



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

TUESDAY, 23 OCTOBER 2007  
9.58 A.M.  
TRIAL

TRIAL CHAMBER I

Presiding

Before the Judges:

Benjamin Mutanga Itoe,

Bankole Thompson  
Pierre Boutet

For Chambers:

Ms Erica Bussey  
Mr Felix Nkongho

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 Kennedy Ogeto  
Mr Lansana Dumbuya

For the accused Augustine Gbao:

Mr John Cammegh  
Ms Prudence Acirokop

1 [RUF23OCT07A - JS]

2 Tuesday, 23 October 2007

3 [The accused present]

4 [The witness entered court]

5 [Open session]

6 [Upon commencing at 9.58 a.m.]

7 PRESIDING JUDGE: Good morning, learned

8 counsel. We will resume our proceedings. Mr Jordash, you may

9 proceed, please.

10:03:32 10 MR JORDASH: Thank you.

11 WITNESS: DIS-069 [Continued].

12 [Witness answered through interpreter]

13 EXAMINED BY MR JORDASH: [Continued]

14 Q. Good morning, Mr Witness.

10:03:41 15 A. Good morning, Mr Jordash.

16 Q. I've got very little left for you, but a few small  
topics

17 which will take no more than about 30 minutes at most and then

18 there will be further questions from other lawyers.

19 A. Okay.

10:04:35 20 Q. Are you married, Mr Witness?

21 A. Yes.

22 Q. When did you get married?

23 A. I got married in 1995.

24 Q. And where was your -- where is your wife from?  
10:04:42 25 A. My wife is from Kono, Gandon Gbaneh.  
26 Q. And are you with her today?  
27 A. Yes.  
28 Q. Let me take you back to Pendembu very briefly in 1998  
when  
29 Mr Sesay was under punishment; did Mr Sesay have bodyguards at

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1 that point?

2 A. Yes, he had bodyguards.

3 Q. Were there any difference -- sorry, was there any

4 difference -- sorry, were the bodyguards different or the same  
as

10:06:06 5 the ones you've described from Giema in 1995 or 1996; was  
there

6 any change?

7 A. They were the same bodyguards I saw with him.

8 Q. And in 1999 did Mr Sesay have bodyguards?

9 A. He had them, yes, sir.

10:06:26 10 Q. The same as the ones in Pendembu or different?

11 A. Exactly. The same boys were with him up 'til the end of  
12 the war.

13 Q. Thank you. Let me take you to the junta, very briefly.  
Do

14 you know what Peleto was doing during the junta?

10:06:54 15 A. Peleto, I understood that he was assigned to Lungi,  
16 together with Rambo.

17 Q. And who was the senior out of the two?

18 A. It was Rambo; CO Rambo was the senior.

19 Q. What was CO Rambo's assignment; do you recall?

10:07:19 20 A. Well, he was the commander, where they were on that  
Lungi

21 axis.

22 Q. Thank you.

23 A. Yes, sir.

24 Q. Let me take you now to Kailahun Town and 1993. Did  
10:08:01 25 anything happen in Kailahun Town in 1993?

26 A. Yes, in 1993 things happened in Kailahun Town.

27 Q. Who occupied Kailahun Town in 1993?

28 A. In 1993 we were in Kailahun. Later the government  
troops  
29 dislodged us from Kailahun.

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1 Q. How much later than 1993 were you dislodged?

2 A. Well, it was around -- it was around June. June. That  
was  
3 the time they dislodged us from Kailahun.

4 Q. June 1993?

10:09:25 5 A. Yes, sir.

6 Q. And was there a time when the RUF recaptured Kailahun?

7 A. Yes, we recaptured Kailahun. It was in 1995 then. Even  
8 there, we did not fight there.

9 Q. And from 1995, until the end of the war, who occupied  
10:09:39 10 Kailahun Town?

11 A. From 1995, we were occupying there. But in 1990, the  
early  
12 part of 1996, we lost it briefly to the government troops, at  
the

13 time that they brought those Sandline mercenaries. When they  
14 went up to Koindu, we lost that area briefly, but later we  
10:10:13 15 repelled them and regained control of the ground. Since we  
16 regained control, we were there up to the time we signed the

Lome  
17 Peace Accord.

18 Q. Did you recapture Kailahun Town before or after the  
Abidjan  
19 Peace Accord?

10:10:32 20 THE INTERPRETER: Can learned counsel kindly repeat the  
21 question?

22 MR JORDASH:

Abidjan 23 Q. Did you recapture Kailahun Town before or after the

24 Peace Accord?

10:10:46 25 A. We recaptured Kailahun after the Abidjan Peace Accord.

26 Q. How long afterwards?

27 A. That, I can't remember now.

are 28 Q. From the time you recaptured until the end of the war,

29 you aware of any attacks by RUF or by government forces in



1 Kailahun Town?

2 A. Yes, the attack that they lodged was the one I talked  
3 about, the Sandline operation.

Kailahun

4 Q. Apart from that attack, when RUF then recaptured

10:11:34

5 Town, RUF are back in Kailahun Town, from that time onwards,  
6 until the end of the war, were there any attacks in Kailahun

Town

7 or the immediate environs?

8 A. Yes. Kailahun Town itself was not attacked, but a place  
9 like Giema, Giehun, all of them were attacked. In fact, like

10:12:09

10 Giehun, it was under attack up to the time the junta overthrow  
11 the government, until the very day that the overthrow took

place

12 in Freetown.

13 Q. What about Kailahun Town itself?

14 A. Well, Kailahun Town, it was not -- because they didn't  
15 reach there anyway, but they were heading for there.

10:12:29

back

16 Q. Thank you. Now, the last subject I want to take you

the

17 to, Pendembu, when Issa Sesay was under punishment. Who was

18 IDU -- let me change that question. Do you know a man called

19 John Gavawo?

10:13:14

20 A. Yes, sir.

21 Q. Where was he when Sesay was in Pendembu?

22 A. John Gavawo, I met him in Pendembu.

23 Q. What did he do in Pendembu?

24 A. That is where he was assigned.

10:13:35 25 Q. As signed as what?

26 PRESIDING JUDGE: Was he a Sierra Leonean, this Gavawo,  
was

27 he a Sierra Leonean?

28 MR JORDASH: G-A-V-A-W-O.

29 THE WITNESS: Yes, sir. He's a Sierra Leonean. He is

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1 Mende, born of Manowa.

2 MR JORDASH:

3 Q. G-A-V-A-W-O. What was his assignment in Pendembu?

4 A. He was the IDU commander in Pendembu.

10:14:06 5 Q. Who did he report to, do you know?

6 A. He was reporting to CO Issa, in Pendembu.

7 Q. Thank you.

8 A. Yes, sir.

9 Q. Did you, during this time, report to an overall unit  
10:14:39 10 commander? I think you can just say "yes" or "no" so you  
don't

11 reveal your identity.

12 A. Yes.

13 Q. Did you report to this overall unit commander on a  
regular

14 basis?

10:15:03 15 A. On a monthly basis, when I send my monthly report.

16 Q. How would you send the report?

17 A. I would write the report and take it to the battalion  
18 adjutant at the battalion and he will forward it to the radio  
19 operators and they would in turn send the message directly to  
the

10:15:36 20 overall at Buedu.

21 Q. And the messages that were sent, were they sent so that  
22 everybody who had access to a radio could hear them?

23 A. They would code it. They would code the message. It is  
24 not sent openly, and especially like that unit that I was  
heading  
10:16:11 25 in Baima, it was dealing with arms, so they were not sending  
it  
26 openly. They would code it.  
27 Q. And who then, besides your radio operators, the  
battalion  
28 commander and your overall unit commander, besides them, who  
29 would receive that message?

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1 A. Well, nobody, anyway.

2 Q. Who did the overall unit commander give the message to?

3 A. Well, the overall unit commander, he was in Buedu. He  
4 passed the message on to Sam Bockarie.

10:17:05 5 Q. Thank you. Did Issa Sesay have a farm in Pendembu?

6 A. Well, he had a swamp farm. I and him went there one  
day.

7 He had a swamp farm.

8 Q. You went there for what reason?

9 A. Two of us went there to see how the work was going on.

10:17:37 10 Q. What did you see when you went there?

11 A. Well, when we were going there, he took along salt. The  
12 salt was a bag, and Maggi and condiments to the town commander  
13 who was in the town, who was his friend. The village is  
called

14 Njaama. So from there we went to the swamp. He told me that

10:18:11 15 this is the swamp on which he was working. So --

16 Q. Sorry, Njaama is N-J-A-A-M-A. Go on, Mr Witness.  
Sorry, I

17 interrupted you.

18 A. So we went there in the swamp together with the men.

19 PRESIDING JUDGE: Was the farm was in Njaama? The farm  
was

10:18:35 20 in Njaama?

21 THE WITNESS: Yes, sir, in Njaama. That's the village.

22 MR JORDASH:

23 Q. Let me just interrupt you again. The town commander you  
24 said was a friend of Mr Sesay; do you remember his name?

10:18:50 25 A. I have forgotten his name, really.

26 Q. Continue with what you were saying, please.

27 A. So we went there and they told us how the work was going  
28 on, and what the problems were; for example, the way the work

was

29 going on, so those are the things he told us.

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1 Q. Did you observe anyone working on the farm?

2 A. Well, the time that I and Issa Sesay went there, it was  
in  
3 the evening. Nobody was there.

4 Q. Did you learn -- were you told by anyone who worked on  
the  
10:19:42 5 farm?

6 A. No. Apart from the town commander whom he said were  
7 working together with his family, because they were in charge  
--  
8 he was in charge so he and his family were working there.

9 Q. Do you know why they were working there?

10:20:06 10 A. Well, the reason why they were working there was because  
11 the farm was directly in his hands. He was in charge of it.  
I  
12 can say that Mr Sesay's name was only on the farm, but he  
owned  
13 it. That is the town commander. He was -- owned the farm,  
14 swamp.

10:20:37 15 Q. And the items that Sesay took, what happened to them?

16 PRESIDING JUDGE: Let me get you clearly: Was that  
17 Mr Sesay's name was on the farm or that he, the town  
commander,  
18 owned it. What do you mean?

19 THE WITNESS: Because even the harvest, once it's  
10:21:02 20 harvested, he harvested it.

farm 21 PRESIDING JUDGE: This is what I want to know: Whose

22 was it?

23 THE WITNESS: He said it's Mr Sesay who owned it.

24 PRESIDING JUDGE: And what did Mr Sesay tell you?

10:21:13 25 THE WITNESS: When we went there he said we should go  
and

26 stroll on the farm.

27 PRESIDING JUDGE: Stroll where?

28 THE WITNESS: When we went there, he said we should go  
and

29 stroll in his swamp farm that he has made.



1 MR JORDASH:

2 Q. You were about to say something about harvesting; could  
you  
3 continue that, please?

4 A. I said even the harvest, during the time of the harvest,  
it  
10:21:45 5 was the town commander himself who harvested it, who harvested  
6 the food, the rice, and they kept them.

7 Q. How do you know that?

8 A. Well, Njaama is on the main road. It is the bypass that  
we  
9 use to come to Giema, to come to Buedu, if you do not want to  
go  
10:22:03 10 through Kailahun. So most of the time we would use that road  
and

11 we would talk to him.

12 Q. Talk to?

13 A. The town commander. We would meet him in the town and  
we  
14 would sit together and discuss things with him.

10:22:21 15 Q. Did Sesay have any other farms that you were aware of in  
16 that year?

17 A. No. I didn't know any other farm except that one.

18 Q. And the year after, 1999, any farms owned by Sesay, that  
19 you were aware of?

10:22:41 20 A. No, no idea about that.

21 MR JORDASH: Can I just take very brief instructions,  
22 please, Your Honour? I've got no more questions, thank you.  
23 There will be some more questions, Mr Witness.

24 PRESIDING JUDGE: Thank you, Mr Jordash.

10:23:13 25 THE WITNESS: Thank you.

26 PRESIDING JUDGE: Yes, Mr Ogeto?

27 MR OGETO: Good morning, My Lords.

28 PRESIDING JUDGE: You may proceed, please, if you so  
wish.

29 MR OGETO: My pleasure, My Lords.

1           PRESIDING JUDGE: Because you may well not have any  
2 questions for him, that's why I say if you so wish.

3           MR OGETO: Thank you, My Lord. I have a couple of  
4 questions.

10:23:58 5           PRESIDING JUDGE: Right, okay; you may proceed then.

6                           CROSS-EXAMINED BY MR OGETO:

7 Q. Good morning, witness.

8 A. Yes, good morning.

9 Q. My name is Ogeto. I appear for Mr Morris Kallon, one of  
10:24:14 10 the accused persons in this trial. I'm going to have a few  
11 questions for you. The questions will be very brief in nature  
12 and I will request that you also try to be very brief in your  
13 answers. If I need clarification, I will tell you so. Please  
be  
14 careful when answering these questions not to identify  
yourself.

10:24:48 15 If you think a particular answer will identify you, please  
notify  
16 the Court so that we can take remedial action. Are we  
together,  
17 sir?

18 A. Yes.

19 Q. Now, I will start with a few preliminary issues. I have  
10:25:17 20 very carefully listened to your testimony the last couple of  
days

to 21 and I have arrived at a number of conclusions which I will put  
to 22 you. Please let me know if you agree with me. Is it correct  
23 say that because of the positions that you held within the RUF  
24 during the war you are able to explain the locations and  
10:25:58 25 movements of various RUF officers during this period?  
26 A. Yes.  
27 Q. Is it also correct to state that, based on the positions  
28 that you held during the war, you are able to identify some of  
29 the functions and ranks of various officers within the RUF?

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1 A. Yes.

2 Q. Are you also in that context able to explain some of the  
3 chains of command of various RUF officers during that period?

4 A. Well, let's be exact about the period.

10:27:05 5  
the

Q. I'm talking generally -- okay. Let's narrow it down to

to

6 period between November 1996 to the year 2000. Are you able

RUF

7 explain some of the chains of command that existed within the

8 during that period?

be

9 A. From November 1996 I can talk but I can -- it can only

10:27:42 10

limited to the area where I was during those times because,

11 in November 1996, I was in Kailahun and I can talk much on the

during

12 officers who were in Kailahun within that time. You see,

13 that time the jungles were scattered. We had Northern Jungle,

14 Western Jungle and we had Peyema. No, at that time Peyema had

10:28:47 15  
in

been dissolved, so I can't talk much about what was going on

16 the other jungles. So that's what I can say.

context

17 Q. Yes, but is it also true, Mr Witness, that in the

Kailahun

18 of your duties you received information not only about

19 but also from other areas; is that correct?

10:28:47 20 A. Yes. I received -- we were receiving information from  
21 other areas, but let's be specific. That particular time that  
22 you're talking about, at that time, like the Northern Jungle,  
it  
23 was very difficult for us to get them because they were almost  
in  
24 disarray. Similarly so for the Western Jungle. So it was  
very  
10:29:23 25 difficult to even communicate with them because at that time  
they  
26 were under pressure from the government forces. They were  
trying  
27 to dislocate those areas. That's why I'm saying so. Things  
were  
28 not normal at that particular -- at that specific time, 1996,  
29 around November.

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force  
not  
testimony,  
Morris  
10:29:59  
the  
10:30:28  
we  
10:31:07  
that  
10:31:36

1 Q. I understand that, Mr Witness, and I'm not going to  
2 you to give an answer in respect of a matter in which you are  
3 familiar. You mentioned, in the course of your direct  
4 the name Morris Kallon, and I assume you are talking about  
5 Kallon, one of the accused persons in this Court?  
6 A. Yes.  
7 Q. It's true that you have known Morris right from 1991 at  
8 beginning of the war until now?  
9 A. Exactly.  
10 Q. And you will be able to recall some of his important  
11 functions and postings during the war?  
12 A. Yes, I can recall a few, most -- because, for example,  
13 started on that Kuiva axis up to --  
14 Q. Yes, I will get to that. I just wanted you to confirm;  
15 you've said you recall a few. We will get into the details a  
16 little later.  
17 A. Yes. Yeah, I can recall a few.  
18 Q. Now, based upon your testimony, you spent a considerable  
19 amount of time during the war within Kailahun District; is  
20 correct?

21 A. Yes.

22 Q. From November 1996, to the end of 1998, were you within  
23 Kailahun?

24 A. Yes.

10:31:56 25 PRESIDING JUDGE: From December 1996 to when?

26 MR OGETO: I'm sorry, My Lords, November.

27 PRESIDING JUDGE: December? I'm sorry, November.

28 MR OGETO: November 1996.

29 PRESIDING JUDGE: Yes, to --

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1 MR OGETO: The end of 1998.

2 PRESIDING JUDGE: He was in Kailahun?

3 MR OGETO: Yes, My Lords.

4 Q. Was Mr Morris Kallon ever posted within the Kailahun  
10:32:49 5 District during this period, November 1996 to end of 1998?

6 A. Yes, I can remember, because I think it was in 1998 they  
7 sent him to the jungle there. At that time, it was Jojoima,  
just  
8 when we established Jojoima. He went there. I remember when  
9 they posted him there.

10:33:28 10 Q. They posted him where? Can you be clear on that,  
please?

11 A. They posted him to Jojoima, by the Joru end. That was  
12 where he was posted.

13 Q. And was that within Kailahun District?

14 A. Yes.

10:33:37 15 Q. Can you recall when that happened, that posting?

16 A. That was -- that was in 1998. It was in 1998 really,  
17 towards the end of 1998. I can't give you a specific month  
now.

18 Q. The end of 1998. Was it after August in 1998, in your  
19 estimation?

10:34:20 20 A. Yes, it was after August in 1998.

21 Q. Now, during this period, end of November 1996 to August

officers 22 1998, can you recall the officers who were present, RUF  
in 23 who were present in Kailahun? What was the chain of command  
24 Kailahun during that period?  
10:34:48 25 A. Well, during that time, we had the RUF officers that  
were 26 in Kailahun by then, the senior officers. We had Sam  
Bockarie;  
27 we had Issa Sesay; we had Sam Bockarie; Issa Sesay. We had  
Mike 28 Lamin was there in Buedu. Then we had even -- we had  
29 Mr Augustine Gbao, he himself was in Kailahun. Many of them  
were

1 there, anyway. They were there.

Morris

2 Q. Now, from your previous answer, it's clear that Mr

3 Kallon was not posted anywhere within the Kailahun District,

know

4 between the end of November '96 to August '98. Now, do you

10:36:09 5 if, notwithstanding that --

6 PRESIDING JUDGE: Do you confirm that, Mr Witness?

7 THE WITNESS: Yes.

8 MR OGETO:

9 Q. Notwithstanding the fact that he was not posted there at

10:36:37 10 that time, during that period, do you know if Mr Morris Kallon

RUF

11 was in any way involved in decision-making in the context of

12 activities in Kailahun District?

13 A. At that time, no. He hadn't any -- he had no hands in

14 decision-making. During that time we only had Sam Bockarie --

10:37:16 15 wholly and solely he was the decision-maker.

16 Q. Now, I want to direct your attention to the period

17 around April or May 1998. Did you hear of, or see, Mr Kallon

18 anywhere within Kailahun District?

that

19 PRESIDING JUDGE: What you're saying, Mr Witness, is

10:37:49 20 the sole and only decision-maker in Kailahun at that time was  
Sam

21 Bockarie?

22 THE WITNESS: Yes, sir.

23 PRESIDING JUDGE: Thank you.

24 MR OGETO:

10:38:21 25 Q. But apart from Sam Bockarie, before I go to my next

26 question, apart from Sam Bockarie you mentioned other officers

27 who were in Kailahun District, isn't it?

28 A. Yes.

29 Q. What was their role?

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1 A. Well, most of the -- those officers were dormant, while  
2 they were there.

3 Q. Now, I wanted you to focus on the period April,  
4 between April and May 1998, and I want you to tell me if you

saw

10:39:03 5 Mr Morris Kallon anywhere in Kailahun District?

6 A. Between April to May? Well, I heard about him in Buedu.  
7 heard about him in Buedu.

I

8 Q. You heard about him; you didn't see him?

9 A. Not at all. We did -- I did not lay my eyes on him, but  
10 did not see him because I was in Baima.

I

11 Q. In what circumstances did you hear about him; were you  
12 why he was present in Buedu at that time?

told

13 A. Well, actually, I heard that he came from Kono. Sam  
14 Bockarie asked that he should come because he had a problem  
15 with -- Superman sent a report against him. Based on that he  
16 recalled. That was why he was in Buedu on that ground.

10:40:16  
was

17 Q. Do you know where Mr Morris Kallon's family was based  
18 around this period, April or May 1998?

19 A. They were in Buedu.

10:41:01 20 Q. Do you know if Mr Morris Kallon had a farm anywhere  
within

21 Kailahun District during this period?

22 A. No, I hadn't any idea regarding that.

November 23 Q. And when I talk about this period, I mean end of

24 '96 to August '98?

10:41:28 25 A. '96? Do you mean '96? '96 Morris Kallon was not in

26 Kailahun District, '96.

27 Q. I understand that, but my question is: Even if he

wasn't 28 in Kailahun District, in '96, my question is: Did he have a

farm 29 within Kailahun between end of November '96 and August 1998?

1 A. No, he did not have a farm there.

2 Q. Do you know, even if he did not have a farm in Kailahun  
3 during that period, do you know if he was in any way involved  
in  
4 farming activities within the district at that time?

10:43:16 5 A. No, not to my knowledge.

6 Q. Now, during this same period, end of November '96 to  
August  
7 1998, was Mr Kallon at any time a commander in Buedu?

8 A. Which year? Which year? Repeat the year.

9 Q. I'm sorry I wasn't clear. I'm talking about the period  
end  
10:43:40 10 of November 1996 to August 1998, still the same period; was he  
a  
11 commander in Buedu?

12 A. He was not in Kailahun District during that period.

13 PRESIDING JUDGE: That is what this witness has said.  
That  
14 is what this witness has said. He only came around that time,  
to  
10:44:05 15 answer to the call of Bockarie, and receipt of a petition that  
16 was written against him by Superman, that was when he came.  
The  
17 witness has been very clear on this; he was not in Kailahun at  
18 that time.

19 MR OGETO: Yes, My Lords. Maybe I wasn't very clear on  
10:44:23 20 that but I was simply trying to have the witness respond to

21 specific allegations by Prosecution witnesses who placed  
22 Mr Kallon in Buedu during this period.

23 PRESIDING JUDGE: If he was not in Buedu, where does  
that

24 allegation stand? I think --

10:44:42 25 MR OGETO: I will move on, My Lords.

26 PRESIDING JUDGE: Yes.

27 MR OGETO:

28 Q. Now, during the period end of November 1996 to the year  
29 2000, you must have met Mr Morris Kallon on a number of



1 occasions; am I correct?

or

2 A. Well, not many times I met with him. I think it was one  
3 two occasions when I met with him.

you

4 Q. On this one or two occasions that you met with him, did  
5 see him in the company of bodyguards?

10:45:48

6 A. Yes.

7 PRESIDING JUDGE: You saw him only about one or two  
8 occasions?

9 THE WITNESS: Two occasions.

10:46:24

10 PRESIDING JUDGE: On two occasions.

11 THE WITNESS: Yes, sir.

12 PRESIDING JUDGE: Between 1996 and 2000?

13 THE WITNESS: Yes, in 2000, sir.

14 PRESIDING JUDGE: Is it between 1996 and 2000?

10:46:24

15 MR OGETO: Yes, My Lords, that was the question.

16 THE WITNESS: Yes, sir.

17 PRESIDING JUDGE: Thank you.

18 THE WITNESS: Welcome.

19 MR OGETO:

10:46:30

20 Q. And you saw him on only two occasions; is that your  
21 testimony?

22 A. Yes.

two 23 Q. Did you see him in the company of bodyguards on those  
24 occasions?  
10:46:45 25 A. Yes, sir. He had bodyguards.  
occasions 26 Q. About how many bodyguards did he have, on the two  
27 that you saw him?  
but I 28 A. I did not know the total number of bodyguards he had,  
29 knew one or two of the bodyguards that were with him.

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1 Q. Are you able to provide the names, please?

2 A. One was Soriba, whom I was acquainted with more, then --

3 PRESIDING JUDGE: Soriba?

4 THE WITNESS: Yes, sir. S-O-R-I-B-A. Then the other  
one,

10:47:45 5 really, I have forgotten his name. It was two of them that I  
was

6 acquainted with more.

7 MR OGETO:

8 Q. Now, these two individuals that you have mentioned, were  
9 they adults or children?

10:48:10 10 A. They were big men. For instance, Soriba was a person of  
my

11 -- the same rank with me.

12 Q. What about the rest of the other bodyguards; were they  
13 children or adults?

14 A. All the ones I saw with him on the two occasions I met  
with

10:48:35 15 him they were big men.

16 Q. Approximately, approximately, how old were they?

17 A. They were adults. Really, I cannot determine their ages  
18 during that time, but they were adults.

19 Q. I know you cannot determine their exact age, but were  
they

10:49:03 20 over 18, for instance?

21 A. Yes, they were over 18 years.

a  
22 Q. Now, yesterday or the day before yesterday, I cannot  
23 recall, or last week, I'm sorry, the day before yesterday was  
24 Sunday, you spoke about the SBU; do you recall?  
10:49:38 25 A. Yes.  
Morris 26 Q. Now, do you know if there were SBUs that the accused  
27 Kallon commanded at any time during the war?  
28 A. Not to my knowledge.  
29 Q. Now, there has been testimony before this Court that

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1 Mr Kallon is the one who created and commanded this unit, the  
2 Small Boys Unit; do you have any comment to make regarding  
that  
3 testimony?

4 A. Yes. That testimony was a lie. Mr Kallon did not get  
any

10:50:51 5 special unit on his own. He was a man, even when the leader  
sent

6 him from one place to another, sometimes when there was a  
problem

7 in another battalion, he will send him there to put the  
situation

8 under control. So I am surprised when I heard that he had a  
unit

9 on his own. He hadn't a unit on his own. In fact, he hadn't  
a

10:51:27 10 real base. He was sent from one place to the other. That was  
11 the situation in which I knew him.

12 Q. Now, during the war --

13 PRESIDING JUDGE: Mr Ogeto, if you may, you link this  
with

14 an allegation, you know, that it was -- there was testimony in  
10:52:03 15 this Court alleging that Kallon was a man of the origin -- the

16 man who created or commanded the SBU unit. May we have the

17 favour of a clarification on the identity of this witness, at

18 least from his pseudonym?

19 MR OGETO: Yes, My Lords; that is TF1-141.

10:52:49 20           PRESIDING JUDGE:  TF1-141?  
21           MR OGETO:  Yes, My Lords.  
22           PRESIDING JUDGE:  Thank you.  
23           MR OGETO:  
24   Q.    Now, during the war period, Mr Witness, were you aware  
of a  
10:53:22 25   special unit referred to as Operation Born Naked?  
26   A.    A special unit?  No.  
27   Q.    Was there any unit referred to as Operation Born Naked?  
28   A.    There was no unit like that.  
29   Q.    Now --

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1 JUDGE BOUTET: Are you sure you want to use the word  
2 Operation Born Naked because "operation" is not normally  
3 associated with a unit. It's because you say Operation Born  
4 Naked was a unit as such, and you get this kind of response.  
You  
10:54:09 5 will say there is no unit like this, or it may have been  
6 Operation Born Naked existed but not being a unit. So it's  
the  
7 way you asked your question, you get this kind of an answer,  
so.

8 MR OGETO: Thank you. I stand corrected, My Lords.  
9 Q. Let me rephrase the question. Was there an operation  
10:54:28 10 within Kono or Kailahun, during the year 1998, which was  
referred  
11 to as Operation Born Naked? Do you have any knowledge of  
that?

12 A. I have no understanding about that.

13 PRESIDING JUDGE: When you say you have no understanding  
14 about that, do you know? Did you hear? When you say you have  
no  
10:55:06 15 understanding about that, I'm not very clear with that reply.  
16 Mr Ogeto, can you please take the question again and let the  
17 witness be precise. When you say "I have no understanding  
about  
18 that," it does not situate the Court.

19 MR OGETO:

10:55:19 20 Q. Do you have any knowledge about this operation that may

year 21 have taken place in Kono and Kailahun Districts during the

22 1998?

never 23 A. It did not happen that way. That kind of operation

24 occurred.

10:55:41 25 MR OGETO: My Lords, this question emanates from the

26 allegations of Prosecution witnesses TF1-141 and TF1-035.

27 PRESIDING JUDGE: TF1-141 and?

28 MR OGETO: TF1-035.

29 PRESIDING JUDGE: Thank you.



1 MR OGETO:

2 Q. Now, witness, yesterday you spoke about an attack  
against  
3 Tongo in August of 1997; do you recall that?

4 A. Yes.

10:56:49 5 Q. And you say that you participated in this attack?

6 A. Yes.

7 Q. And you've said that this attack was launched by a joint  
8 AFRC and RUF force?

9 A. Yes.

10:57:17 10 Q. You mentioned some RUF officers who were involved in  
this  
11 attack, specifically Sam Bockarie; do you recall that?

12 A. Yes.

13 Q. What was Sam Bockarie's position at that time?

14 A. He was the overall commander for RUF. Because Pa Foday  
10:58:00 15 Sankoh was not here, he was in charge of the RUF.

16 Q. I cannot recall, did you mention any other RUF officers  
who  
17 participated in this attack? Remind me, please.

18 A. Yes, I called some RUF officers. I talked about Manowa,  
19 Eagle, you had even Lion, he was one of the senior officers

who  
10:58:46 20 were at the ground, so these were some of the officers. There  
21 were many, really. These are the ones I can recall now.

22 Q. Let's try and take these names that you have listed  
23 one-by-one. Manowa; what were his duties at that time?

24 A. Manowa was a commander, a target commander. He was a  
10:59:13 25 fighter. He was there to organise the boys.

26 Q. And where was he based before this attack of August  
1997?

27 A. Manowa was -- he was a man from Pujehun. He was based  
in

28 Pujehun.

29 MR OGETO: My Lords, I don't know if it's necessary for  
the

1 witness to spell that location.

2 PRESIDING JUDGE: Pujehun?

3 MR OGETO: I'm not very familiar with these names.

4 PRESIDING JUDGE: I think we are.

11:00:01 5 MR OGETO: Thank you, My Lords.

6 PRESIDING JUDGE: It's P-U-J-E-H-U-N.

7 MR OGETO: I'm sorry for my ignorance, My Lords.

8 PRESIDING JUDGE: It's not your fault. We started from  
9 where you are starting too.

11:00:15 10 MR OGETO: Thank you for that consolation, My Lords.

11 Q. Eagle; where was he based before this particular attack?

12 A. Eagle? He was at Peyema. When Peyema fall, fell  
rather,  
13 he went to Kailahun, but he too was trained in Pujehun.

14 Q. What about Lion; where was he based before the attack?

11:00:55 15 A. Lion? He was one of the senior officers, the Vanguard.  
16 He was based in Kailahun.

17 Q. Do you agree with me that the accused person Morris  
Kallon  
18 did not participate and was not involved in this attack  
against  
19 Tongo in August 1997?

11:01:25 20 A. Not at all. He wasn't there.

21 Q. Now, testimony has been adduced before this Court that

Kallon 22 around this period, August '97, the accused person Morris  
23 was deputy to Sam Bockarie. Can you comment on that  
testimony,  
24 please?  
11:02:07 25 A. Yes. He was not a deputy to Sam Bockarie at that time,  
he  
26 was one of the senior officers in the Northern Jungle, Kangari  
27 Hills, to be specific, and -- during that time.  
28 MR OGETO: My Lords, this refers to the testimony of  
29 TF1-035, that allegation about Morris Kallon being deputy to  
Sam

1 Bockarie.

2 Q. Now, around this period of August '97, can you recall  
3 Morris Kallon's rank?

4 A. He was a lieutenant-colonel.

11:03:27 5 Q. Are you sure? My information is that he was a major.

6 A. Well, what I'm able to recall was that.

7 Q. So I'm suggesting it to you that he was not a  
8 lieutenant-colonel; he was a major. In your direct testimony

--

9 PRESIDING JUDGE: You suggested it to him. What does he  
11:04:13 10 say?

11 MR OGETO:

12 Q. Go ahead. Can you comment on my suggestion to you that  
he  
13 was not a lieutenant-colonel; he was a major?

14 A. Well, it may be possible, but I will tell you that  
during

11:04:27 15 that time we hadn't a direct communication with people at the  
16 Kangari Hills. So maybe your own statement may be correct. I  
17 was unable to know all the ranks they had at Kangari Hills  
during  
18 that time.

19 JUDGE BOUTET: But why do you testify that he was a  
11:04:56 20 lieutenant-colonel then, if you didn't know? On what basis do  
21 you say he was a lieutenant-colonel, did you testify to that?

22 THE WITNESS: Because during that time Morris Kallon was  
23 one of the senior officers among the Vanguard, and the time  
they  
24 came with those ranks, when they said that Pa Sankoh had  
promoted  
11:06:06 25 his Vanguard, that was the idea I had, because all the senior  
26 officers were in strategic areas. So that was why I thought  
that  
27 he too was a lieutenant-colonel.

28 JUDGE BOUTET: Thank you.

29 MR OGETO:

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1 Q. Now, in the course of your testimony, your direct  
2 testimony, you mentioned a person by the name Kallon, a  
similar  
3 name with the accused, and you said he was Sam Bockarie's  
4 bodyguard; do you recall that?

11:06:21 5 A. Yes, I can recall.

6 Q. Do you know if he is in any way related to the accused  
7 Morris Kallon?

8 A. No, he has no relationship with him, rather.

9 THE INTERPRETER: Correction, interpreter. No, he was  
not  
11:06:51 10 related to him.

11 MR OGETO: Thank you.

12 Q. You said that after the attack you stayed at Tongo for  
two  
13 weeks; did I get you correctly?

14 A. Yes.

11:07:23 15 Q. During this two weeks that you were there, did the  
accused  
16 Morris Kallon come to Tongo?

17 A. No, I did not see him there.

18 Q. After you left, you said you went to Daru; am I correct?

19 A. Yes.

11:07:45 20 Q. How far is Daru from Tongo?

21 A. It is about -- around 36 miles off Tongo.

receive

22 Q. After you left Tongo and went to Daru, did you ever

23 information from anybody that the accused Morris Kallon got

24 involved in the activities at Tongo?

11:45:22 25 A. No, not to my knowledge. Nobody ever told me about  
that.

26 Q. Did you ever receive information that there were people

27 working under the accused Morris Kallon who were involved in

28 mining at Tongo after you left?

29 A. I hadn't any such information.



1 Q. So is it your testimony that during the entire period  
2 between August 1997 to February 1998 you never received any  
3 information regarding the involvement of the accused Morris  
4 Kallon in the mining activities at Tongo?

11:45:23 5 A. No, I hadn't any such information.

6 Q. Was Morris Kallon at any time deputy to Sam Bockarie in  
7 Kenema?

8 A. No, he never came to Kenema. I did not see him in  
Kenema  
9 anyway.

11:45:23 10 Q. Can you please comment on the following: A Prosecution  
11 witness referred to as TF1-041 alleged that Morris Kallon was  
one  
12 of the commanders who had people mining for him in Tongo. Can  
13 you please comment on that testimony?

14 A. Up to the time when I was in Tongo, I did not see  
anybody

11:45:23 15 who was mining in the name of Morris Kallon. And even when I  
16 left there, I did not receive any information saying Morris  
17 Kallon had a group in Tongo mining for him. No. I hadn't any  
18 such information. I won't tell lies.

19 Q. Within Tongo, you know this place called Cyberborg --  
11:45:24 20 Cyborg; sorry, Cyborg?

21 A. Yes, I know there. I know the pit.

22 Q. Did you, during the year 1998, receive any information

miners 23 regarding an order given by Morris Kallon to kill civilian  
24 at Cyborg?  
11:45:24 25 A. I'm not aware of that.  
Cyborg, 26 Q. You're not aware of 40 civilians who were killed at  
27 according to Prosecution witnesses, sometime in 1998?  
28 A. No, I don't have any knowledge of that.  
this 29 Q. Now, if 40 people were killed at Cyborg in 1998, would

1 have been information that would have come to your attention?  
2 A. It would have been an information that wouldn't be  
hidden.

3 We would have known because people were coming from Daru to  
Tongo  
4 every day. Vehicles were moving from Daru to Kenema, Kenema  
to  
11:45:25 5 Tongo almost every day. So if such a crime had happened, or  
if  
6 such things had happened, you would know. People would speak  
7 about it.

8 Q. And so you're clear, witness, that between August '97  
9 to February 1998, nobody spoke about the killing of 40  
civilian  
11:45:26 10 miners at Cyborg in Tongo?

11 A. Not at all. I did not hear about that; not at all.

12 MR OGETO: My Lords, this relates to the testimony once  
13 again of witness TF1-035.

14 Q. Now, witness, bearing in mind what you said at the  
11:45:26 15 beginning, when I asked you about chains of command during the  
16 war, are you in the position to tell us what the chain of  
command  
17 within the RUF was during the period 14 February 1998 to 30  
June  
18 1998 in Kono?

19 A. Well, the command structure in Kono at that time, you  
11:45:26 20 had -- for the RUF you had Superman; then he was deputised by

21 Rambo; then Pa Vandii, Peter Vandii was the adviser within those  
22 times. That was how the chain of command was in Kono.

AFRC

23 Q. And that during this period Kono was occupied by both  
24 and RUF?

11:45:28

25 A. Yes.

Kamara

26 Q. And the deputy to Superman at that time was Mr Bazzy  
27 of the AFRC; is that correct?

AFRC

28 A. Well, I can say Bazzy was the direct commander for the  
29 men on the ground. Even though they were all mixed, but they  
had

1 their own separate command. We were almost falling apart then  
2 with AFRC during those times, you see. In fact, that was the  
3 cause that they moved from Kono and opened their own jungle in  
4 Kabala.

11:45:29 5 Q. Now, was Isaac Mongor in Kono at that time?

6 A. Yes, he was there.

7 Q. What was his position?

8 A. Well, you see, Isaac Mongor was -- they trained Morris  
9 Kallon and others. So wherever they were, where he was, he  
would

11:45:29 10 be above them. Even if he had no command or voice, he would  
act.

11 They can take orders from him because he trained them from the  
12 base when he brought them, so they regarded him -- they  
respected

13 and regarded him. He trained the Vanguard's.

14 JUDGE BOUTET: What was your question again in this  
respect

11:45:29 15 about Mongor?

16 MR OGETO: My question was the position that Mongor  
17 occupied at Kono during that period.

18 JUDGE BOUTET: What's your answer? I understand what  
19 you're saying that he was a senior officer, but did he occupy  
a

11:45:29 20 position or not?

he 21 THE WITNESS: Well, during those times, I don't know if  
22 had a position, but the commander there was Superman.  
23 MR OGETO:  
24 Q. Is it not correct, witness, that Isaac Mongor was  
actually  
11:45:29 25 deputy to Superman within the RUF hierarchy in Kono at that  
time,  
26 14 February '98 to 30 June '98?  
27 A. That Kono incident, you might be correct. Like I'm  
saying  
28 because -- but the picture that we had was that Superman was  
the  
29 commander. Then he had Rambo, who was on the ground, they  
were

1 deputising him. So if CO Isaac was there, he could be the  
2 deputy. I wouldn't dispute that much because I was not on the  
3 ground physically. It was based on what they were telling us,  
4 most of the boys who were coming across.

11:45:31  
about

5 PRESIDING JUDGE: You'd better not give information  
6 matters you're not sure of. You can't be going forwards and  
7 backwards. You gave a chain of command and then you come back  
8 that and you start saying things differently. You'd better  
9 information which you are very, very sure of.

to

give

11:45:31 10

THE WITNESS: Yes.

who

11 PRESIDING JUDGE: Was it Rambo or was it Isaac Mongor  
12 was second in command to Superman in Kono at that time? The  
13 period has been specified; that's February '98 to June '98.

14 THE WITNESS: It was Rambo that I knew of.

11:45:32 15

MR OGETO:

16 Q. Do you know if the accused Morris Kallon occupied any  
17 position of responsibility in Kono during that period,  
18 14 February '98 to the end of June '98?

19 A. I didn't know about any position for him.

11:45:32 20

20 Q. You never heard of any position that he may have had at  
21 that time in Kono?

22 A. Not at all. Not at all, really.

23 Q. It has been alleged by Prosecution witnesses,  
specifically

24 Prosecution witness TF1-360, that Morris Kallon was the RUF

11:45:33 25 battle-field inspector based in Kono during this period. Do  
you

26 have any comments to make regarding that allegation?

27 A. I don't have any idea about that, really.

28 Q. Now, if Morris Kallon was holding this position of

29 battle-field inspector in Kono at that time, is this  
information



1 that would have been brought to your attention?

2 A. It would have been an information that would have been  
3 circulated, yes.

4 Q. Prosecution witness TF1-361 has also alleged that during  
11:45:33 5 this same period Morris Kallon was deputy to Superman in Kono.  
6 Any comments you may wish to make regarding this allegation?

7 A. Well, you see, Morris Kallon was not the deputy.

8 PRESIDING JUDGE: Don't explain. Look, answer the  
question  
9 to the best of your knowledge. Is that okay, Mr Witness?

11:45:34 10 THE WITNESS: Yes, sir.

11 PRESIDING JUDGE: Don't go into speculations.

12 THE WITNESS: He was not a deputy. He was not.

13 MR OGETO:

14 Q. Now, let's go to the junta period. You said that you  
11:45:34 15 travelled to Freetown after the junta and you recall at least  
16 three occasions; am I right?

17 A. Yes.

18 Q. Did you meet the accused person Morris Kallon in  
Freetown  
19 on any of those three occasions that you travelled to  
Freetown?

11:45:34 20 A. I only met him in Bo once, after he had come to stay in  
Bo.

21 That was the time I met him. I was not able to meet with him  
in

22 Freetown.

question 23 PRESIDING JUDGE: The question is Freetown. The

24 is Freetown.

11:45:34 25 THE WITNESS: No. I did not meet him in Freetown. I  
did

26 not come across him.

27 MR OGETO:

When 28 Q. Now, you say you met him in Bo when he moved there.

29 was that; can you recall?

1 A. Yes, it was in 1997, around -- around -- I've forgotten  
the  
2 month really, but it was towards -- around July, after --  
yeah.  
3 July to August, within those times.

4 Q. Now, on your way to Freetown you used to pass through  
Bo;  
11:45:35 5 is that right?

6 A. Yes.

7 Q. In June '97 was there any presence of RUF soldiers in  
Bo?

8 A. Who were based there?

9 Q. Yes.

11:45:35 10 A. No. I was not aware of that.

11 Q. Now before --

12 PRESIDING JUDGE: You were not aware of the fact that  
RUF  
13 soldiers were based in Bo?

14 THE WITNESS: Around that time, sir, yes, sir.

11:46:02 15 PRESIDING JUDGE: Around that time?

16 THE WITNESS: Yes, sir, yeah.

17 MR OGETO:

18 Q. Now, around this period, do you know when RUF soldiers  
came  
19 to Bo?

11:46:02 20 A. Well, that was what I said, that around July, from July

21 to August, when I met Mr Morris Kallon in Bo, because that was  
22 the time that I knew that he had come to stay there to  
represent  
23 the RUF in Bo.  
24 Q. Thank you.  
11:46:02 25 A. Yeah.  
said  
26 PRESIDING JUDGE: Yes, they are asking you. You have  
1997. 27 that you met Morris Kallon in Bo between July and August in  
28 Was he the only RUF soldier who you met in Bo at that time?  
29 THE WITNESS: A senior officer, he was the one I met  
there,

1 sir, because we had RUF soldiers who would come there on their  
2 own.

3 PRESIDING JUDGE: I'm not sure of the answer you have  
given  
4 to that question. Mr Ogeto, please.

11:46:02 5 MR OGETO:

6 Q. Now, when you met Morris Kallon in Bo, was it the time  
when  
7 RUF soldiers had already come to Bo?

8 A. Yes, to base there.

9 MR OGETO: Does that clarify the --

11:46:02 10 PRESIDING JUDGE: It does, it does [indiscernible].

11 MR OGETO: Thank you, My Lords.

12 Q. Now, before he moved to Bo, do you know where Morris  
Kallon  
13 was based?

14 A. I was hearing about him in Makeni.

11:46:02 15 Q. Now, you discussed the abduction at Makeni of UNAMSIL  
16 peacekeepers in May 2000; do you recall?

17 A. Yes.

18 Q. Where were you based at that time?

19 A. I was based in Kenema.

11:46:03 20 Q. And you say that at that time those in charge of Makeni  
21 were Kailondo and somebody else that you mentioned; can you  
22 remind me of the other name, please?

23 A. Yeah, they had General Keito. We had Lion and the rest,  
24 they were there as commanders.

11:46:03 25 Q. Now, during this period when this incident took place,  
do  
26 you know where the accused Morris Kallon was based?

27 A. Yeah, he told us that he was based at Magburaka.

28 Q. Now, to your knowledge, based on information that you  
may

29 have received, was Mr Kallon involved in the abduction of the

1 peacekeepers?

2 A. That, I cannot comment on. I have no idea about that  
3 because I was not there and I didn't get any information like  
4 that.

11:46:05  
could

5 MR OGETO: My Lords, with your kind permission, if we  
6 probably take an early break so that I am able to look at my  
7 notes and at the same time take instructions, so that I am  
8 able  
9 to determine how I will proceed after the break.

11:46:05  
prematurely

10 PRESIDING JUDGE: Well, we were constrained to sitting  
11 beyond the break period because we started late on account of  
12 other commitments. But since you want to organise yourself,  
13 Mr Ogeto, we will accede to your request and proceed  
14 for the morning recess. The Chamber will rise, please.

14 [Break taken at 11.30 a.m.]

12:10:50

15 [RUF230CT07B - MD]

16 [Upon resuming at 12.07 p.m.]

feet,

17 PRESIDING JUDGE: Mr Hardaway, I see you are on your  
18 feet,  
19 yes?

12:14:05  
accused

20 MR HARDAWAY: Yes, Your Honours. I apologise for not  
21 bringing this up earlier. Learned counsel for the second  
22 had been making references throughout the cross-examination of

22 various Prosecution witnesses, and I should have asked at that  
23 time but I'm asking now if we can get the specific citations  
to  
24 the various Prosecution witnesses he is referring to.

12:14:41 25 PRESIDING JUDGE: Is it for him to give it to you or for  
26 you to check from your own transcripts?

27 MR HARDAWAY: If we have the -- at the very least if  
there  
28 is a date that can be provided so that we can check, I would  
ask.

29 PRESIDING JUDGE: Right. Mr Ogeto, are you in a  
position



1 to provide him with the dates?

2 MR OGETO: I am in that position, My Lord, as long as  
the  
3 Prosecution doesn't translate this into an obligation on the  
part  
4 of the Defence to provide exact details.

12:15:32 5 JUDGE BOUTET: Well, we have in the past asked Defence,  
6 when they were making reference, that they give the specific  
7 reference. In fact, your colleague Mr Cammegh is very much  
8 aware, I saw him nodding, because when you used to say a  
witness  
9 said this, we want to know where, so we can check on the  
12:15:32 10 transcript. I want to check at times what it is you are  
making  
11 an allegation if it is accurate, so it is not only for the  
12 Prosecution, it is for the Bench as well.

13 JUDGE THOMPSON: I would like to add that this is, in  
fact,  
14 for the efficient administration of justice. It's not a  
question  
12:15:32 15 of reciprocity in terms of obligations between the parties.  
We  
16 have just made it a practice and I think it advances and  
enhances  
17 the process so that, in fact, when you are saying TF so-and-so  
18 did say so-and-so you are, in fact, again quoting or  
paraphrasing  
19 correctly and not misrepresenting the evidence.

12:16:18 20           PRESIDING JUDGE: Nobody is suggesting that you are,  
21           Mr Ogeto, in any event, misrepresenting the evidence. That is  
22           not the suggestion from here; at least this far.

23           MR HARDAWAY: Nor any suggestion from the Prosecution on  
24           that as well, Your Honour.

12:16:18 25           PRESIDING JUDGE: Mr Ogeto?

26           MR OGETO: My Lords, I am prepared to facilitate the  
27           Court's work by providing the references.

28           PRESIDING JUDGE: Right.

29           MR OGETO: Can I do it now, My Lord?

1           PRESIDING JUDGE: Yes, yes, you may; why not?

2           MR OGETO: It may not be exhaustive, but let me provide  
3 whatever I have for now.

4           PRESIDING JUDGE: No, no. Okay. If it's not exhaustive  
we  
12:16:39 5 prefer that it is exhaustive. As you go into the inventory of  
6 the witnesses you cited and then you can come up with  
something  
7 which is exhaustive and present it later on.

8           MR OGETO: Much obliged.

9           PRESIDING JUDGE: Yes. We would want to have the  
complete  
12:16:58 10 picture of what is on the record. You can do that later,  
maybe  
11 before the cross-examination by the Prosecution.

12           MR OGETO: I will do that, My Lords.

13           PRESIDING JUDGE: When do you think you can do this?  
14 Couldn't we have it by the close of the day; isn't that  
possible?

12:17:48 15           MR OGETO: Sooner than that.

16           PRESIDING JUDGE: Sooner than that. Good. Okay. Let's  
17 have it before we rise today, so that we all get to know where  
we  
18 are with the records; okay?

19           MR OGETO: Yes, My Lords.

12:17:48 20           PRESIDING JUDGE: Yes. This said, I think -- Mr  
Hardaway,

21 does that suit you?

22 MR HARDAWAY: It does, Your Honour, and again I  
apologise

23 for the lateness in bringing this up.

24 PRESIDING JUDGE: No, that's okay. That's all right.  
You

12:17:48 25 weren't late anyway. You were not late. It's okay, it has  
come

26 on time.

27 MR HARDAWAY: I thank the Court.

28 PRESIDING JUDGE: All right. Yes, Mr Ogeto, you may

29 proceed.

1 MR OGETO:

2 Q. Mr Witness, I have a few questions remaining for you.  
Now,  
3 are you aware of the circumstances under which the accused,  
4 Morris Kallon, married his wife Ester?

12:18:24 5 PRESIDING JUDGE: Is he aware that Kallon is married at  
6 all? He has not testified to that, has he?

7 MR OGETO: Sorry, let me take it again.

8 PRESIDING JUDGE: Yes.

9 MR OGETO:

12:18:35 10 Q. Are you aware that the accused Morris Kallon is married?

11 A. Yes. I'm aware that he's married to Ester.

12 Q. Can you recall when they got married; do you have that  
13 information?

14 A. Yes, I had the information. It was the early part of  
the

12:19:03 15 war. I have forgotten the time, the year. He married her at  
16 Baiwala, from her parent.

17 Q. So when you say the early part of the war --

18 PRESIDING JUDGE: In Baiwala?

19 THE WITNESS: Baiwala. B-A-I-W-A-L-A.

12:19:32 20 PRESIDING JUDGE: Baiwala, that is in what?

21 THE WITNESS: Kailahun District.

22 PRESIDING JUDGE: And you say he married her from her

23 parents?

24 THE WITNESS: Yes, sir.

12:19:52 25 PRESIDING JUDGE: When you say the early part of the  
war,

26 what do you mean?

27 THE WITNESS: That was around 1991, 1992. That was the  
--

28 those periods.

29 MR OGETO: Thank you, My Lords.

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1 Q. Do you know if Ester's parents were involved in this  
2 marriage?

3 A. Well, according to the information I got, I was not  
there,  
4 his uncle was there; members of his family were there; they  
took  
12:20:38 5 part.

6 PRESIDING JUDGE: Members of which family?

7 THE WITNESS: Ester's family members were there.

8 PRESIDING JUDGE: And the question referred specifically  
to  
9 the father.

12:21:08 10 MR OGETO:

11 Q. Or the parents, the mother and the father of Ester, were  
12 they involved in this marriage?

13 A. I heard that her father was present. Her father was  
14 present, yes.

12:21:32 15 Q. So, if it was to be alleged that Morris Kallon --

16 THE INTERPRETER: Can the lawyer come again with the  
17 question?

18 MR OGETO:

19 Q. If it was to be alleged that Morris Kallon forced Ester  
to  
12:21:54 20 marry him, that would not be correct, on the basis of what you  
21 are saying?

we 22 A. Yes, that can't be correct. Because during those times,  
23 did not force anybody to marry. It was unacceptable by the  
24 movement. That was why the G5 unit was in place.

12:22:30 25 Q. Does that mean also that Morris Kallon was not involved  
in 26 forcing women to marry RUF soldiers?

27 PRESIDING JUDGE: Mr Witness, you said during that time.  
28 Take that again. Nobody was forced to. Take that again.

29 THE WITNESS: During that time, nobody was forced to  
marry.



1           PRESIDING JUDGE: You said something else?

2           THE WITNESS: Yes, sir.

3           PRESIDING JUDGE: You said something else; nobody was  
4 forced to marry?

12:23:10 5  
G5

5           THE WITNESS: That was why I said there was the U -- the  
6 unit in operation, so those activities were unacceptable to  
7 unit.

that

said

8           JUDGE BOUTET: When you say this the question -- you  
9 that you remember that Kallon got married in the early part of  
10 the war, '92, '92. Did you have G5s then? I am trying to  
11 remember. I thought, based on your evidence, it was later, so  
12 am just trying to -- later that you had G5s.

I

the

13           THE WITNESS: Yeah, it was G5 at that time. Almost all  
14 unit. We had a G1. It was only --

12:24:11 15  
witness

15           THE INTERPRETER: The interpreter is sorry, can the  
16 come again?

17           MR OGETO:

18 Q.       Witness, can you please repeat what you've just said?

part

19 A.       I said the unit were all in place during the initial

12:24:30 20 of the war. All the units were in place and they were

21 functional.

22 Q. During the period, end of '96 to 2000, did the RUF force  
23 women to marry their soldiers?

24 A. No, sir. Not to my knowledge.

12:25:23 25 Q. Now, forgive me, I will take you back briefly to Kono.  
You

26 remember I asked you a couple of questions about allegations  
by

27 Prosecution witnesses about positions that they said Morris  
28 Kallon held in Kono; you recall?

29 A. I can recall, yes.

1 Q. Now, between February 1998, and June 1998, was Morris  
2 Kallon overall commander in Kono?

3 A. No, he wasn't a commander in Kono.

4 Q. Now, let me take you back to Kailahun. Do you know if  
12:26:42 5 Morris Kallon was involved at any time between end of 1996 and  
6 the year 2000 in the recruitment of civilians into the RUF?

7 A. Not a day can I recall that Morris Kallon had worked in  
the  
8 base, no. I cannot recall.

9 Q. So, does your answer also apply to other parts, apart  
from  
12:27:24 10 Kailahun, he was not involved in recruitment of civilians into  
11 RUF at all?

12 A. I wouldn't say about the time he was at the Kangari  
Hills,  
13 that I cannot say, but the time he was in Kailahun, no.

14 Q. And when you talk about his period at the Kangari Hills,  
12:27:54 15 that was before November 1996; am I right?

16 A. Yes.

17 MR OGETO: My Lords, I have no further questions. Thank  
18 you very much, Mr Witness, for answering my questions and I  
19 apologise for my terrible pronunciation of these words.

12:28:30 20 THE WITNESS: Yes, welcome.

21 PRESIDING JUDGE: Thank you. Mr Cammegh?

22 MR CAMMEGH: Your Honour, I'm certainly ready to  
commence  
23 cross-examination but, before I do, can I just raise one  
matter  
24 which I think, as far as the administration of justice in this  
12:28:52 25 Chamber goes, has become of paramount importance and that is  
the  
26 fact that it's come to our attention, repeatedly, in fact,  
over  
27 the last months, but I think very seriously this week, that  
the  
28 stenographers are finding it very very difficult to keep up,  
not  
29 for lack of any work on their part, on the contrary it's an IT

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1 problem, which means that, currently, no transcripts have been  
2 served on anybody, on Defence or Prosecution or the Court  
since,  
3 I think, I think I am right, the Thursday sitting.

4 If I hadn't take a longhand note of this witness's  
entire  
12:29:37 5 testimony in chief I think I would have found it difficult to  
go  
6 ahead this morning; fortunately, I did.

7 I know, having discussed with one of the stenographers,  
8 that their work has been unstinting. I think they were  
working  
9 until 9.00 last night. I think one of them at least was  
prepared

12:29:58 10 and in fact asked transport if she could be conveyed to the  
11 premises at 6.00 this morning, in order that they could make  
up  
12 lost time, time lost through this IT problem that is not their  
13 fault.

14 Now, I know that the stenographers, I'm not blowing a  
12:30:15 15 trumpet on their behalf but I am simply trying to put across  
the  
16 situation as it is, their numbers have become steadily  
depleted  
17 over the year. There are now just two stenographers left and  
one  
18 scopist. It is not fair that they should be forced to work  
such

it's 19 hours in the face of a problem which isn't their doing and  
12:30:39 20 our hope that this problem can be ironed out once and for all.  
us, 21 But I have to say that, at this stage of the case, that  
relation 22 at the Bar, not to be in possession of transcripts, in  
situation 23 to an insider as important as this, is a very serious  
24 and if there is any way that any kind of appropriate judicial  
12:31:02 25 intervention can take place behind the scenes, we would all be  
this 26 very grateful for it. I think it's only right that I bring  
27 to the Court's attention.  
28 PRESIDING JUDGE: Thank you. We have taken note of that  
here, 29 and I hope the Court Management, which is fully represented

Court 1 has taken a note of that and that the Chamber mandates the  
2 Management to discuss this with the Registrar, or the Deputy  
3 Registrar and to ensure that transcripts, that all measures  
are  
4 taken, at their administrative level, to ensure that  
transcripts  
12:31:36 5 are made available to the parties who want to have access to  
6 them, and that that flaw, for whatever technical reason,  
should  
7 be remedied immediately, in order to ensure that it does not  
8 impact adversely on the proceedings, or on the rights of the  
Defence 9 Defence, in particular, at this point in time, when the  
10 is doing the examination-in-chief and the cross-examination of  
11 the witnesses.  
12 And, of course, you know, for the Prosecution as well  
13 because the Prosecution may well need those transcripts for  
the  
14 purposes of cross-examining the Defence witnesses.  
12:32:24 15 So, will Court Management please take this matter up  
16 immediately with the Deputy Registrar because I think, I don't  
17 know if the Registrar is back?  
18 MR CAMMEGH: I think he is, Your Honour, today.  
19 PRESIDING JUDGE: Right. Okay. Let the Registrar be  
12:32:39 20 informed of this and the problem should be put to him as it is

21 and, as Mr Cammegh has put it, and I think the stenographers  
22 should be able to explain to the Registrar what it is all  
about,  
23 so that a solution is found immediately. We say immediately.  
24 Thank you.

12:32:58 25 MR CAMMEGH: Thank you. I am grateful for Your Honour's  
26 firm approach.

27 CROSS-EXAMINED BY CAMMEGH:

28 MR CAMMEGH: May I start, please?

29 PRESIDING JUDGE: Yes, please, you may start.

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1 MR CAMMEGH:

2 Q. Good afternoon, Mr Witness.

3 A. Yes, good afternoon.

4 Q. I represent Augustine Gbao in these proceedings. I've  
got

12:33:19 5 several questions for you. I will try and get through them as  
6 quickly as possible. Can I start by asking you, please,  
whether

7 you knew Augustine Gbao between the years 1996 and 2000?

8 A. Yes, sir. I knew him.

9 Q. Did you know him well?

12:33:42 10 A. Yes, sir. I knew him very well.

11 Q. So, do you feel capable of answering questions about his  
12 function and role within the RUF?

13 PRESIDING JUDGE: Mr Cammegh, is it 1996 to 2000?

14 MR CAMMEGH: Yes.

12:34:02 15 Q. And do you feel capable of answering questions about his  
16 role and function within the RUF during that time?

17 A. Well, I would answer the ones that I know.

18 Q. Thank you. Of course, if you don't know, you will say  
so;  
19 yes?

12:34:22 20 A. Okay.

21 Q. Thank you.

22 A. Welcome.

your  
23 Q. All right. Can I start with Camp Zogoda. I think in  
24 evidence you made reference to a big meeting at Camp Zogoda in  
12:34:35 25 early 1996; is that right?  
26 A. Yes.  
27 Q. Okay. Were you at that meeting, yourself?  
28 A. If I was present in the meeting?  
29 Q. Yes. I know the meeting lasted quite a long time, but  
were

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1 you there at any stage?

2 A. No, I was not present in the meeting.

3 Q. All right. Is it your understanding that during that  
4 meeting, Foday Sankoh made several high-ranking appointments

12:35:11 5 within the RUF hierarchy?

6 A. Yes.

7 Q. And are you aware that one of the individuals appointed  
was  
8 Augustine Gbao?

9 A. I had the information.

12:35:38 10 Q. Did you discover that at that meeting, Augustine Gbao  
was  
11 made overall commander of the IDU?

12 A. Yes, sir.

13 Q. Did you also discover that he was very shortly  
afterwards  
14 made chairman of the Joint Security Board of Investigation,  
the

12:36:09 15 JSBI?

16 A. Yes, sir.

17 Q. And did you also discover that he was elevated to the  
rank  
18 of captain at that time?

19 A. Yes, sir.

12:36:23 20 PRESIDING JUDGE: The JS what?

21 MR CAMMEGH: Joint Security Board of Investigation.

22 Q. As overall commander of the IDU --

23 PRESIDING JUDGE: So was it at that Zogoda meeting that  
he

24 was promoted to the rank of captain?

12:36:55 25 MR CAMMEGH: That was the question, and I think the  
witness

26 agreed.

27 Q. Could you confirm that, please, Mr Witness?

28 A. Yes, sir.

29 Q. Thank you. Now, I want to ask you a little bit about  
the

1 command structure within the RUF, in general terms, that  
2 pertained at that time. If you don't know the answer to any  
of  
3 these question, please don't speculate, just tell me that you  
4 don't know and I will move on; okay?

12:37:35 5 A. Mm-hmm.

6 Q. Okay. As a general matter of principle, Mr Witness, did  
7 unit commanders have any command or control over area  
commanders?

8 A. They did not get control over the area commanders.

9 Q. Right. Would you agree that most unit commanders  
12:38:20 10 controlled unarmed men?

11 A. Yes. Like, IDU hadn't --

12 Q. I think in your evidence earlier on - I am getting a big  
13 echo on my -- I think we all are. I don't know if that can be  
14 adjusted. I will carry on and see how we go.

12:38:54 15 I think in your evidence, in answer to a question from  
16 Mr Jordash, you said that the only armed units, this is  
leaving  
17 soldiers aside of course, but the only armed units were the  
MPs;  
18 is that right?

19 A. Exactly, yes.

12:39:14 20 Q. Now, could a unit commander have any command and control  
21 over a battalion commander?

22 A. They did not have control over the battalion commanders.  
23 Q. Okay. Of course Augustine Gbao was the overall  
commander  
24 from early 1996. Did he have the authority to -- I am sorry,  
I  
12:40:18 25 am getting a terrible echo in my ears. I don't know if  
anybody  
26 else is sharing this problem, but it's quite offputting. I  
don't  
27 know if anything can be done about this or if I'm the only one  
28 suffering from it.  
29 PRESIDING JUDGE: Even if you were the only one  
suffering

not 1 from it, I don't think we need to ignore that. I mean, I'm  
2 getting it. You are getting it?

3 JUDGE BOUTET: Yes.

to 4 MR CAMMEGH: It's as if the volume has been cranked up  
12:40:49 5 volume 11 out of ten.

hearing 6 PRESIDING JUDGE: Well, that noise there, yes, I am  
7 something. It's not nauseating as such, you now but --

8 MR CAMMEGH: I will do the best I can.

and 9 Q. The overall commander of the IDU, would he have command  
12:41:20 10 control over a battalion commander?

11 A. No.

12 Q. Are you able to explain why that was?

13 A. Well, the reason why I felt that the overall IDU, or the  
14 unit commanders, hadn't control over the battalion commanders  
was

12:42:02 15 that, one, they regarded them as -- that they were solely  
there

16 for investigations. That if they observe anything that went  
17 wrong, they were either to advise the battalion commander, or  
18 made a report against him. The only people that the battalion  
19 commanders received command from, were the area commanders at

12:42:48 20 that time. That was what made me to feel that that was the

21 reason.

you

22 Q. Now, I'm asking particularly about the IDU; again, if

rule

23 don't know the answer to this, please say, but, as a general

the

24 of practice, who would a local IDU commander, and I emphasise

12:43:21

25 word "local" as opposed to "overall," who would a local IDU

26 commander be reporting to, IDU agents?

27 A. They were reporting to their commanders, their immediate

28 commanders.

29 Q. Commanders within the IDU or are you talking about



1 combatant commanders?

2 A. Commanders that were in their units.

3 Q. Okay. But isn't this the case, I am going to put a

4 scenario to you and I want you to tell me whether or not you

12:44:25 5 agree. That if, say, there was a -- let's just for argument's

6 sake take Pendembu -- if the IDU commander of Pendembu

received

7 some information during the war, with all the confusion that

the

8 war brought, isn't it right that that local IDU commander

would

9 habitually report to the local area commander, or brigade

12:44:53 10 commander?

11 A. Within their unit?

12 Q. No, I'm talking about the local area commander or

brigade

13 commander, combatant commander?

14 PRESIDING JUDGE: Please, take that question again,

12:45:13 15 Mr Cammegh, please.

16 MR CAMMEGH:

17 Q. During the war, under wartime conditions, wasn't it

usually

18 the case that a local IDU commander would find it more

convenient

19 to report to the local military area commander, or brigade

12:45:40 20 commander, rather than the overall commander of the IDU?

21 A. Well, in most cases, they were reporting to the area  
22 commander.

23 Q. I want to make it clear, I'm not disagreeing with you  
24 there, but can you explain why you give that answer?

12:46:13 25 A. Yes. The reason was that like, let us take an example.  
If

26 the area commander were here, then, the overall commander of a  
27 specific unit of that particular area, if the commander of  
that

28 unit received any report, rather, had any report, he would  
report

29 to the area commander because of distance between he and the  
area

1 commander.

clarify 2 JUDGE BOUTET: I would like, Mr Cammegh, if you can

3 a few things for me. You've used the expression "in wartime"  
4 when war is -- I am not sure how you qualify that -- is  
active,

12:47:28 5 or something like that?

6 MR CAMMEGH: I used the time "wartime conditions," I  
think.

7 JUDGE BOUTET: So what do you mean by wartime  
conditions?

8 Does that mean from '96 to 2000? I am trying to follow why  
all

9 of a sudden you have this qualification. Maybe you have -- I  
am

12:47:44 10 just trying to understand your question, but the answer is  
given

11 so I can put some meaning to it.

12 MR CAMMEGH: Okay. I will try to recover that area.

13 Q. I hope you understood the point His Honour Judge Boutet  
was

14 just making. Between 1996, let's start from the beginning and

12:48:11 15 hopefully we will arrive at a more complete answer. At times,

16 between '96 and 2000, there was war in Kailahun, wasn't there?

17 Kailahun District, or parts of Kailahun District were on the

18 front line; yes?

19 A. Yes.

12:48:31 20  
CDF

Q. Periodically, there were attacks from Kamajor forces,

21 forces, ECOMOG forces, onto the -- against the borders of

22 Kailahun; would you agree?

23 A. Yes, we were experiencing attacks during that time.

24 Q. Okay. Would you agree with this: That in November of

12:49:00 25  
agree

1996, for example, a great number of civilians were killed by

26 Kamajor forces at the Mende Buima crossing point; would you

27 with that?

28 A. Yes, I agree with you.

29 Q. Would you agree that there were attacks on Giema, and

1 Peyema at the same time, where many civilians lost their  
lives?

2 A. Yes.

3 Q. During periods of war like that, would a local IDU  
4 commander prefer to report to the local area commander, or the  
12:50:03 5 overall IDU commander? I am sorry it's asking you to repeat  
the  
6 answer but His Honour Judge Boutet makes a point and I want to  
7 ensure that you've answered this fully.

8 A. Yes. He would prefer to report to the area commander.

9 Q. Okay. And, once again, I'm sorry to ask you to repeat  
your

12:50:43 10 answer but I want this on record as well. What is the reason,  
11 the practical reason, why that local IDU commander would  
12 to the local area commander, rather than the overall IDU?

13 A. Well, as you rightly said, within those periods, in that  
14 particular period, there were times when the overall wouldn't  
be

12:51:20 15 within that area. And if he were not present in that area, so  
16 the local commander, the unit commander would deem it  
17 that he made the report direct to the area commander because,  
at

18 that particular point in time, they needed to take urgent  
action

19 on any report that was brought forward, so, that was the  
reason

12:51:53 20 that made me to feel that they did it in that way.

21 Q. Okay. Would this be -- Your Honour, does that cover the  
22 question?

23 JUDGE BOUTET: It does. It's your use of the expression  
24 "war time".

12:52:13 25 MR CAMMEGH: Yes.

26 JUDGE BOUTET: I thought the whole period of time was  
27 wartime, but you made reference more to the fighting than the  
war  
28 presumably -- -

29 MR CAMMEGH: I entirely see Your Honour's point, yes.

1 Loose language on my part, yes.

2 JUDGE BOUTET: But by my worries I have been  
extinguished.

3 MR CAMMEGH: Thank you.

4 Q. Now, I don't know how much knowledge you have over the  
12:52:41 5 working of the IDU during those years, and again, I really  
don't

6 want you to speculate but, according to what you knew, was  
your

7 belief, was it your belief that the overall commander of the  
IDU

8 was regularly receiving reports from the front line or was he  
9 receiving them just here and there?

12:53:17 10 A. Well, actually, I did not know much as to how the IDU  
was  
11 operating, really.

12 Q. But would you agree with this: That their function,  
well,

13 you tell us what did you understand their function to be? Let  
me

14 not put words in your mouth.

12:53:48 15 A. Well, their functions were more or less investigating  
into

16 cases, then more or less ensure that the security, the  
internal

17 security, within the liberated zones, was guaranteed.

18 Q. Okay. You mentioned in the course of your evidence the  
IO,

19 the intelligence office, I think; is that right? Intelligence  
12:54:28 20 office?  
21 A. Yes.  
22 Q. Was one of the special features of the IO the fact that  
23 they were the only unit who would report directly to the  
leader?  
24 A. Yes, that was to Foday Sankoh, and together with the  
Black  
12:55:03 25 Guards.  
26 Q. Okay. Would you confirm this for me, please, if you  
can:  
27 That an IDU commander could not be held responsible for the  
28 conduct of personnel in another unit, for example, the IO;  
would  
29 I be right about that?



1 A. He was not responsible for that. Yes, you are correct.

2 Q. If it were to be suggested that the IDU was, in fact, an  
3 umbrella organisation, containing the IO under its auspices,  
4 what  
5 would you have to say about that?

12:56:09 5 A. I disagree with you.

6 Q. Thank you. And just so that we are sure, could you  
7 confirm  
8 this: That the IO had its own overall commander, whose name  
9 was  
10 AB Mannah, M-A-N-N-AH; is that right?

9 A. Yes, sir.

12:56:33 10 Q. Did anything happen to him?

11 A. Yes, he died later on. Through a car accident.

12 Q. Thank you. And I think the accident caused him to  
13 develop  
14 tetanus and he died of tetanus; is that right? In 1999?

14 A. Yes, yes.

12:56:54 15 Q. Okay. Would you agree that he was replaced by another  
16 overall commander?

17 A. Yes.

18 Q. Do you remember his name?

19 A. Yes.

12:57:11 20 Q. Was it Ben Kenneh?

21 A. Exactly, yes.

28,

said

12:57:54

filled

22 Q. We heard in this Chamber, on 20 July last year, at page  
23 the witness known as TF1-371, say this, and I'm going to quote  
24 what he said, and I shall ask you to comment on it. What he  
25 was this:  
26 "There were other functions that were parallel to the  
27 function of an area commander, and that were the security  
28 commander," overall security commander, "That vacancy was  
29 by Augustine Gbao."

1 My question is this: Was the overall security commander  
a  
2 role parallel to that of the area commander, in terms of  
command  
3 responsibility, or, I'm sorry, in terms of command and  
control?

4 A. In terms of that, the area commander had more  
12:58:55 5 responsibilities; he had more work to do than the overall  
6 commanders.

7 Q. And if it were ever suggested that an overall security  
8 commander was described as being horizontal, with a brigade  
9 commander, no pun of any nature intended there, would you  
agree  
12:59:42 10 with that? I mean, could an overall security commander tell a  
11 brigade commander what to do?

12 A. He may advise him, but it doesn't necessarily mean that  
he  
13 would take his command.

14 Q. I think that was mentioned at page 61. It's right,  
isn't  
13:00:09 15 it, that the brigade commander, the title "brigade commander"  
was  
16 replaced by the title "area commander" as the war went on; do  
you  
17 agree? Essentially they refer to the same position?

18 A. Yes, they were similar positions.

19 Q. Would you agree with this --

13:00:32 20 JUDGE BOUTET: Were they a similar position or were they  
21 replaced by; that was not the question. Please answer the  
22 question so we can understand what you are saying.  
23 THE WITNESS: Well, the term "brigade commander" we  
later  
24 used that when we had joined the AFRC, which was the  
conventional  
13:01:02 25 force, but the time when we were in the jungle, during that  
26 period, we did not know about brigade commander. We hadn't an  
27 idea about that. We had target commanders, and area  
commanders.  
28 So that was why I stated that they were similar, because you  
had  
29 target commanders and, later, they were known as battalion

1 commanders. And, from there, we had brigade commanders. That  
2 was the time we had joined the AFRC and had returned. That  
was  
3 the time we obtained that idea. That was why I said they were  
4 similar.

13:02:18 5 JUDGE BOUTET: So that means after you joined the AFRC,  
the  
6 junta, you were using terms like "battalion commander,"  
"brigade  
7 commanders" rather than "target" or "area commander;" is that  
8 what you are saying? Or after that you used both terms?

9 THE WITNESS: No, sir. It was after we have joined  
them,  
13:02:22 10 that we started using the term "brigade commander" "battalion  
11 commanders".

12 JUDGE BOUTET: Thank you.

13 MR CAMMEGH:

14 Q. Would you agree with this: That the IDU had absolutely  
no  
13:02:39 15 power or authority over military activities?

16 A. I agree. They hadn't any direct power over military  
17 activities.

18 Q. And can we just confirm this, just so that I'm sure that  
19 you just now, I think, said that an overall unit commander or  
IDU

13:03:07 20 commander could advise an area or a brigade commander: Can  
you

certainly 21 confirm, please, that the overall IDU commander could  
22 never issue orders to an area or brigade commander; can you  
23 confirm that?  
24 A. Yes, that was what I said. They wouldn't give orders to  
13:03:31 25 brigade commanders; they would only advise him on issues.  
26 Q. Okay. And lastly on this particular point, could the  
any 27 overall IDU commander, under any circumstances at all, have  
28 control over the military activities ordered by an area or  
29 brigade commander?

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1 A. I would like you to repeat the question.

2 Q. Could the overall IDU commander, under any  
circumstances,  
3 have any control over activities ordered by the area or  
brigade  
4 commander? I mean military activities there.

13:04:25 5 A. No, he hadn't any.

6 MR CAMMEGH: Thank you. Your Honours, I notice the  
time.  
7 I don't know if that's a convenient point?

8 PRESIDING JUDGE: Yes. We can rise now for the lunch  
break  
9 and resume the session at 2.30 p.m..

13:05:32 10 We may rise, please.

11 [Luncheon recess taken at 1.00 p.m.]

12 [RUF23OCT07C - JS]

13 [Upon resuming at 2.52 p.m.]

14 PRESIDING JUDGE: Good afternoon, learned counsel. We  
are  
14:57:37 15 resuming the session. Yes, Mr Ogeto?

16 MR OGETO: Good afternoon, My Lords.

17 PRESIDING JUDGE: Do you want to revisit your  
18 cross-examination or so?

19 MR OGETO: No, My Lords.

14:57:48 20 PRESIDING JUDGE: I see. I thought you were up on your  
21 feet for a very exceptional and extraordinary application.

to  
this  
outside  
14:58:08

22 MR OGETO: Not very exceptional, My Lords. I just want  
23 convey Mr Lansana's apologies. He is not able to be with us  
24 afternoon. He is involved in other business for the time  
25 court.

26 PRESIDING JUDGE: Thanks for the courtesy.

27 MR OGETO: My Lords, let me also mention that I now have  
28 the transcript references, the Prosecution transcript  
29 references --



1           PRESIDING JUDGE:  Yes.

2           MR OGETO:  -- that was the subject of discussion before  
we  
3           broke for lunch.

4           PRESIDING JUDGE:  Do you have them in a written form  
which

14:58:26 5           you can circulate to us so that we can just fill the --

6           MR OGETO:  Not really.  I had imagined that I will  
probably  
7           recite them in court for the record, but if Your Lordships  
want

8           me to do it in writing, I can do that.

9           PRESIDING JUDGE:  Mr Hardaway, what's your preference?  
I

14:58:45 10          am sure -- because you might soon be moving into  
11          cross-examination, so --

12          MR HARDAWAY:  Yes, Your Honour.  The Prosecution would  
13          prefer if they would written down, that would be easier as it  
14          relates to preparing for cross-examination.

14:58:59 15          PRESIDING JUDGE:  Okay.

16          MR HARDAWAY:  If that's convenient?

17          PRESIDING JUDGE:  I think so.  And you are alone.  Don't  
18          you have any -- you don't have any legal assistant in court  
that  
19          could accommodate you?

14:59:15 20          MR OGETO:  Unfortunately not, but my assistant is here,  
My

21 Lord, so --

22 PRESIDING JUDGE: Right. Well, you could give it to  
him.

23 MR OGETO: I will do that, My Lords.

24 PRESIDING JUDGE: If he reduces that in writing for us  
and

14:59:24 25 makes enough copies. Right. Mr Cammegh? The ball is in your  
26 Court.

27 MR CAMMEGH: Thank you.

28 PRESIDING JUDGE: For how long, we don't know, but don't  
29 confiscate it in your court, please.

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1 MR CAMMEGH: I won't run away with it, no. I will do my  
2 best, Your Honour.

3 Q. Good afternoon, Mr Witness.

4 A. Good afternoon, sir.

15:00:29 IDU

5 Q. I just want to ask you a few more questions about the

6 and then I would like to move on to other matters. Can I just  
7 remind you what you said the other day. I think you said the

IDU

8 was a sort of CID; is that right?

9 A. Yes.

15:01:00 IDU  
functions

10 Q. And we heard what you had to say about the IDU's

of

11 before the break. Was an additional function of the IDUs, or

12 the IDU, as follows: Was it to occasionally gather civilians

to

13 from close to the front line and send them back to safety or

14 the safety zone?

15:01:40 IDU  
that.

15 A. Yes. Where, in the absence of the G5, the IDU can do

Francis

16 Q. Okay. You've mentioned a gentleman by the name of

17 Musa. Was Francis Musa, to your knowledge, ever, in 1998, on

Pendembu?

18 operational duty for the IDU on the front lines around

19 A. From 1998?

15:02:13 20 Q. I must make clear: I'm being approximate. I can't be  
21 specific about the time. I'm saying in approximately 1998?  
22 A. 1998, yes; he was in Giema.  
23 Q. He was in Giema. All right. That's good enough. Are  
you  
24 able to confirm, and if you don't know, fine, are you able to  
15:02:41 25 confirm that one of the duties he fulfilled, as a local IDU  
26 officer, if you like, was just that; to gather civilians who  
got  
27 too close to the front line and send them back to the safety  
zone  
28 for fear of further attacks from government troops?  
29 A. Well, as I said, they can do that in the absence of the  
G5;

1 if the G5 is not within that area.

2 Q. My question was confined to whether Francis Musa was  
3 involved in that. If you don't know, that's fine.

4 A. No, I don't know about that, really.

15:03:33 5  
in

6 Q. Okay. That's fine. Returning to Augustine Gbao, again  
7 terms of role and function. It's not right, is it, to suggest  
8 that as overall security commander he would have had any

reason

9 to involve himself in intelligence matters concerning RUF  
10 is it?

combat,

15:04:13 10

11 A. The security commander, well, he could be involved in  
12 intelligence security network of the RUF.

as

13 Q. Perhaps I'm not expressing myself well enough. So far

I

14 you were aware, would Augustine Gbao have been involved in --

15 will put the question in a different way. What exactly do you

15:05:05 15

16 believe Augustine Gbao may have been involved in that context?

17 A. I don't understand when you talk of his role, how he was  
18 performing it. I don't know what he was doing.

19 Q. In terms of intelligence matters?

20 A. Yes, because I was the junior man for Augustine Gbao and

15:05:41 20  
about

his role as security officer, I didn't have any knowledge

21 it. I didn't know what he was doing.

clear, 22 Q. Okay. I think it's important, I've got to make this

and 23 if, and I'm not criticising you at all, if I ask a question

24 you're not sure of the answer or the answer is -- or it's

15:06:05 25 something that you were never aware of, I don't want you to

26 speculate. If you do not know, that's perfectly acceptable.

27 Please just say, "I don't know," and that's fine. I'm not

could 28 expecting you, Mr Witness, to testify about things that you

going 29 not have been aware of. It's not fair on you and I'm not

all 1 to ask you to do that. If you don't know, that's perfectly  
2 right.  
3 A. Okay.  
4 Q. The headquarters of the RUF moved from Giema to Kailahun  
15:06:40 5 Town, didn't it, at some point?  
6 A. They moved from Giema to Buedu, not Kailahun Town.  
7 Q. My mistake, yes. Did Augustine Gbao, as overall  
commander 8 of the IDU, move his IDU quarters from Giema to Kailahun Town  
at 9 some point?  
15:07:17 10 A. He was based there, but I didn't know whether he moved  
the 11 office.  
12 Q. He was based where, in Giema or Kailahun Town?  
13 A. Kailahun.  
14 Q. Okay. What I'm suggesting is this: Again, if you're  
not 15 sure of the answer, say so, but I'm suggesting that in  
16 about November of 1997 the headquarters of the IDU moved,  
because 17 of pressure from the war, from Giema, a few miles across to  
18 Kailahun Town and Augustine Gbao moved himself from Giema to  
19 Kailahun Town in November 1997; could I be right about that?  
15:08:14 20 A. I was in Buedu, so I don't know if they moved the

21 headquarter to Kailahun.

personal 22 Q. Okay. Would it be fair for me to assume that your

Kailahun 23 knowledge of what was going on in the Giema, Pendembu,

24 Town area, in late '97, early '98, isn't that good because you  
15:08:39 25 were based in Buedu at that time?

26 A. Yes.

your 27 Q. Okay. You said there was something you mentioned in

28 evidence earlier on, it was in answer to a question from

29 Mr Jordash here. You said that your understanding was that



Pendembu; 1 Augustine Gbao, for some time at least, was living in  
2 do you remember that?  
3 A. Yes, I remember when I said it.  
4 Q. Now, I've already said to you I don't seek to criticise  
you  
15:09:22 5 at all. Can I suggest that you're actually wrong about that  
6 though, that he never lived in Pendembu. He might have stayed  
7 there once or twice but his home was at no stage during the  
war  
8 in Pendembu; could I be right about that?  
9 A. I said I met him at Pendembu, and on one occasion when I  
15:09:47 10 was coming from Baima and trying to go back to go to Buedu, I  
met  
11 him at Pendembu.  
12 Q. Okay.  
13 A. And he even gave me something to take to Sam Bockarie.  
14 That was a camouflage soldier uniform.  
15:10:05 15 Q. Okay. Thank you for correcting me on that. While we're  
on  
16 the subject of Pendembu, you may or may not be aware that  
17 Augustine Gbao married a local girl in about '97 called Hawa;  
did  
18 you ever know Hawa?  
19 A. I knew him, I knew her, yes. I knew Hawa.  
15:10:35 20 Q. Were you aware that she actually came from Pendembu; she

around

21 was raised in Pendembu and that that's where they met, at

22 this time?

23 A. Yes, I knew of that.

married

24 Q. Okay. Are you aware that Augustine Gbao is still

15:11:09

25 to Hawa?

long

26 A. At this present time I don't know because it's taken a

27 time since we saw each other.

28 Q. Okay, that's fine. While we're on the subject of Gbao's

forcing

29 married life, did you ever hear any reports that he was

of 1 women to marry him anywhere in Sierra Leone during the period  
2 the war?

3 A. No, sir.

now: 4 Q. Thank you. I'm going to suggest this scenario to you

15:11:56 5 If you're able to comment on it, please do so. I'd like to  
know

6 whether you accept this as correct or not. When a civilian  
did

7 something wrong, a criminal act, for example, was it usually  
the

8 procedure that the IDU agent would take the matter, or make a  
9 report to the local IDU commander, and that that local IDU

15:12:37 10 commander would order the arrest of the fighter through the  
11 Military Police?

12 A. This question is confusing. Now, the person is talking  
13 about civilian, and you talk about fighter man. I hear about  
14 fighter man in your question. Which one are you really  
referring

15:13:12 15 to?

16 Q. I'm sorry, there was a word there from the interpreter I  
17 didn't quite get. It sounded like fet man?

18 PRESIDING JUDGE: Fight man, the fighter.

19 MR CAMMEGH:

15:13:21 20 Q. Oh, fighter. Okay. I'll put the question again. I'll  
try

21 to make it simpler. I'm suggesting the procedure was this: A  
22 fighter does something bad to a civilian. I'm suggesting that  
in  
23 those circumstances an IDU agent would take the matter to his  
IDU  
24 commander locally and that that local IDU commander would then  
15:14:17 25 authorise the MP to arrest that fighter. Does that procedure  
26 accord with your recollection?  
27 A. Yes, it was happening.  
28 Q. Thank you.  
29 JUDGE BOUTET: Could you clarify something for me in  
this

describe

arrest

15:14:40 I'm

to

15:15:09 who

or

MP

15:15:49

the

1 process, because Mr Cammegh has used different terms to  
2 the relationship. The first time he said would order the  
3 to the Military Police, and then would request or authorise,  
4 would authorise the arrest to the MP. What's the relationship  
5 between IDU and MP? Who is in charge of what, if anything?

6 a bit confused about your evidence in this respect. Can you  
7 clarify that for me?

8 THE WITNESS: I will try, sir. The MP, they are there  
9 arrest and to detain. If there becomes -- if there is a case

10 like that, the IDU would request the MP to arrest the person  
11 did the act, the soldier who did the act. So, in doing so, he  
12 would be arrested and then they will sit and they would form a  
13 security board and investigate that person if it is his doing  
14 not. So if they found the person guilty, it will be the same

15 who would implement any punishment on the person. So this was  
16 how they were working.

17 JUDGE BOUTET: So the action by the MP is triggered by  
18 IDU who comes to the MP and says: I have observed or I have a  
19 report about soldier doing this. Arrest this soldier. That's

15:16:15 20 basically the way they do it?

21 THE WITNESS: Yes, sir. He would bring the complaint to  
22 the MP and then he would request the MP to arrest or invite  
this  
23 soldier.

24 JUDGE BOUTET: Yes. Once they do that, then they have  
an  
15:16:32 25 investigation board.

26 THE WITNESS: Exactly, sir.

27 JUDGE BOUTET: And this board is what has been described  
as  
28 the -- I'm not sure of the term used by Mr Cammegh -- it's a  
29 security board or a joint security board or it's a different

1 board?

2 MR CAMMEGH: Joint Security Board of Investigation.

3 JUDGE BOUTET: Joint Security Board of Investigation.

Is

4 that what you're talking about when you're talking of the

board

15:16:59 5 here?

6 THE WITNESS: Yes, sir.

7 JUDGE BOUTET: So on that board there is IDU and there's  
8 the police on this board?

9 THE WITNESS: Yes, sir. The MPs themselves were -- are  
15:17:13 10 there.

do

11 JUDGE BOUTET: Okay. Thank you very much. Mr Cammegh,

12 you understand what was that relationship because it was a bit  
13 confusing. I'm sorry to have interjected in your  
14 cross-examination.

15:17:38 15 MR CAMMEGH: No problem. That is fine.

if I

16 Q. Now, I hear your answer on that, Mr Witness. I wonder

comment

17 can put an alternative scenario to you and ask for your

18 on this, and I'm referring in particular, Your Honours, to my  
19 cross-examination of Issa Sesay on 31 May, at page 51, line

24,

15:18:05 20 to the end of the page. I'm going to read this to you as well

it

21 because I'm going to suggest that occasionally it was the --

22 could be an IDU local commander who could request the MP to

23 effect an arrest, but occasionally, when the offence was more

24 serious, it was actually the local area commander or brigade

15:18:28 25  
going

commander who would order the MP to effect the arrest. I'm

is

26 to read something to you that Issa Sesay said, which I suggest

27 correct. I want to know what you think about this. He said:

28 "The IDU commander, who was in Pendembu February '99, if

29 something happens between a fighter and a civilian, the IDU in



1 Pendembu would take the report to Denis Lansana, who was the  
2 brigade commander in Pendembu, and then Denis Lansana would  
issue  
3 an order of arrest from the MP for the fighter to be arrested  
and  
4 investigated on."

15:19:31 5 Is Issa Sesay right there, where he says that in certain  
6 circumstances the allegation would be taken straight up to the  
7 brigade commander, who would then authorise or order the  
arrest  
8 of the fighter concerned?

9 A. Yes, sir. It depends on the degree of the crime which  
the  
15:19:53 10 fighter had committed.

11 Q. Thank you. Can I -- and I want to move on -- can I sum  
it  
12 up in this way, and if I'm wrong you can correct me. If the  
13 matter was relatively trivial, was it usually the case that a  
14 local IDU commander, or even officer, ranking junior officer,  
15:20:17 15 could request the MP to make the arrest for trivial cases?

16 A. A junior officer?

17 Q. Yes.

18 A. No.

19 Q. Then who?

15:20:30 20 A. A junior officer carrying his immediate boss on the  
ground

21 there, he would ask the MP for the person to be arrested and  
22 brought for investigations.

23 Q. Okay. Let me see if I've got this right. For a trivial  
24 matter a local IDU commander would ask the MP to make the  
arrest?

15:21:01 25 A. Yes, sir.

26 Q. For a serious matter, let's say it's a rape or a very  
27 serious assault, was it there the case, or preferably the  
case,  
28 that the local IDU commander would take the matter immediately  
to  
29 the top, to the brigade commander, in this case Denis Lansana,

1 who would then order the Military Police to effect the arrest?

2 A. Yes, sir.

3 Q. So it's a question of degree?

4 A. It's a question of degree and a question of ranking.

15:21:49 5 MR CAMMEGH: Yes, I understand. Your Honours, is that -

-

6 am I able to move on off that subject? Has it been covered?

I'm

7 obliged.

8 Q. Can I just ask you about radios. You already explained

in

9 earlier on why it may be that the overall IDU commander based

15:22:08 10 Kailahun might not necessarily hear about each and every

11 allegation. To your knowledge, Mr Witness, was Augustine Gbao

12 ever, during his time in Kailahun District, so that's right up

carry

13 until the end of 1998, was he ever personally authorised to

14 a radio of his own?

15:22:37 15 A. I can -- I never remember that.

16 Q. I'm sorry, can you repeat that answer? I didn't hear.

17 A. I don't one day remember that.

18 PRESIDING JUDGE: Are you saying that you never saw him

19 carrying a radio on any day? He is not remembering that.

15:22:53 20 Carrying a radio is something, if you're a military man,  
you're a

21 military-trained man.

22 THE WITNESS: I have never -- I never saw him with the  
23 radio.

You

24 PRESIDING JUDGE: That's the answer to that question.

15:23:10 25 never ever saw Gbao carrying a radio.

26 THE WITNESS: At all, not.

27 MR CAMMEGH: I'm going to move on from that particular  
28 aspect of the workings of the IDU.

29 Q. Mr Witness, to your knowledge, was Augustine Gbao ever a

1 member of G5? It's been suggested by some witnesses in this  
2 trial that he was in a G5. Do you have anything to say about  
3 that?

4 A. No, sir. I knew him to be an IDU.

15:24:05 5 Q. Okay. Just to confirm this, if you can: Did you know  
him  
6 when he was living in Giema?

7 A. I knew him when he was in Giema.

8 Q. Thank you. And when you knew him, or whilst you knew  
him,  
9 as he was living in Giema, was he a G5 then?

15:24:31 10 A. He was a G5.

11 Q. I'm sorry?

12 A. There was a G5. There was a G5 in Giema.

13 Q. It's my fault, but was Augustine Gbao a G5 in Giema? I  
14 understand there was G5 in Giema. My question is: Was  
Augustine

15:24:51 15 Gbao ever a G5, to your knowledge, when he was in Giema?

16 A. I don't know about that, sir.

17 PRESIDING JUDGE: When you say you don't know about  
that,

18 you were in Giema. You saw him in Giema. Was he a G5 or was  
he  
19 not a G5 when he was in Giema?

15:25:13 20 THE WITNESS: That's what I am saying. He was not a G5  
in

21 Giema, sir.

22 PRESIDING JUDGE: That's not what you were trying to  
say.

23 You didn't say that.

24 MR CAMMEGH:

15:25:36 25 Q. Mr Witness, following on from that, when you knew Gbao  
or,

26 sorry, when Augustine Gbao was living in Kailahun, did you  
ever

27 have reason to believe he was a G5 then?

28 A. No, I have no reason to believe that he was a G5.

29 Q. Okay. To the best of your knowledge, Mr Witness, was

movement

1 Augustine Gbao ever involved in the supervising of the

2 of civilians from one place to another?

3 A. I don't have idea on that, sir.

4 Q. I just want to be clear: Does that mean you never heard  
15:26:48 5 about that or you don't know?

6 A. I don't know.

7 Q. Right. You've told us that he was based in Kailahun or  
8 based in Giema and then later on based in Kailahun. You told  
us

9 what the functions and the role of the IDU was. What did you  
15:27:15 10 understand him to be doing when he was based in Kailahun Town?

11 A. I don't know what he was doing there. I was not in  
12 Kailahun Town.

13 Q. All right. Now, I don't want to embarrass anybody, but  
I'd  
14 like to ask you a little bit, please, about the kind of

15 reputation that Mr Gbao had, and I want you to be as frank and  
16 honest or as open about this as you can, please. If you don't

17 know, please say. But would it be fair to suggest that,  
18 certainly when he was living in Kailahun Town, Augustine Gbao  
had

19 a reputation for --

15:28:29 20 PRESIDING JUDGE: Let the witness -- give him a chance  
of

21 answering the question. What was his impression? What

you 22 reputation he had -- I know you are in cross-examination, but  
answer 23 were close to asking him the question so that you hear him  
examination, 24 and from there you proceed. I know you are in cross-  
15:28:52 25 but just ask him the question. What was your impression, you  
Augustine 26 know, of the comportment, the reputation, you know, of  
you 27 Gbao when he was in Kailahun, or in Giema or whatever. Maybe  
28 may spread yourself out because you saw him in Giema and in  
29 Kailahun, but start from Kailahun.

SCSL - TRIAL CHAMBER I



1 THE WITNESS: I knew Augustine Gbao for long. He is a  
man,  
2 he does not have a bad character. He has no problem with  
3 anybody. I can't remember one day that he was vexed with his  
4 subordinates. He is a man whom we did things together, as if  
we  
15:29:46 5 are all of the same rank. He had respect for each and  
everybody.  
6 So those are his few characteristics that impressed me about  
him.

7 PRESIDING JUDGE: Yes, you may now proceed.

8 MR CAMMEGH: Very kind of you to give such a warm  
reference  
9 to him, Mr Witness.

15:30:09 10 PRESIDING JUDGE: It's a good testimonial, isn't it? Do  
11 you want to have his signature over that?

12 MR CAMMEGH: I'd prefer to delve a little bit more  
deeply,  
13 if I may.

14 PRESIDING JUDGE: I thought so.

15:30:20 15 MR CAMMEGH:

16 Q. You see, what I'm going to suggest, and again I must  
17 emphasise, I don't want to embarrass anybody, he was lazy,  
wasn't  
18 he?

19 A. Yes, of course.

15:30:31 20 Q. Now we're getting closer to the truth, I suggest,

21 Mr Witness. He was very lazy indeed; yes?

22 A. He is a care-free man. He is a lazy -- as you said it,  
23 he's lazy.

24 Q. Yes. And everybody knew it, didn't they? From top to  
15:30:51 25 bottom in the RUF, in Kailahun, everybody knew Augustine Gbao  
was

26 a lazy man who wanted to have a good time?

27 A. Yes. Exactly, sir.

28 Q. And by good time, I don't mean running around with every  
29 woman he could get his hands on; I mean he sat still playing

1 checkers and drinking wine from sometimes sunrise to sunset;

2 correct?

3 A. Exactly, yes.

4 Q. Okay. Can you just confirm, Mr Witness, this: Have you

15:31:28 5 ever met anybody from the Gbao Defence team before?

6 A. Yes. One Francis Musa, who is representing him, he met

me

7 once at Tongo.

8 Q. During the war?

9 A. No.

15:31:55 10 Q. Okay.

11 A. Within this time.

12 Q. I'm sure Francis Musa would be delighted to hear that he

is

13 representing Augustine Gbao. He's actually Augustine Gbao's

14 investigator, isn't he? Local investigator, yes?

15:32:10 15 A. Yes.

16 Q. Have you met any of Augustine Gbao's lawyers at all

before

17 today, before meeting me today?

18 A. No, sir.

19 Q. Thank you. So let's carry on talking about Augustine

15:32:22 20 Gbao's reputation. His reputation was well-known, wasn't it,

21 from top to bottom within the RUF; that is to say from junior

looked 22 combatants right up to the top, Sam Bockarie. Everybody  
23 on Augustine Gbao as a rather idle man; correct?  
24 A. Yes, sir.  
15:32:52 25 Q. If there was a job to be done, he would prefer to sit in  
wouldn't 26 the sun having a drink and give somebody else the task,  
27 he? That would be a fair description?  
28 A. Yes, sir.  
29 Q. He was interested in words, wasn't he, in books, in

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1 ideology; is that fair?

2 A. Yes, sir.

3 Q. He was interested in talking rather than doing; would  
that  
4 be fair?

15:33:29 5 A. Exactly, sir.

6 Q. Now, again I emphasise, I don't want to embarrass  
anybody,  
7 but he enjoyed being popular, didn't he? He wanted to be  
liked  
8 by the local people?

9 A. Well, I believe that was his own way of doing things.  
He

15:34:04 10 was a man -- he never liked to disturb anybody, and, because  
of  
11 that, we liked him. Since he did not disturb anyone of us, we  
12 liked him.

13 Q. Was he well-known in Kailahun for enjoying a sing-song  
and  
14 a dance?

15:34:35 15 A. Yes, I did know him all over Kailahun.

16 Q. When --

17 PRESIDING JUDGE: Knew him all over Kailahun for doing  
18 what?

19 THE WITNESS: In the liberated areas. That he was a man  
15:34:50 20 who loved to enjoy himself.

21 MR CAMMEGH:

22 Q. Yes. Now, they may sound amusing, but, I suggest,

23 Mr Witness, these are serious questions because this was a man

24 who really wasn't interested in fighting, was he?

15:35:17 25 A. Yeah, yes.

26 Q. You're agreeing with me?

27 A. I agree with you, yes.

28 Q. You never saw him with a gun, did you?

29 A. Never. No, sir.

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I 1 Q. You never heard of him going on active service, did you?  
2 mean, going on a military mission?  
3 A. Yes, sir.  
4 Q. Are you agreeing with me?  
15:35:49 5 A. I agree with you on that side because I've never seen  
him.  
6 Since I've never seen him, I will not lie.  
7 Q. And is this fair: That if there was ever a sound of gun  
8 fire, which there frequently was around Kailahun Town, I  
suggest,  
9 particularly in 1998, he would have been --  
15:36:15 10 PRESIDING JUDGE: Don't say he will run away.  
11 MR CAMMEGH: Well, that's exactly what I was going to  
say,  
12 Your Honour, yes.  
13 Q. He was afraid, wasn't he?  
14 A. Yes, sir. That was why he was always at the rear.  
15:36:37 15 Q. This, I don't -- I'm sorry for laughing because this is  
16 very serious, I suggest; indeed very serious. I don't mean  
this  
17 with any disrespect at all, and this is sensitive, but,  
18 Mr Witness, was he known locally to be not a coward but  
someone  
19 who would prefer to avoid a confrontation, rather than face  
it?  
15:37:20 20 A. Yes, sir.

21 Q. Eventually, Sam Bockarie got fed up with Augustine Gbao,  
22 didn't he? Can you help us with that?

23 A. Yes, sir.

24 Q. Okay. Do you remember a man called Phillip Palmer?

15:37:57 25 A. Yes, sir.

26 Q. Do you remember when Phillip Palmer and other members of  
27 the delegation to the Ivory Coast were temporarily imprisoned

in

28 Kailahun Town?

29 A. Yes, sir.



1 Q. I can't remember the names, I think Fayia Musa was one,  
2 Deen-Jalloh was another; do you remember that?

3 A. Yes.

4 Q. Is this right: That Sam Bockarie became furious when he  
15:38:34 5 heard that Augustine Gbao had asked his wife Hawa to cook food  
6 for Phillip Palmer while he was in custody; did you hear that  
7 story?

8 A. Yes, sir.

9 Q. Yes. I take it, Mr Witness, that you heard about the  
15:39:02 10 atrocity of the killing of the 67 Kamajors in Kailahun Town;  
you  
11 must have become aware of that in February 1998, yes?

12 A. Yes sir, I was in Daru.

13 Q. Right. Did you hear of a story that Augustine Gbao, in  
14 tandem with Francis Musa, actually set free 40 suspected  
Kamajors

15:39:35 15 about a week before that atrocity took place; did you hear  
about  
16 that?

17 A. Yes, sir; they freed the Kamajors. They were within the  
18 township. That was what we heard.

19 Q. Thank you. Perhaps you'd like to tell us exactly what  
you

15:39:54 20 did hear about that particular event. I'm talking about the  
21 freeing of the 40. What did you hear, because I don't know  
what

22 you're going to say. You tell us, please. What did you hear  
23 that Augustine Gbao had done in relation to those 40 men and  
24 women? What did he do for them?

15:40:19 25 had

A. Well, the information we received in Daru, since they  
26 arrested those people for a long time, they were -- they were  
27 detained with the police. Their families were within

Kailahun,

28 so, CO Augustine who was there, they put the prisoners on  
bail.

29 So they freed them and they went to their relatives. They  
would

them

1 stay there for the whole day; they would eat there. Some of  
2 were even getting used to the people within the township until  
3 when Sam Bockarie came. After Kenema fell, that was when they  
4 came up. He gathered them together. He rearrested them and

he

15:41:35  
information

5 executed them. That was what I heard. That was the  
6 we received.

7 Q. And did you ever hear from anybody, any suggestion that  
8 Augustine Gbao had anything to do with the killing of those  
9 people on that day?

15:42:00

10 A. No, sir. I did not receive any information about that,  
11 sir.

12 Q. Did you ever receive any suggestion that Augustine Gbao  
13 approved of what happened that day?

14 A. No, sir. I received no information on that.

15:42:23

15 Q. Thank you, Mr Witness.

16 A. Thank you, sir.

power

17 Q. In his role as overall security commander, did Augustine  
18 Gbao at any stage, to the best of your knowledge, have any  
19 over the distribution of arms?

15:42:46  
was

20 A. That, the name, of the security commander, I believe it  
21 just the ceremonial name he had, he carried, because I did not

22 see him perform in that capacity, actually.

23 Q. What did you say, it was just a name?

24 A. Yeah, that was just a name, the ceremonial name he had.

15:43:18 25 Because he was in one place, he would stay the whole day in  
really 26 Kailahun. That was where he did everything. So I did not

27 know his role as the security commander.

nominal 28 Q. What do you mean by "ceremonial," as if it's just a

29 title, like a -- well, what do you mean?

1 A. I mean, it's just a title; a name they gave to him.

2 Q. Did anybody else hold that view, who you spoke to? Did  
3 anybody else make that kind of comment to you or draw that  
same  
4 conclusion?

15:44:37 5 A. Yes. Like when -- when we were in the front line, we  
used  
6 to -- we had a place where we would sit and if we had a  
leisure  
7 time, if we had our wine to drink, we would discuss those  
things.

8 Q. Okay. I -- have you finished?

9 A. No. We would discuss on most of the characters of our  
15:45:06 10 commanders, our senior commanders.

11 Q. Okay. And what --

12 A. So most of the time we placed him in that category  
because  
13 he would not move to even visit us at the front line to know  
the  
14 security situation. He never did that. So that was what we  
were  
15:45:30 15 discussing.

16 Q. And did this cause any resentment from other senior  
17 commanders within the RUF? Was anybody jealous of him because  
of  
18 that, or resentful of him?

19 A. No, it was only Sam Bockarie, because he never liked the

15:45:56 20 way Augustine Gbao was behaving. They were not getting along,  
21 really.

22 Q. Did Sam Bockarie resent the fact that Foday Sankoh had  
23 appointed Augustine Gbao to these positions: Chairman of the  
24 Joint Security Board, overall IDU commander, and yet didn't  
seem

15:46:25 25 to be doing much work. Did Bockarie resent that?

26 A. Yes, Bockarie resented that.

27 Q. And did Bockarie not respect Mr Gbao?

28 A. He had no respect for him.

29 Q. Superman didn't respect Mr Gbao either, did he?

never

1 A. Well, to talk about that, I don't know because I have  
2 been in the presence of Superman and Gbao where they met, so I  
3 cannot tell you.

passed

4 Q. You did not hear a story about the day that Superman

15:47:05 shot

5 through Kailahun Town, stopped at Augustine Gbao's house and

of

6 all of his -- machine-gunned all of his chickens; did you hear  
7 that story? That was quite -- well, did you hear the story?

8 A. Well, really, let me not tell a lie; I never heard about  
9 it.

15:47:29 there

10 Q. Okay. I asked you earlier on, and you agreed, that

Gbao,

11 was a time when Sam Bockarie lost patience with Augustine

12 and I asked you about the Phillip Palmer incident; I asked you

right,

13 about the 40 Kamajors who were freed or put on bail. It's

14 isn't it, in the second half of 1998, Sam Bockarie summoned

15:48:00 know

15 Augustine Gbao to Buedu; that's correct, isn't it? Do you

16 that?

time I

17 A. That, I cannot say now. I was not there. When, the

18 was in Baima?

19 Q. All right. Let me just ask you one thing following on  
from  
15:48:25 20 that: Did you, or were you ever told that in December of 1998  
21 Augustine Gbao, as a punishment for being lazy and generally  
22 irresponsible, was ordered to brush the Bunumbu to Kono  
highway,  
23 where he remained until about February or April of '99. I  
can't  
24 quite remember. Did you hear about that, as a punishment?  
15:48:54 25 A. I heard that he was punished, but I don't know the type  
of  
punished 26 punishment he received. Yes, I heard that Sam Bockarie  
27 him, but I am not aware of the type of punishment he received.  
28 Q. Were you aware what Augustine Gbao was being punished  
for?  
29 A. Most of the time it was because he was not doing his  
work



1 and sometimes it was as a result of his laziness, that was the  
2 whole reason.

3 Q. Okay. Can I ask you to consider this question very  
4 carefully, Mr Witness, because it's quite important: If  
15:49:41 5 Augustine Gbao wasn't being sponsored, or supported by Foday  
6 Sankoh, between early 1996 and, well, the end of the conflict,  
if  
7 he didn't have the backing of Foday Sankoh, do you think he  
would  
8 have remained in that post?

9 A. No, he should not have been there.

15:50:14 10 Q. Can you explain that?

11 A. Because at least we had that respect for the leader, and  
12 it's like the leader -- Foday Sankoh and Augustine Gbao were  
13 close. They had --

14 THE INTERPRETER: Your Honours, can the witness say that  
15:50:36 15 again?

16 PRESIDING JUDGE: Mr Witness, please, the interpreter  
wants  
17 the witness to say that again.

18 MR CAMMEGH:

19 Q. I'm sorry, Mr Witness, you went a bit too fast for the  
15:50:53 20 interpreter. Can you go back and repeat what you just said?

21 A. Yes. I said it was like -- it was as though Mr Gbao and

on 22 Foday Sankoh were -- had known themselves before the war. So,  
23 those grounds, Sam Bockarie and others knew about that. So,  
24 because of that, they were afraid, especially Sam Bockarie was  
15:51:33 25 afraid to do any bad thing to Gbao. For instance, if he was  
of 26 promoted or given an assignment, he would not alter it because  
27 that.  
28 Q. Are you saying this, and I will move on from this point  
29 now, but are you saying this: That so far as Bockarie and

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were 1 others, because that's what you've said, Bockarie and others  
2 concerned, Augustine Gbao did not merit his position?  
3 A. Yes. According to them they said he did not deserve it.  
4 Q. Thank you very much. Can I just return to a question I  
15:52:17 5 asked a while ago; I'm not sure if I got an answer. In his  
role  
6 as overall security commander, did Augustine Gbao have any  
power  
7 over the distribution of arms?  
8 A. No, sir.  
9 Q. Ammunition?  
15:52:36 10 A. No, sir.  
11 Q. Foodstuffs?  
12 A. No, sir, those were not his areas.  
13 Q. Movement of civilians?  
14 A. Movement of civilians, he used to monitor.  
15:52:59 15 Q. When I say movement of civilians, did he, to your  
16 knowledge, ever monitor or become involved in any actions of  
17 forced movement of civilians or forced labour?  
18 A. Forced labour, no, sir.  
19 Q. And forced movement of civilians?  
15:53:29 20 A. Well, they would force the movement of civilians, that  
is  
21 for the front line, to remove them from that point if the  
enemy

22 was threatening and they would send them to a particular  
areas,  
23 send them to the rear. That's how they used to do it.  
24 Q. Sorry to interrupt. Mr Witness, it's been suggested  
that  
15:54:07 25 Augustine Gbao used to call meetings. No, in view of the  
26 witness's answer, I don't think I need to go there. Would  
Your  
27 Honours give me a moment, please, because I might be able to  
28 condense some questions. Can I change the subject now and  
move  
29 on to --

again? 1           PRESIDING JUDGE: You don't want to take the moment  
2           I thought you wanted to take a moment.  
3           MR CAMMEGH: It was a quick one.  
4           PRESIDING JUDGE: You've had the quick one. All right.  
15:54:46 5           Proceed then.  
6           MR CAMMEGH:  
7           Q.     Okay. I want to suggest a system to you now, in terms  
of 8           trading, and I might be wrong about this, I might be right,  
9           please tell me what you know. You've given this Court very  
15:55:08 10          detailed evidence about the battering and the trading system  
and 11          you've told us about how civilians would freely move to the  
12          trading posts and how soldiers would move, et cetera, et  
cetera. 13          I'm interested in how the food was distributed?  
14          PRESIDING JUDGE: And how he himself was a contractor.  
15:55:28 15          MR CAMMEGH: Indeed, yes.  
16          Q.     Was there a kind of theory in place as to how things  
should 17          work, and it was this: That goods or products grown in the  
18          Kailahun area, such as coffee, cocoa, palm oil, what have you,  
19          was there a system where these goods would be gathered by  
local 20          chiefs who would hand the collected goods to the S4 unit, who  
15:55:58 in 20          in

21 turn would hand the goods to agricultural unit representatives  
22 who would convey it en masse. So I'm not talking about  
23 individual civilian trips; I'm talking about bulk supplies  
24 carried by the AU en masse to the crossing points where they  
15:56:32 25 would be traded and then the process would take place in  
reverse,

26 AU taking the traded goods back to the S4 who would distribute  
--

27 PRESIDING JUDGE: Mr Cammegh, I'm lost.

28 MR CAMMEGH: Well, Your Honour, I don't know how to do  
it

29 really because it's a convoluted process and once I got the  
end

1 I've got to come back.

2 PRESIDING JUDGE: The question is becoming even more  
3 convoluted. I'm lost. Can you take that again?

4 MR CAMMEGH: I'll try, I'll try.

15:57:03  
civilians.

5 Q. Paramount chiefs gathered the goods in bulk from

6 Paramount chiefs would hand the goods to the S4. The S4 would  
7 hand the goods to the AU representative, who would take it to  
the

8 river and trade it. Having traded, the AU would come back,  
give

9 the traded goods to the S4, who would distribute amongst

15:57:29  
familiar

10 combatants and civilians; is that a system that you're

11 with?

12 A. No.

13 Q. Okay. One answer, one word to -- I appreciate it was a  
14 long question. Can you explain where I'm mistaken. What's  
wrong

15:57:53 15 with the system that I've just suggested to you?

16 PRESIDING JUDGE: The "no" is to everything, so  
everything

17 is wrong with you, Mr Cammegh, your question.

18 MR CAMMEGH: Thank you.

19 Q. I mean, was that complete nonsense what I put to you or  
15:58:11 20 what?

own  
21 A. Not at all. I would not say it's nonsense. It's your  
22 ideas, what you're --  
with  
23 Q. Well, it's not mine, I assure you. I couldn't come up  
24 that. But if there's anything wrong with it, well, you put me  
15:58:27 25 right. How am I --  
the  
26 JUDGE BOUTET: Mr Cammegh, maybe you should start with  
27 paramount chief. It may be right there is the fault. It may  
be  
28 the basis of your transaction.  
29 MR CAMMEGH: Can I cut it short and just ask this  
question.



1 Q. Did you ever hear of that kind of system being put into  
2 place?

3 A. That --

4 PRESIDING JUDGE: Were paramount chiefs involved, in  
fact,

15:58:55 5 in this because I'm hearing of this for the -- were paramount  
6 chiefs involved in trading in the movement of these goods and  
so  
7 on and so forth to the waterside, to the frontiers and back?

8 Maybe you may start helping Mr Cammegh from there.

9 THE WITNESS: Well, we had chiefdom commanders, but  
15:59:24 10 actually, they were not involved in carrying goods to the  
trading

11 site at the waterside, and they were collecting goods for  
12 themselves. Then they had the G5, they would take the goods,  
13 their goods, and transacted for them, together with some  
14 representatives from the civilian group, and they would sell

the

16:00:10 15 goods, buy what they wanted to buy for themselves, and return  
16 with it and distribute it among themselves. That was how they  
17 were operating. But they would not take it to an S4. The  
18 soldiers had S4s. They had no S4s on their own. That was why

I

19 said "no."

16:00:45 20 MR CAMMEGH:

21 Q. Civilians had the -- no, I'm going to leave it there,

told 22 Mr Witness. I don't think I'm going to go beyond what you  
23 us in-chief, what you told Mr Jordash. I'll leave it there.  
question 24 This Court heard an allegation, and I'm going to ask the  
16:01:17 25 in a different way. Did you ever hear an allegation that  
26 Augustine Gbao was using a man called Korpomeh to capture  
Sandiaru? 27 civilians, female civilians, to fetch coffee for him in  
28 A. What's the name of the man again?  
29 Q. Korpomeh?

1 A. Korpomeh?

2 Q. Right.

3 A. No.

4 Q. Were you aware that Augustine Gbao had a farm, a small -

16:02:02 5 well, a small house and small farm in Sandiaru where his wife  
6 Hawa lived during the years '98 and '99?

7 PRESIDING JUDGE: The first question was that he was  
using

8 Korpomeh to capture civilians to carry this -- what is it?

9 MR CAMMEGH: Coffee. Perhaps I can revisit that  
question

16:02:28 10 because I haven't entirely got the answer.

11 PRESIDING JUDGE: So you should be grateful to me for  
12 bringing you back to the question.

13 MR CAMMEGH: I am indeed, yes.

14 PRESIDING JUDGE: You may proceed.

16:02:39 15 MR CAMMEGH: Thank you.

16 Q. Mr Witness, did you ever hear an allegation that  
Augustine

17 Gbao was using captured women to fetch coffee for him in  
18 Sandiaru?

19 A. No, I never heard about that.

16:02:56 20 Q. Did you know that he had a small farm in Sandiaru where  
his

21 wife Hawa lived during the war?

22 A. No, sir. I did not know about that, sir.

23 Q. Fair enough. We mentioned the Joint Security Board of  
24 Investigation earlier on. I want to ask you, please --

16:03:26 25 PRESIDING JUDGE: What was the allegation against the  
wife

26 again, that she had a farm in Sandiaru?

27 MR CAMMEGH: It was not an allegation, Your Honour, it  
is

28 something I accept, that the defendant Augustine Gbao had a  
small

29 farm in Sandiaru and that that is where his wife Hawa lived in

1 the years '98 and '99.

2 Q. Can we return to the Joint Security Board Investigation  
3 please. You've already explained how a report to the Joint  
4 Security Board Investigation would originate. What did the

board

16:04:00 5 or of whom did the board comprise? What kind of people would  
be

6 on a security board of enquiry? Where would they come from?

7 A. Well, they came from the security unit, the unit

8 responsible for security, like the IDU, G5, MP and sometimes  
if

9 there are Black Guards around they would invite them.

16:04:45 10 Q. Okay. Thank you.

11 MR CAMMEGH: Forgive me, Your Honour, please. I'm  
sorry,

12 Your Honour, can you just give me one moment? I will be very  
13 quick.

14 MR JORDASH: Can Mr Sesay attend the bathroom while that  
16:05:32 15 moment takes place?

16 PRESIDING JUDGE: No problem.

17 MR CAMMEGH:

18 Q. Did an allegation ever reach you that four people were  
19 executed at the Kailahun Town court barri after they had

16:06:01 20 allegedly been caught by RUF trying to cross over to Guinea at

ever

21 I think it's Mafindor. Did you ever hear of that? Did that

22 happen?

23 A. No, sir, I didn't hear about that, sir.

24 Q. In '98 or '99?

16:06:28 25 A. I never heard about that, sir.

26 Q. Is that the sort of thing that in the position that you

27 held you would have expected to have heard about?

28 A. Well, yes, because they would not been hidden. We would

29 have known that.

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told 1 Q. Can I now turn to SBUs. If anybody -- because you've  
2 us you lived in Buedu from what time?

over. 3 A. I was there from '95 up to '97 when the juntas took

4 Q. Okay.

16:07:15 5 A. And I came back there in '98 to -- '98 December up to  
the 6 ending of the war.

7 Q. Right. In all the time that you were in Buedu, did you  
8 ever witness Augustine Gbao walking around in Buedu  
accompanied 9 by some SBUs? Did you ever see that?

16:07:50 10 A. No, sir, I never saw that.

put 11 MR CAMMEGH: And, Your Honours, this is an allegation  
12 by witness 314, TF1-314, 2 November 2005, pages 34 to 37.

13 Q. Did you ever hear about Augustine Gbao using SBUs at any  
14 time during the war?

16:08:26 15 A. No, I never heard that, sir.

on. 16 Q. Okay. Well, that covers my next question. I can move  
17 Again, Mr Witness, in the position that you held, if Augustine

18 Gbao had been seen anywhere in Sierra Leone, not just Kailahun  
19 Town or Buedu or Makeni or Giema, but anywhere, in the  
position

16:09:11 20 that you held, would you have expected to have heard that

21 Augustine Gbao was actively using SBUs?

22 A. Yes, sir.

23 Q. You've told us that that unit, the SBU unit, didn't  
exist.

24 You've told us that small soldiers, as it were, were not  
condoned

16:10:13 25 by the RUF at all. Isn't it, however, the case that on  
occasions

26 rogue elements within the RUF, and by rogue elements, I mean

27 maybe just two or three individuals, might have captured young

28 children in a criminal way?

29 A. I cannot rule that out; it is possible.



1 Q. You can't rule it out. But let me ask you this: If  
2 anybody, if any rogue, and I use that word advisedly, if any  
3 rogue took it upon himself to capture a young boy or a young  
4 girl, and try and force them to join the RUF as a combatant or  
16:11:32 5 try and force them to do anything against their will, how  
would  
6 they be treated if they'd been caught?  
7 A. If they are caught they will be treated -- they will be  
8 punished. They will be investigated and if they are found  
guilty  
9 they will levy punishment against them.  
16:12:00 10 Q. Okay. Now, from what you knew of Augustine Gbao,  
because  
11 you've indicated you knew him quite well, if Augustine Gbao  
had  
12 caught some rogues within the RUF, abducting a child, what  
would  
13 you have expected him to have done?  
14 A. He would prosecute him. He would bring him up so that  
the  
16:12:36 15 law would deal with him.  
16 Q. And in a similar vein, can you rule out the possibility  
17 that certain rogues within the RUF organisation, or certain  
18 rogues -- rogue civilians for that matter -- actually  
19 impersonated RUF combatants? Did any rogue civilians ever, to  
16:13:09 20 your knowledge, impersonate RUF combatants?

21 A. Yes, it happened a lot.

22 Q. A lot?

23 A. Yes, sir.

24 Q. Was that taken seriously by the security forces within  
the

16:13:20 25 RUF?

26 A. Yes, sir. If you are caught impersonating, they will  
bring

27 you up, investigate it, and then, if they know you are a

28 civilian, they will send you to base to be trained so that you

29 become a soldier, so that you stop impersonating.

Did 1 Q. Yes. As we know -- well, I won't put it in that way.  
2 you become aware that Augustine Gbao went to Makeni in  
3 approximately April of 1999?

4 A. Yes, I heard that he was in Makeni.

16:14:15 5 Q. You told us that you were in Tongo Field when the  
abduction 6 of the UNAMSIL soldiers took place, we say in May of 2000.  
You

Did 7 have been asked whether you knew who was involved in that.  
8 you hear the names Komba Gbundemba and Kailondo being uttered  
in 9 connection with those abductions?

16:15:00 10 A. Yes, I knew of Komba Gbundemba and Kailondo.

you 11 Q. Okay. I don't know what you heard about them. Could  
connection 12 tell the Court, please, what you heard about them in  
13 with the UNAMSIL incident?

Komba 14 A. Well, Kailondo was the commander in Makeni there, and

16:15:34 15 Gbundemba also, he was also a target commander along that  
set 16 highway. So they did the arrest. Like, Komba Gbundemba, he  
17 an ambush for the ZAMBAT. The ZAMBAT contingent, when we were  
18 coming to Makeni, he made the arrests according to the

19 information we had. Then, of course, Kailondo, he led the  
attack

16:16:09 20 on the UN, who were based in Makeni. So that was the  
information

21 we had about them.

22 Q. Did you hear anything about any involvement by Augustine

23 Gbao?

24 A. No, sir.

16:16:30 25 Q. Were you aware, though, that he was in Makeni at the  
time

26 or certainly in the Makeni area at the time?

I 27 A. Well, I heard that he was in that Makeni area. However,

28 don't know whether he was in Makeni Town but they said he was

29 within that area.

was 1 Q. Okay. Did you hear any reports that suggested that he  
2 involved in the action at all?

3 THE INTERPRETER: Your Honour, can the learned counsel  
4 repeat his question?

16:17:12 5 MR CAMMEGH:

Gbao 6 Q. Did you hear any reports that suggested that Augustine  
7 might have been involved in that action?

8 A. I heard no report like that, sir.

9 Q. Okay. You may have answered this question before, I  
can't 10 remember. You know the name Amara Peleto; yes?  
11 A. Yes, sir, I know him.

12 Q. If you can't answer this, please say, but, according to  
13 what you know, was Amara Peleto ever in Kailahun Town in the  
year 14 1998?

16:18:03 15 A. 1998?

16 Q. Yes.

17 A. He was not there. I did not see him there.

18 Q. Thank you. Sorry to jump back, but, during the junta  
19 period, May '97 to February '98, did any -- well, as far as  
16:18:21 20 you're aware, did Augustine Gbao go anywhere near Freetown?

21 A. Not until I hear -- when I heard about him around the

22 Makeni axis.

23 PRESIDING JUDGE: Let him answer the question. You're  
24 talking of Freetown, not Makeni axis.

16:18:48 25 MR CAMMEGH:

26 Q. The question was: During the junta period, May '97  
27 to February '98, to your knowledge, was Augustine Gbao ever in  
28 Freetown?

29 A. Yes, he came briefly. I heard that he came there  
briefly.

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1 He came to Freetown briefly.

2 Q. Who did you hear that from, because I'm suggesting  
that's  
3 not right.

4 A. You mean '97?

16:19:27 5 Q. Yes.

6 A. No, I think it was 2000, I remember. '97, no, he did  
not  
7 come around Freetown; he was in Buedu.

8 PRESIDING JUDGE: Middle of '98, counsel asked you '97  
and  
9 '98.

16:19:43 10 THE WITNESS: '97, '98, he was in Kailahun. He did not  
11 leave that end at all to what I know.

12 MR CAMMEGH:

13 Q. You're quite sure about that?

14 A. Yes, sir, I'm quite sure about that.

16:19:57 15 Q. Okay. Can you confirm that Peter Vandi was assigned as  
16 area commander of Kailahun District in November of 1995?

17 A. Yes, sir.

18 Q. Remained in that position until May 1997 when he went to  
19 Freetown?

16:20:24 20 A. Until when Pa Sankoh came, and he reinstalled the former  
21 commander who was there by then, who was Issa.

22 Q. Do you know when Denis Lansana became area commander for

23 Kailahun District? If you don't know, just say so?

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

16:20:55 25 MR CAMMEGH: Okay. Your Honours, yesterday I was asked  
26 whether there were any questions I should put in closed  
session.

27 Overnight I reconsidered and I'm afraid there is one very  
brief

28 topic which I can only properly ask in closed session. There  
is

29 no way I can work around that one, I'm afraid. It will last,

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1 well, it would be over before half-past four, for sure, but it  
is  
2 something I have to put, I'm afraid. It can't be avoided.  
3 PRESIDING JUDGE: Can the gallery be liberated, please?  
4 Yes, Court Management, may we move into a closed session?  
There  
16:22:12 5 is an application.  
6 MR GEORGE: Yes, sir.  
7 PRESIDING JUDGE: Mr Cammegh, why don't you sit down  
whilst  
8 we are waiting.  
9 MR CAMMEGH: Thank you very much.  
16:23:10 10 [At this point in the proceedings, a portion of the  
11 transcript, pages 86 to 11 was extracted and sealed under  
12 separate cover, as the proceeding was heard in a closed  
session]  
13 [Whereupon the hearing adjourned at 5.45 p.m.  
14 to be reconvened on Thursday, the 25th day of  
17:50:01 15 October 2007, at 9.30 a.m.]  
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WITNESSES FOR THE DEFENCE:

WITNESS: DIS-069 2

EXAMINED BY MR JORDASH 2

CROSS-EXAMINED BY MR OGETO

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CROSS-EXAMINED BY CAMMEGH

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