
22 Kailahun. So there was not close relationship with us. We
don't
23 interact, although they are RUF fighters, but the bulk of them

the 24 came from Pujehun because the time we came together, most of
15:31:38 25 Pujehun boys were advancing towards that end, so we had less
to
we 26 do with them. In fact, some of them, that was the first time
27 saw each other, to even know each other. So that was why the
28 relationship was strange.
29 Q. Did you know Peter Vandi; is that the Pa Vandi you just

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1 referred to?
2 A. Yes.
3 Q. Do you know what he was doing in Freetown?
4 A. Yes. He, himself, was a minister. He was a minister.
15:32:17 5 Q. Did he have a vehicle?
6 A. Yes, he had a vehicle.
7 Q. Did he have any rules about the vehicle?
8 A. Yes. He had -- that was an interesting part. In fact,
9 when we were here, when normally we come, there was a division
15:32:49 10 among them, actually. If you are not coming from Kailahun,
they
11 call it Galehun. You will never board his vehicle. As you
want
12 to board his vehicle, they will ask you: Are you coming from

if 13 Galehun, Kailahun? If you say yes, he will pick you up. But

14 you say no, you will not be picked. So that was how we were
15:33:18 15 operating.

16 Q. Did Superman have a subordinate in the junta period?

17 A. Yes, he had his boys that he was operating with. He had
18 Komba Gbundemba, Tall Bai Bureh and others. He had his
19 commanders that he was operating with. He was even operating
15:33:45 20 with Gibril Massaquoi because they were in the same axis.

21 Q. And Komba Bundemba's assignment was what, or his rank?

rank, 22 A. By then, when we came in Freetown, I didn't know his
23 actually, when we came to Freetown.

24 Q. Did he have an assignment?

15:34:20 25 A. It was here, yes; he had an assignment. He had an
26 assignment area around the front line areas in Freetown, but I
27 could not recall, but I learned that he had an assignment.

28 Q. Do you know who he reported to?

29 A. Yes, to his commander, who was Superman.

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1 Q. Did you observe Issa Sesay engaged in any military

I 2 activities other than the ones you've told us about? And when
3 say "observed" it, were you present?

never 4 A. If I should say that, then I will tell lies because I
15:35:31 5 saw him.

6 Q. Do you know anything about the relationship between the
7 SLAs and the RUF in Freetown?

8 A. They themselves had their own commanders. They were only
9 receiving orders from their commanders.

15:36:14 10 THE INTERPRETER: Your Honours, the early part of the
11 witness's testimony was left out because the mic was off. Can
12 the witness please go over it again to be interpreted?

13 MR JORDASH:

14 Q. Go over your last answer, please.

15:36:32 15 A. I said the SLA themselves were taking -- they had their
16 immediate commanders. They were not receiving orders from
RUF.
17 They were receiving orders from their commanders and they go
by
18 them.

19 Q. How do you know?

15:36:56 20 A. Well, it is crystal. If you come, you will see it. You
21 will see the difference between SLA and RUF. They will never
--
22 you will never see them together under one common. You will
see
23 the SLA commander with SLA soldiers and RUF -- you will see
RUF
24 boys behind them. So that was clear, crystal.

15:37:26 25 Q. Okay. Let me move you forward now to the intervention;
26 where were you?

27 A. I was in Buedu.

news 28 Q. When did you first get -- when did you first get the

29 and how?

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at 1 A. I first received the news at night, May 25th at
2 night -- May 7, the very day it took place. I was lying down
3 night and I tuned SLBS --

4 MR JORDASH: One second. Sorry, Mr Witness.

15:38:38 5 Q. Let's just do that again.

6 A. I said I got the news over the SLBS at night. It was at
7 night that I got the news. That is the 8.00 news that is
8 normally read at the SLBS. That was where I got the
9 announcement.

15:39:01 10 Q. The news of -- what news did you get?

11 A. About the AFRC coup.

12 Q. When?

13 A. When they took over.

14 Q. I think we are talking -- his microphone has not been
15 switched back on very quickly, so it's really off-putting.
I'm

thrown

16 talking about the intervention when Johnny Paul Koroma was

17 out of Freetown?

18 A. Oh, the intervention? Okay, sorry. The intervention, I

19 was in Daru.

15:39:40 20 Q. What did you hear and how?

21 A. Well, the intervention itself, I heard it over the BBC

22 Focus on Africa. That was where I first got the news, when

the

23 ECOMOG troops that were based in Jui, started advancing

towards

24 Freetown. Then we called the brigade headquarter. By then

the

15:40:17 25 brigade was at Kenema, where Sam Bockarie was, so we were
trying

26 to get information about him. So they confirmed it.

27 Q. Who confirmed it?

28 A. The radio operators at the brigade, Kenema brigade.

29 Q. Now, I'm terribly sorry to jump you around, but I've
missed

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1 something out. I want to go back to the junta period. Did
you

2 ever travel to Kenema during the junta period?

back.

3 A. Except when I'm travelling to Freetown and on my way

4 Q. Did you ever go to Tongo during the junta, when you were
15:41:15 5 travelling?

6 A. Well, Tongo, generally, it was we who captured Tongo.
At
7 -- that is at the early part of the war, that is around
August.

8 I can still recall. That, from the Kamajors who were based
9 there, that is during the AFRC coup, the junta period.

10 Q. So, August 1997, did you go to the Tongo?
15:41:46

11 A. Yes, sir.

12 Q. Without revealing anything about your identity, why did
you
13 go to Tongo?

14 A. Well, we were in Tongo. I mean, we were in Daru and Sam
15:42:12 15 Bockarie sent one SLA officer to us with trucks and logistics;
16 that is arm, ammunition and other items, saying that we should
17 attack Tongo and move the Kamajors from there.

18 Q. Did you go?

19 A. Yes, I went.

15:42:39 20 Q. Where did you go when you went to Tongo; talk us through
21 what happened?

22 A. Well, it was me who passed -- we used the bypass team by
23 Bendu Junction, Wiema, and entered in Tongo and CO Mosquito
used

24 the main road, because we attacked Tongo on two fronts. CO
15:43:11 25 Mosquito used the main road. They've entered Tongo before us
and

26 the following morning we entered. Of course, there was no
27 resistance at Tongo by then. We captured the town and we were
28 based there.

Tongo 29 Q. So was this the first time that the RUF had occupied

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1 during the junta period?

2 A. Yes, sir. That was the first time.

RUF 3 Q. And what was the situation in terms of the numbers of

4 and SLAs present?

15:44:16 5 A. Well, the town was jam-packed because the two forces had
6 enough manpower on the ground and even Sam Bockarie was there.
7 He was responsible for putting situations under control.

8 Q. Vandi Kosia, do you know him?

9 A. Yes. He himself was there; we went together.

15:44:54 10 Q. And how long did you stay in Tongo?

I 11 A. I stayed in Tongo for two weeks. That was the time when
12 was called to come back to Freetown.

13 Q. During the two weeks in Tongo did anything happen in
14 relation to mining?

15:45:19 15 A. Yes. It was within that time that the Cyborg pit was
16 opened.

17 Q. Did you observe that?

18 A. Yes, I was there when it was opened.

19 Q. When you say "it was opened", how was it opened?

15:45:39 20 A. Well, because, after we've entered, there was no mining
21 taking place.

22 Q. Mr Translator, could you switch my microphone back on
23 quickly after because I have a long fuzziness which means I
24 cannot ask a question. Let's just go back over that, please.

15:46:08 25 A. After we've captured the ground, there was no mining
taking
26 place there. All mining activities have stopped. So that was
27 why I said we opened it again.

28 Q. Be careful about using "we." We want to be as precise
as
29 possible about what happened. So there's no mining. How was
it,

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1 tell the Court, that the mining was opened?

2 A. Well, the mining was opened by Sam Bockarie. Before he
3 opened the mining, he called a general meeting at the airstrip
4 which both civilians and all the armed men that were in Tongo,

15:47:05 5 they were all present. So when he went, then he told them
that

6 they want the mining activities to start.

7 Q. Who told who?

8 A. Sam Bockarie.

9 Q. Were there any --

15:47:28 10 A. They told --

11 Q. Were there any commanders for the SLAs?

12 A. Yes, we had Captain Yamao Kati late. We had Lieutenant

13 Kamara. We all came together from Daru. They were there.

They

14 were there, a lot of them. Some, I don't know.

15:47:57 15 Q. And go on, what happened at the meeting?

16 A. So, at the meeting, he told them that he wanted to

17 establish a mining. He wanted to establish a mining. But he

18 want that the mining be established in a way that each and

19 everybody will benefit from it. How was it going to be done?

So

15:48:27 20 he advised the civilians to form a mining committee.

21 Q. Did you hear this being said?

22 A. I was present at the meeting, yes, sir.

23 Q. Try to remember as accurately as possible what was said?

24 A. He said the civilians should come up with a mining

15:48:53 25 committee, which comprises of them; that is the civilians, and

26 that they should have a chairman. Then among the armed men he

27 identified Captain Yamao Kati and a few RUF commanders like

28 Victor Kallon, who was his bodyguard by then. He had a man

like

29 Manowa and others; he included them in the committee. He also

1 asked them to set up a committee. So the civilian committees
2 were responsible for washing the gravels that were dug, that
they
3 give to the RUF.

4 Q. Was this said at the meeting or was this something that
you
15:49:52 5 learnt later about the committee? Just stick with what was
said

6 was the point of the committee, at the meeting?
7 A. Well, that is one of the issues discussed at the
meeting,
8 and, after that, the following issue was that he asked how the
9 mining should be operated. That is, it is going to be
operated

15:50:19 10 in a pile system, and it was agreed that it should be a
11 three-pile system.

12 Q. What did that mean?
13 A. That means, for example, you, who is the funder, will
have
14 a pile and the labourers working in the pit, they too shall
have

15:50:50 15 a pile; that is all of them. Then a pile should go to the RUF
16 movement. That makes it three piles.

17 Q. And were there any prominent civilians present at this
18 meeting?

19 A. Yes. One of the prominent civilians that I saw was
Chief

15:51:23 20 Kini One, who was the town chief at Torkpormbu Geya. That is
a
21 town within the Tonga township.
22 Q. Can you spell that because I can't?
23 A. Kini?
24 Q. No, not Kini, the town; the name of the town?
15:51:38 25 A. Torkpormbu? Is T-O-R-K-P-O-R-M-B-U.
26 PRESIDING JUDGE: What was the name of the chief?
27 THE WITNESS: His name was Chief Kini One.
28 MR JORDASH: Your Honour, sorry, to interrupt.
29 PRESIDING JUDGE: Yes.

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1 MR JORDASH: I don't know if it's just me and John,
2 Mr Cammegh, but I'm very hot. I don't know if the air
3 conditioning has broken down.
4 JUDGE BOUTET: I have complained about that already.
15:52:23 5 PRESIDING JUDGE: Is it working? I'm feeling hot too.
6 JUDGE BOUTET: It is everywhere. It was hot when we
came
7 back in the afternoon session, so I don't know if they shut
down
8 the system or what.

9 MR JORDASH: It feels like it.

15:52:42 10 PRESIDING JUDGE: But how do we sort this out because we
11 can't be working under these conditions. When it's not
12 functioning, it makes the working conditions unbearable.

13 MR GEORGE: We have contacted FMU, Your Honour, and they
14 said they were coming at 4.30.

15:53:00 15 PRESIDING JUDGE: Why at 4.30?

16 MR GEORGE: Well, I suspect they are waiting for the
17 afternoon break.

18 PRESIDING JUDGE: The afternoon break, so what? We will
19 stay here to be roasting in heat? Supposing we adjourned and
we
15:53:17 20 went home, they will be the first to say that this Chamber is
21 delaying proceedings. When does the Chamber have to be guilty
of
22 their own malfunctioning and total lack of organisation?
Well,
23 let's see how far we go, Mr George.

24 MR JORDASH: Yes, certainly.

15:53:46 25 Q. Mr Witness, did anything else happen at the meeting or
was
26 anything else discussed? We'll just hold on a second.

27 PRESIDING JUDGE: Mr Jordash, please, can you take your
28 question again?

29 MR JORDASH: Yes.

1 Q. Was anything else discussed at the meeting, Mr Witness?
2 A. No, I think that was the most important they discussed
in 3 the meeting.

4 PRESIDING JUDGE: Chief Kini was in attendance at that
15:54:25 5 meeting?

6 THE WITNESS: Yes, sir, he was there.

7 PRESIDING JUDGE: You called him Chief Kini the second
or 8 what was --

9 THE WITNESS: No, the first, the first.

15:54:37 10 PRESIDING JUDGE: The first.

11 THE WITNESS: Chief Kini the first.

12 MR JORDASH:

13 Q. Was it explained in the meeting what the overall purpose
of 14 the committee was?

15:54:55 15 A. No. Well, the meeting actually was an open meeting, so
16 what after the headlines I touch on, they never explained deeply
But 17 was the purpose of the mining, why they opened the mining.

18 later, they explained it later at the committee meeting, where
19 there were only elders.

15:55:20 20 Q. When was the committee meeting? Were you in the
committee 21 meeting?

I 22 A. Yes, I was there. The committee meeting, I was there.
23 witnessed it.
24 Q. How long after the first open meeting?
15:55:38 25 A. Well, the next day, around 10 o'clock, 10 in the
morning,
26 because that very day they had to declare the mining open.
27 Q. And what happened in that committee meeting?
28 A. Well, in that committee meeting --
29 Q. Sorry, before I ask that question, who was at the
committee

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1 meeting?
that 2 A. The committee meeting, all members of the committees,
3 is civilians who were appointed, were there, and also both the
4 RUF and the SLA representatives were there.
15:56:21 5 Q. And did you know the names of any of the civilian
committee
6 members?
Abu 7 A. Yes, I knew one or two or three. We had one called Mr
8 Kargbo, alias Short Abu, we had the chairman, who they called
9 Monpleh, he himself was there, and of course we had one

15:56:52 10 Mr Daramy, and one Mr Farmer who were all representing their
11 people.
12 Q. And Daramy and Farmer, did they have positions within
the
13 community?
14 A. Committee? Well --
15:57:16 15 Q. No, no. Community. Besides being on the committee, did
16 they have any positions within the Tongo community?
17 A. Yes. Like that Mr Farmer I'm talking of, he is coming
from
18 the ruling house, one of the former ruling houses. The past
19 paramount chief election, he stood, only that he didn't win.
He
15:57:42 20 was one of the members.
21 Q. How do you spell his name, please?
22 A. F-A-R-M-E-R.
23 Q. And the other man you mentioned, Daramy, how do you
spell
24 his name?
15:58:00 25 A. D-A-R-A-M-Y.
26 Q. And what was then discussed in the committee meeting?
27 A. Well, before ever, after prayers, both in Christian and
28 Muslim, Sam Bockarie told us that the purpose of the mining we
29 thought should be open was to --

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it

1 Q. Sorry, can you go over that answer again so we can have
2 a bit more clear, please?

mining,

3 A. The purpose why they decided that they should start
4 one was that, as RUF had joined the SLAs, and at that time

they

15:59:06 5 were paying the SLAs monthly salaries --

6 Q. Sorry, who was paying the SLAs a monthly salary?

7 A. The AFRC government.

8 Q. Go on.

9 A. And the RUF were not getting salary, so they deemed it

15:59:31 10 everybody

necessary that at least if they opened that mining, let

11 go and try his luck, so that you will be able to upkeep your

government.

12 family. Then, two, to try to get fund for the AFRC

13 Those were the two reasons why -- which he gave.

14 Q. And, go on.

16:00:19 15 A. So, with that, in fact, that was why he said no soldier

he

16 should keep any diamond, or the proceeds that will be got. So

keep

17 trusted the civilians, so it was the civilians who were to

will

18 all the proceeds that they will get out of the piles, they

19 give the AFRC. So the chairman appointed who should -- they

16:00:45 20 was

appointed him to keep the diamonds, who was Monpleh. So that

that

21 how the meeting ended and they declared the mining open on

22 particular day.

23 Q. And are you able to say anything about the mining that
then

24 happened within the --

16:01:04 25 PRESIDING JUDGE: Sorry, Mr Jordash, Monpleh, yes, you
26 talked about him. Who was he? Was he a civilian or a
soldier?

27 THE WITNESS: He was a civilian. He was the chairman of
28 the committee which the civilians had formed.

29 MR JORDASH:

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1 Q. You were there for two more weeks, or just less than two
2 weeks; did you observe anything about the mining before you
left?

3 A. Yes, the mining started. It was going on smoothly, so I
4 left the mining actually on before going and that time CO

16:01:50 5 Mosquito had his bodyguards there. He was coming on and off
to
6 monitor the mining, because by then he was based in Kenema.

7 Q. Did you see any problems with the mining before you
left?

8 A. Well, the problem actually, before I left, I didn't --
9 there was not much problem because it was going on smoothly.

It

16:02:23 10 was when I left, later on I learned that Monpleh hid the
11 diamonds.

12 Q. When you were in Tongo in that two weeks --

13 PRESIDING JUDGE: That Monpleh did what?

14 THE WITNESS: He ran away with the diamonds.

16:02:53 15 JUDGE BOUTET: Which diamonds did he run away with?

16 THE WITNESS: The diamonds that they were gathering from
17 the piles which were given to the AFRC government.

18 JUDGE BOUTET: I thought you had said there were three
19 piles; one pile for the finder [sic], one pile for the workers
16:03:18 20 and one pile for the RUF. Now you're talking of a pile for
the
21 AFRC.

22 THE WITNESS: Yes. When I talk about RUF, that was the
23 junta time. It was both the RUF and the AFRC that were
operating
24 in the same way; that's what I meant.

16:03:59 25 PRESIDING JUDGE: But you said that the RUF was -- and
the
26 committee -- was entitled to the diamonds because they were
not
27 paid. They were not paid, so they had to take the benefit.
The
28 SLA soldiers were paid, and the pile which you mentioned which
29 was to go to finance the AFRC government.

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One
who
16:04:59
out
Then
work.
dust
16:05:03
in
16:05:26
16:05:37

1 THE WITNESS: Yes, sir. Those were the three piles.
2 pile of course -- my head -- but there were three-pile system
3 they introduced. One pile for the expenditure, that is, you
4 is spending on the pitch because you have to take out money to
5 buy petrol and other things to bale the water that was coming
6 from there. Now you who is doing that, you have one pile.
7 you have the labourers, who were actually doing the manual
8 They were holding the shovel. They dig and they remove the
9 and it will come out. They also had one pile. Then the other
10 pile, it was to go to the AFRC/RUF. That's the junta for
11 funding.
12 MR JORDASH:
13 Q. That's the government you refer to?
14 A. Yes, yes.
15 Q. And --
16 JUDGE BOUTET: But you also said that this money was to,
17 addition to what Justice Itoe said, he said that this was to
18 provide funds for the movement. Which movement are we talking
19 about now; the AFRC movement, the RUF movement? I mean --
20 THE WITNESS: The AFRC. The AFRC.
21 JUDGE BOUTET: So when you used the word "movement" now,
22 you meant the AFRC?

23 THE WITNESS: Yes, sir, because this was the junta
period.

24 The two groups are joined together.

16:05:56 25 JUDGE BOUTET: Okay; I just want to understand what you
are

26 saying. Thank you.

27 MR JORDASH:

28 Q. And Monpleh had taken diamonds from where?

29 A. He ran away with them; I didn't know where he went.

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1 Q. And the diamonds that he ran away with, where were they
2 supposed to have been? Where were they supposed to go?

3 A. Well, according to the agreement in the meeting, after
he

4 had collected those diamonds, when Sam Bockarie comes, when
the

16:06:46 5 day he visits there, he, Monpleh, should hand over these
diamonds

6 to Sam Bockarie and Sam Bockarie would turn them over to
Johnny

7 Paul Koroma. That was what he said in the meeting.

8 Q. Okay. Before you left Tongo, did you observe anything
9 about the movement of civilians within Tongo?

16:07:20 10 A. Yes, I left a lot of civilians there. They were doing

11 business. Some were selling cooked rice. There were many
12 civilian population.

13 Q. After you left Tongo, do you know anything about the
14 diamond mining there?

16:07:45 15 A. After I left Tongo, I never knew any other thing about -
16 and I didn't go there again.

17 Q. Thank you. Now, let me take you to the intervention.
18 You're in Daru?

19 A. Yes.

16:08:05 20 Q. Did you hear about Sam Bockarie in Kenema, what was
21 happening there?

22 A. Yes, I knew that Sam Bockarie was in Kenema. I heard it
23 and I knew and I was getting information about what was
happening
24 there.

16:08:27 25 Q. What was happening there, according to the information
you
26 received?

27 A. Well, at one time, because every day civilians travel
from
28 Daru to Kenema. At one time they told us that Sam Bockarie
had
29 executed three men for stealing, because they stole. So their

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Sam 1 corpse were lying on the line. And at another time they said
2 Bockarie had fired, had shot some of his officers because they
3 said they looted at the Bondo bush. So the women all came
4 together and they were crying towards Sam Bockarie.

16:09:18 5 Q. Sorry. Go ahead.

6 A. So that was how things were happening. We would get the
7 information.

8 Q. How far was or is Daru from Kenema?

9 A. Daru is about 42 miles.

16:09:43 10 Q. Did you hear about the men from the AFRC leaving
Freetown?

11 A. Yes. We usually hear they were coming towards the
12 provinces.

13 Q. And did you see Sam Bockarie after the fall of Kenema?

14 A. Yes, he passed through Daru when Kenema had fallen. He
16:10:26 15 passed through Daru to go to Buedu. Kailahun, Buedu. He met
me

16 at Daru on that particular day.

17 Q. What did you observe when he arrived? Who did he arrive
18 with?

19 A. He arrived with his family and even one Lebanese woman
who

16:10:55 20 was called Mammy Tok Tok with a lot of civilians who were in
the
21 vehicle; there were many.

22 Q. Who were the civilians he arrived with; did you know
them?

23 A. I remember some. He came with his mother and some

the 24 prominent people, like one Alhaji was there, whom they call
16:11:22 25 Alhaji for attend the mosque, the man for attend the mosque.
26 They all came. In fact, it was from we, we asked for escort,
to
27 be escorted to Liberian border so that they would go to
Liberia.
28 Q. Who asked for that?
29 A. Sam Bockarie asked for escort for that Lebanese woman,

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Kenema. 1 Mammy Tok Tok, and the chief imam for the Temne mosque in
2 Q. Who did he ask to escort those people to the --
3 A. He asked Captain Denis Lansana, who was the RUF
commander
4 at Daru Barracks, for him to provide escort for these people.
16:12:12 5 Q. And how many civilians do you think were with him when
you
6 saw him?
7 A. There were many, because they came with trucks, other
8 vehicles, vans, and when they came, they were passing Daru,
they
9 never stopped. They would go to Bo, Kailahun and Buedu.
16:12:39 10 Q. And what was the state of the civilians who were there?

used
11 A. Well, some were panicked because some of them were not
situation.
12 to that, really. They were never used to that type of
13 Q. What type of situation?
14 A. That is, they never left Freetown or enemy attacked them
or
16:13:11 15 left their places abruptly like that and begin to run, run
away,
16 running away from enemies.
17 Q. How were the civilians being treated when you saw them
with
18 Sam Bockarie?
19 A. Well, the civilians looked all right, because nobody
16:13:29 20 harassed them because most of them came and passed through
Daru
21 and, even in Daru, Daru was not too safe by then. So they
just
22 passed and went towards Kailahun Buedu, or some went to the
23 border.
24 Q. Do you know why the likes of Mammy Tok and other
civilians
16:13:53 25 had left Kenema? Did you discover that?
26 A. Yes. They said they were afraid for their lives
because,
27 if they had remained there, they had already been associated
with
28 the junta, the RUF and AFRC boys that were there. And that if
29 they remained there, the CDF came, and the ECOMOG, definitely

1 they would be killed. They would be badly treated. So that
was
2 why they were afraid. That was why they followed Sam
Bockarie.

3 Q. And you were based in Daru; were you at the barracks at
4 this point?

16:14:58 5 A. No, I was in town.

6 Q. And when you'd seen Sam Bockarie, did you go anywhere or
7 did Sam Bockarie go anywhere?

8 A. Yes, he left me there, and he advanced for Kailahun.

9 Q. With who?

16:15:19 10 A. With the securities and all those that came with him.

11 MR DUMBUYA: Your Honours, sorry to interrupt, but our
12 client wants to be excused for a moment.

13 PRESIDING JUDGE: That's okay.

14 MR JORDASH:

16:15:41 15 Q. What happened to the civilians that Mr Bockarie came
with;
16 did you observe where they went, besides the ones who were
17 escorted to the border?

18 A. Some went to Buedu, others went to Kailahun. They
settled
19 around those areas.

16:16:11 20 Q. Were they given any instructions about where they should
21 go?

22 A. Well, that I can't tell now, because I was not with them

23 when they started their journeys.

24 Q. Okay. Do you know how many civilians were taken,
escorted

16:16:32 25 to the border?

26 A. The ones that I saw, that was Mammy Tok Tok, and his
27 family, I think there were four in their car, and that Alhaji,
28 the chief imam for Temne mosque, he, they were two. So I will
29 say there were six I saw. But other civilians followed later.

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1 Q. Which other civilians followed later?

2 A. When Daru fell later, most of the civilians within that
end

3 and they crossed with a lot of SLAs. They went across. They
4 went across the Liberian border to the Liberian border.

16:17:25 5 Q. When was that in relation to the time when you saw
Bockarie

6 with Mammy Tok?

7 A. After they had passed, but it was about -- nearly a
month

8 before that happened because, as I said it, Daru itself was
under

9 pressure by then. It was not too safe again because all the

16:17:55 10 other armed men from Kenema, the SLA and the RUF, they all had

11 retreated. They were based at Daru. So there was problem in
12 Daru, you see? So people were going towards the border, they
13 were crossing, not until when ECOMOG advanced on Daru. So
most
14 of the civilians had already gone, and even the government
troop,
16:18:27 15 the SLAs who were with us, a lot of them had crossed. They
went
16 to Liberia.
17 Q. How was it the civilians were able to cross into Guinea
--
18 sorry, into Liberia?
19 A. Well, you see, Liberia, you don't need to cross a boat
or
16:18:56 20 be a vehicle; it's just a matter of walking. It is on land.
The
21 only thing all you know, the Liberian security, they see you
and
22 they verify you, they will take you and cross you over. But
23 there was no other obstacle like Guinea where you have water.
24 Q. Was there within that first month any prohibition on who
16:19:17 25 could leave across that border?
26 A. Yes. Within the first month, because Sam Bockarie sent
27 order at Bomaru, which was the main area to say any armed man
28 should not cross or, if he is going, he should not go with the
29 arms because we needed the arms to fight. That was the

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1 instructions.

2 Q. What about prohibition in relation to civilians in that
3 first month; was there any?

4 A. No, nobody stopped a civilian.

16:20:09 5 Q. After the --

6 A. Even after that nobody stopped the civilians. They were
7 free to go.

8 Q. And did you stay in Daru or did you go elsewhere?

9 A. After Daru had fallen, I retreated. I came to Baima.

16:20:43 10 Q. And did you stay there?

11 A. Yes, I was there.

12 Q. Do you know, or were you aware of anything in relation
to
13 the men being pushed out of Freetown? Did you hear any of it
as
14 it was happening?

16:21:11 15 A. Where, in Freetown?

16 Q. Yes. Were you receiving any news as it was happening?

17 A. Yes. At that time the news we heard was from BBC and we
18 heard news from field radio. You will find out that by then
we
19 had men, our brothers, who were coming from Freetown, they
were

16:21:37 20 trying to come towards Bo and Kenema but were unable. So they
21 had to go -- to go around and then to go and pass by Kono.
22 Certain informations were meeting us as things were
progressing.

23 Q. Did you hear -- well, can you recall what you heard?

was 24 A. Yes. I remember at one occasion when Kenema fell, that
16:22:16 25 the time they said our brothers had already come to Bo, they
said 26 within the interim itself Mr Sesay, he was wounded, so he was
went 27 trying to come. So he has gone towards the Makeni axis. He
28 through to Makeni to Kono in trying to come.
29 Q. Did you hear of his arrival in Kailahun?

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after 1 A. Yes, I heard about his arrival in Kailahun.
2 Q. Did you hear about where he was in Kailahun, shortly
3 arriving?
4 A. Yes, they said he was in Buedu.
16:23:23 5 Q. Did you hear about -- anything about where he went after
6 Buedu?
he 7 A. Well, at that particular time really, I only knew that
8 was in Buedu because during that time we were under serious
9 pressure from the front line, so I could not tell, really.
16:24:00 10 Q. Do you know where he was after Buedu, within 1998?
11 A. Yes. Later I learnt that he was transferred, sent to
12 Pendembu; from Buedu he went to Pendembu.

13 Q. Now, let's try to understand when this was. You saw Sam
14 Bockarie in early 1998. Do you know when it was you saw him
in

16:24:39 15 Daru?

16 A. '98 --

17 Q. Do you know the month?

18 A. Sam Bockarie?

19 Q. Yes, the month you saw Sam Bockarie -- bless you.

16:24:58 20 A. Sam Bockarie, I saw Sam Bockarie around February in
Daru,

21 because Daru fell in March. It was at the peak of the dry
season

22 that Daru fell. Around February we were there; even Sam
Bockarie

23 came there. Even when he came to base at Buedu, he used to
come

24 to visit Daru once in a while.

16:25:23 25 Q. And when did Mr Sesay come to base in Pendembu in
relation

26 to that?

27 THE INTERPRETER: Your Honours, can learned counsel
please

28 repeat the question?

29 MR JORDASH:

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was

1 Q. Sorry, Mr Witness, wait there. Do you recall when it

2 Mr Sesay came to base in Pendembu? Don't guess. If you don't
3 know, you don't know.

4 A. No.

16:26:02 5 Q. What did he come to Pendembu to do; do you know?

6 A. Well, the commander, with whom I was, told us that Issa
7 came there on punishment.

8 Q. Who was the commander who told you that?

9 A. My commander, my battalion commander, Kamo Kaneh, or
16:26:34 10 Colonel Eagle. That was his nickname.

11 Q. What, if anything, did Eagle say --

12 PRESIDING JUDGE: Kamo who?

13 THE WITNESS: Kaneh.

14 MR JORDASH:

16:26:54 15 Q. What did Kaneh say about this punishment?

16 A. He said Issa was on punishment because Mosquito gave him
17 some diamonds to take to Liberia. Issa returned and said the
18 diamonds had fallen or they were stolen from him. So it was
19 based on that grounds that Issa was punished. That was why he
16:27:29 20 was sent to the front line.

21 Q. And the front line at that point that he was sent to
22 encompassed which places?

23 A. You had Baima, Kuiva, Mobai and later Jojoima.

24 Q. Well, did you see Mr Sesay in Pendembu?

16:28:12 25 A. Yes; I used to meet him there.

26 Q. Were you close to Issa Sesay as a friend or as a fellow

RUF

27 colleague?

28 A. Yeah. Issa, I was very xxxxx to Issa; more than all the
29 other commanders.

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1 Q. How often did you see him during this time?

except

2 A. Well, during that time I don't see him frequently,

was

3 if I want to go to the rear, then I will obtain a pass. He

4 responsible to approve the pass at Pendembu before I go. That

16:29:14

5 was how I normally meet him.

at

6 Q. It may seem obvious to you, but what was it about being

7 the front line that was a punishment?

8 A. Well, in that sense, most of your movement will be

9 curtailed because if you are in the front line your main

16:29:52 10
stake.

concentration is at the enemy, you see, so your life is at

11 Q. And what was Issa Sesay's assignment title?

12 A. While he was in Pendembu?

13 Q. Yes.

those

14 A. Well, he was our overall commander for us who were in

16:30:27 15 battalions that I have just called; he was responsible for us
16 directly.

17 Q. Did he have a title?

18 A. Yes, he had a title.

19 Q. What was his title?

16:30:42 20 A. He was BFI.

21 Q. And as you saw his role, what was he doing?

22 PRESIDING JUDGE: Let me be sure of what BFI --
23 battle-field inspector or instructor? What is it?

24 THE WITNESS: Battle front inspector.

16:31:26 25 MR JORDASH:

26 Q. What did his role involve; as you saw it or heard about
it?

27 A. Well, he was responsible for the welfare of those
targets
28 or the particular front line that I've mentioned. He ensured
29 that the fighters are comfortable and they concentrate on the

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assignment
1 battle, and that the fighters stick in their various
2 areas. If there are any lapses in the front line or any area,
he

he
really,
16:32:32

3 ensures that he beefed it up. If there is a lack of manpower
4 will send a reinforcement. He was there to ensure that,
5 that particular front line keeps on going. So that was his
6 responsibility.

7 Q. And where were the civilians located around these front
8 line areas? Where were the main civilian centres?

9 A. Well, in the areas where we were at Baima, in Baima Town
16:33:16 10 there were no civilians, but we had civilians at Mandu Tawahun
11 which was about five miles from Baima and Pendembu; up to
12 Kailahun there were civilians.

13 Q. What about Pendembu?

14 A. There were civilians in Pendembu.

16:33:47 15 Q. Did you go to Pendembu whilst Issa Sesay was there?

a
16 A. Yes, I normally go there, especially if I want to obtain
17 pass to go and visit my family at Buedu. But I've never left
18 Baima to say let me go and visit my commander or friend. No.

at
19 Q. Do you know if Mr Sesay had any other responsibilities
16:34:24 20 that time, besides supervising these front lines?

ensured
21 A. Yes. Even the civilians within that area, he also
22 that they are comfortable as well as the fighters. He was
23 responsible for both civilians and the soldiers at base.

24 Q. How do you know this?

16:35:06 25 A. Because even the G5 who was there, he normally would
report
26 to him.

27 Q. So were there units within the Pendembu front line area
28 commanded by Sesay?

29 A. Yes, sir.

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1 Q. What were the units?

IDUs.

2 A. We had almost all the units: G5, IO, you have MPs,

3 They were all there.

4 Q. Where was MP Jalloh?

16:35:37 5 A. MP Jalloh was based in Pendembu.

that

6 Q. Are you able to say anything about -- no, before I ask

were

7 question, Baima, Kuiva and Mobai and these front line areas,

8 there units there or any agents of the unit?

16:36:08 9 A. Yes, they had agents there. All the units had agents on

they

10 the various front lines.

11 Q. And these agents in these front lines, do you know who

12 reported to?

had

13 A. They were reporting directly to their immediate bosses,

14 their immediate commanders. Like, while we were in Baima, we

16:36:37 15 MP commander for Baima, but he was reporting directly to

16 O'Jalley.

17 Q. O'Jalley? MP O'Jalloh?

18 A. MP O'Jalloh, yes, at Pendembu, Pendembu headquarters.

19 PRESIDING JUDGE: MP O'Jalley reported to who?

16:36:59 20 THE WITNESS: Then O'Jalley will report to Issa while he
21 was at base.

22 MR JORDASH:

23 Q. Where was the overall G5?

24 MR JORDASH: Oh, I notice the time, Your Honour.

16:37:34 25 THE WITNESS: The overall G5 was in Buedu during that
time.

26 PRESIDING JUDGE: We shall rise for the short break.

The

27 Chamber will rise, please.

28 [Break taken at 4.34 p.m.]

29 [RUF22OCT07d - MD]

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1 [Upon resuming at 5.06 p.m.]

2 PRESIDING JUDGE: Yes, Mr Jordash.

3 MR JORDASH: Thank you.

4 Q. You told us that the overall G5 commander was in Buedu
17:11:15 5 during the time that Sesay was in Pendembu; is that correct?

6 A. Yes.

7 Q. And the overall IDU commander, where was he?

8 A. He was in Kailahun but later he came to Pendembu.

9 Q. And where was the other overall unit commanders, G1, for
17:11:53 10 example?

11 A. G1 Kosia was in Buedu. Then the overall MP commander
12 himself was in Buedu.

13 Q. Who was that, please?

14 A. It was Kaisuku.

17:12:11 15 Q. And who did, as far as you are aware, the overall unit
16 commanders report to, during this period of time?

17 A. They were reporting to Sam Bockarie.

18 Q. How do you know that?

19 A. They were based with him directly, and according to his
17:12:46 20 administration, he had more or less to do with the overall
junior

21 men.

22 Q. Sorry, it didn't come through very clearly that. What
do

23 you mean about the junior men?

24 A. What I meant, he had more dealings with the overalls,
than

17:13:14 25 the other commanders. That is the unit commanders.

26 Q. Do you know if the unit commanders reported -- do you
know

27 if the overall unit commanders reported?

28 A. Once more.

29 Q. Do you know if the overall unit commanders reported to

1 anyone else, in this period?

2 A. Well, Sam Bockarie was the commander by then. He was
the
3 overall commander for RUF, so they were reporting directly to
4 him.

17:14:18 5 PRESIDING JUDGE: Do you know whether they reported to
any
6 other person?

7 THE WITNESS: No.

8 PRESIDING JUDGE: Please answer the question. Listen to
9 the question and answer it. You have already told us that
they

17:14:29 10 reported directly to Sam Bockarie because Sam Bockarie
preferred
11 to work directly with them than to pass through other
12 subordinates or other commanders.

13 MR JORDASH:

14 Q. You've told us about Eagle being your commander; who did
he
17:14:54 15 report to?

16 A. He was reporting to Mr Issa Sesay, who was the immediate
17 commander by then.

18 Q. Do you know who the commander from Kuiva reported?

19 A. BFI. Well, we were all at the same reporting channel.
We

17:15:17 20 all report to BFI; that is Issa.

personally?

21 Q. Thank you. Did you have access to a radio; you

use

22 A. I don't have direct access to a radio but I sometimes

to

23 my influence with the operator, if I wanted to send a message

24 my family.

17:15:51

25 Q. Do you know where Superman was at this point in time?

26 A. Superman was in Kono.

time?

27 Q. Do you know who the top commander was in Kono at this

28 A. It was Superman. He was the top commander.

29 Q. Do you know who Superman reported to?

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1 A. Yes, he reported to Sam Bockarie at Buedu.

2 Q. Did he report to anyone else?

3 A. No.

4 Q. You said that with confidence; why do you say it with
17:16:53 5 confidence?

Sam

6 A. Because Superman had no direct link with anyone, except

come

7 Bockarie. Because at times Sam Bockarie would invite him to

8 to Buedu and only two of them will meet and discuss in camera.

9 So that is why I have the confidence to say this.

17:17:25 10 Q. Did you hear any communications between Sam Bockarie and
11 Superman on the radio?

12 A. Yes. At one time I monitored while he was asking the
13 opinion of Superman concerning the enemies, that is the
Guineans,
14 while they were launching in our own area. So he asked
17:18:00 15 Superman's opinion, so they discussed directly.

16 Q. Did you hear any communication between Sesay and
Superman?

17 A. No, I never heard that.

18 Q. Did you know or were you told that they were or were not
19 communicating?

17:18:31 20 A. Never had the operator told me that Issa and Superman
have
21 communicated.

22 Q. Do you know if Mr Sesay had anything to do with
officially,
23 on an official level, with any RUF or SLA commander in Kono at
24 this time?

17:19:03 25 A. No idea about that.

26 Q. Did you ever speak to Mr Sesay about anything to do with
27 that?

28 A. No.

29 Q. Do you know whether Sesay went to Buedu after he'd been

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1 sent to Pendembu as a punishment?

2 A. No, I have no idea about that. He was just there in
3 Pendembu, undergoing his punishment.

4 Q. Did you hear Sesay communicating with anyone on the
radio,

17:20:20 5 besides those commanders you've told us about, during this
period
6 of punishment?

7 A. No, I never heard anything like that, except for my own
8 commanders.

9 Q. Did you attend any meetings in Buedu during this period
of
17:20:50 10 Sesay's punishment?

11 A. No, I never attended any meeting there.

12 Q. You spoke about MP Jalloh reporting to Sesay. Do you
know
13 what the contents of those reports were?

14 A. Well, he usually report to him about the day-to-day
17:21:42 15 security observations that he made within Mr Issa's
operational

16 areas, and --

17 Q. And?

18 A. -- and even if at times, if there is anyone who has done
19 something bad, that individual will be investigated, and
Jalloh

17:22:26 20 is responsible to give this report about the findings, about
what
21 that person has done.

22 Q. Now, in relation to Kono and the events in Kono, did you

time 23 receive any news about what was happening in Kono during the
24 of Sesay's punishment?
17:22:44 25 A. Well, actually, the -- except by news, the radio
operators
26 would tell us what obtains in those areas at times. Sometimes
we
27 would gather information about that.
28 Q. Did you hear anything about a man called Savage, and I
want
29 you to think carefully about what you heard at that time. Did

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1 you hear about Savage?
2 A. Yes, I heard about Savage in Kono. That is when they
3 were -- it was Savage who was responsible for the SLAs in
Kono.
4 They were the top commanders in Kono. When they burnt down
Kono,
17:23:47 5 on their way retreating, going towards Kabala axis, so as to
open
6 a jungle in Kabala. So that was the time I heard about him,
that
7 he led the troop to Kabala.
8 Q. Did you hear anything else about Savage during the time
of
9 Sesay's punishment in Pendembu?

17:24:17 10 A. Well, yes, because in the interim, they said while they
11 were going they opened the bank in Kono. Those were the few
12 things that I heard. We never heard the full detailed
13 information about Kono.
14 Q. Did you become aware of Superman coming to visit
Bockarie?
17:25:03 15 A. Yes.
16 Q. Were you present during that meeting?
17 A. No, I was not present.
18 Q. Do you know who was present?
19 A. Well, really, I cannot tell because I was not in Buedu
by
17:25:24 20 that time; I was in Baima.
21 Q. Do you know where Sesay was around that time?
22 A. Sesay was in Pendembu.
23 Q. Sorry, if you can just give me a moment, I've lost
24 something. Yes. Let me ask you this: In Pendembu, did Issa
17:26:33 25 Sesay have any sexual relationships, that you knew about?
26 A. Apart from his wife, no.
27 Q. Did you hear about the killing of a large number of
alleged
28 Kamajors?
29 A. Yes. At that time I was in Daru, I heard about that.
It

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1 took place in Kailahun.

2 Q. Do you know where Sesay was at the time when you heard
that

3 news?

4 A. At that time, Sesay was in Freetown. At that time,
Sesay

17:27:46 5 was in Freetown axis. Sam Bockarie was in Kenema by then.

6 Q. During the time Sesay was in Pendembu as a punishment,
do

7 you know if he left the country or not?

8 A. I can't recall that he left the country, no.

9 Q. What did the G1 do, Mr Witness, in 1998; what was the
role

17:28:20 10 of the G1?

11 A. Well, the G1 was responsible for the base and, at the
same

12 time, they formed the War Council and the G1 was a member of
the

13 War Council. So he had a role that he played. These are some
of

14 the roles that he played. They were there to advise Sam
17:28:48 15 Bockarie, their leader.

16 Q. Was there a training base in Kailahun in 1998?

17 A. Yes, there was a training base. It was located at
Bunumbu.

18 Q. Do you know who the training commandant was?

19 A. It was CO Monica Pearson.

17:29:16 20 Q. And do you know who she reported to?

21 A. Well, they were reporting to the key 1 -- G1. If they
22 encounter any problem, the G1 would order to Sam.

23 Q. Sorry? If they encountered any problem --
24 PRESIDING JUDGE: You said Monica Pearson was the
commander
17:29:41 25 of what?
26 MR JORDASH:
27 Q. The training base.
28 A. The training base, yes, sir.
29 PRESIDING JUDGE: At Bunumbu?

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1 THE WITNESS: Yes, sir. Bunumbu, yes, sir.
2 MR JORDASH: Sorry, there was a problem, I think, with
the
3 translation, or maybe not. If there was a problem what
happened;
4 what did you just say?
17:30:20 5 PRESIDING JUDGE: She was answerable to? She reported
to
6 who, to use your language?
7 THE WITNESS: She was reporting to the G1.
8 MR JORDASH:
9 Q. Who did the G1 report to?
17:30:25 10 A. The G1 will then forward the case to Sam Bockarie.
11 Q. How do you know this?

12 A. That chain of command existed since the start of the
13 revolution. It's an ongoing process. That was why the base,
the
14 G1 and the leader, who was there by then, they were solely
17:30:54 15 responsible for the training base.
16 Q. And you say this existed throughout; is that right?
17 A. Well, up until 1999, yes, they were there.
18 Q. And why was it that the G1 reported directly to the
leader?
19 Was there a reason for that? Do you know of a reason?
17:31:36 20 A. Really, I don't have much idea on that. I don't know
the
21 reason why.
22 Q. Do you know what was happening on the Bunumbu base?
23 A. Well, at times, whatever obtains there, we will know.
24 Q. And how would you know that?
17:32:05 25 A. Well, in most cases, like, I can recall a case we were
at
26 Baima, CO Mosquito sent for the commander. He said he should
27 send one person to represent our battalion, on a case that
28 happened at the base which was under investigation, and that
the
29 people were to be court-martialed, so they sent a person and
he

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1 went there and he gave the report and, on return, he too would
2 report to us at the battalion. So, that was how we came to
know
3 what obtains at the base.

4 Q. Do you know what the Black Guards were?

17:33:05 5 A. Yes, the Black Guards were the securities to Foday
Sankoh.

6 They are his bodyguards. That is the name of his bodyguard
unit;
7 Black Guards.

8 Q. And when Foday Sankoh was out of the country, in 1998
and
9 1999, who did the Black Guards -- what did the Black Guards
do?

17:33:40 10 A. Well, they are a special unit, on their own, trained by
the
11 Pa. They were directly reporting to him. Sometimes the Black
12 Guards could stay with commanders to monitor the activities,
so,
13 in the absence of the Pa, they were on their own. That was
why
14 they, too, had their overall commander, and he will assign
them
17:34:17 15 to their various targets, so that was how they operated.

16 Q. Do you know if they reported to anyone in 1998 or 1999?
17 Well, let's start with 1998?

18 A. Well, in '98, they were not reporting to anyone. Like,
19 they will only report to the overall, their overall commander.
17:34:51 20 That was his own role because there was no one who they will
21 forward a report to because, like, Sam Bockarie, who was there
by

Black

22 then, he had his own securities. Except the overall, the
23 Guard overall commander, if he observed that there is anything
24 that he could advise Sam Bockarie on, then he would do that.

So,

17:35:29 25 that was the role that they played.

26 Q. Do you know where Peleto was in 1998?

27 A. Peleto, the last time I saw him, was in Freetown.

28 Q. No, in 1998, do you know where he was?

29 A. No. Really, no.

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SESAY ET AL

22 OCTOBER 2007

OPEN SESSION

1 Q. In 1998, did you ever hear him reporting to anyone in
2 Kailahun?

his

3 THE INTERPRETER: Can the learned counsel please repeat
4 question?

17:36:16 5 MR JORDASH:

6 Q. In 1998, did you hear Peleto reporting on the radio to
7 anyone in Kailahun?

8 A. He was not speaking over the radio in 1998.

5.30.

9 PRESIDING JUDGE: Right, Mr Jordash, I'm afraid it's

17:37:02 10 left.

MR JORDASH: If it assists, I've got about 20 minutes

11 PRESIDING JUDGE: No, no, no.

12 MR JORDASH: I mean for tomorrow.

13 PRESIDING JUDGE: Yes. The Chamber will rise. We'll
14 resume the session tomorrow at 9.30.

p.m.,

15 [Whereupon the hearing adjourned at 5.30

16 to be reconvened on Tuesday, the 23rd day of
17 October 2007 at 9.30 a.m.]

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EXHIBITS:

52 Exhibit No. 254

53 Exhibit No. 255

57 Exhibit No. 256

59 Exhibit No. 257

WITNESSES FOR THE DEFENCE:

WITNESS: DIS-069 4

EXAMINED BY MR JORDASH 5