

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

TUESDAY, 6 NOVEMBER 2007  
9.50 A.M.  
TRIAL

TRIAL CHAMBER I

Presiding

Before the Judges:

Benjamin Mutanga Itoe,  
Bankole Thompson  
Pierre Boutet

For Chambers:

Ms Peace Malleni  
Ms Erica Bussey  
Mr Felix Nkongho

For the Registry:

Mr Thomas George

For the Prosecution:

Mr Peter Harrison  
Mr Vincent Wagona

For the accused Issa Sesay:

Mr Wayne Jordash  
Ms Kevin Hussey

For the accused Morris Kallon:

Mr Shekou Touray  
Mr Kennedy Ogeto  
Mr Lansana Dumbuya

For the accused Augustine Gbao:

Mr John Cammegh

1 [RUF06NOV07A - JS]  
2 Tuesday, 6 November 2007  
3 [The accused present]  
4 [The witness entered court]  
5 [Open session]  
6 [Upon commencing at 9.50 a.m.]

7 PRESIDING JUDGE: Good morning, learned counsel.  
8 Mr Witness, good morning.

9 THE WITNESS: Good morning, sir.

09:54:37 10 PRESIDING JUDGE: Right. I think we will resume our  
11 session and, Mr Cammegh, you may proceed, please.

12 WITNESS: DIS-149 [Continued]

13 CROSS-EXAMINED BY MR CAMMEGH: [Continued]

14 Q. Good morning, Mr Witness.

09:54:53 15 A. Good morning.

16 Q. Would you agree with me that all IDU reports made within  
17 Kailahun District were directed to the district IDU commander?

18 A. Yes.

19 Q. And that man was Francis Musa; correct?

09:55:46 20 A. Yes.

21 Q. Who was also known as the area or brigade commander;  
22 correct?

23 A. Yes.

24 Q. Will you also agree with me, please, that it was the

duty

09:56:08 25  
area

of the district IDU commander in Kailahun to report to the

26 or brigade commander, who was Denis Lansana; do you agree?

27 A. Yes.

28 Q. And at his discretion, the district IDU commander would

29 copy those reports to the overall IDU commander; do you agree?

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1 A. Yes.

2 PRESIDING JUDGE: At the discretion of who?

3 MR CAMMEGH: At the discretion of Francis Musa, the

4 district IDU commander. What I've just suggested, and the

09:57:06 5 witness agreed, that he had a discretion when reporting to the

6 area or brigade commander, he had a discretion to copy those

7 reports to the overall IDU commander if he wanted to, or if he

8 felt it appropriate.

9 Q. And will you agree that this structure that I have just

09:57:28 10 described was put in place by the leader?

11 A. Yes.

12 Q. Thank you.

13 PRESIDING JUDGE: At times we would need some

14 specifications as to who the leader is, you know. We've move

09:57:52 15 from Sankoh to Bockarie and maybe --

16 MR CAMMEGH: Well, I will clarify that if I may.

17 PRESIDING JUDGE: Yes.

18 MR CAMMEGH:

19 Q. The leader, I suggest -- I'll put it a different way.  
This

09:58:08 20 structure was put in place following a big meeting at Camp  
Zogoda

21 in early 1996; do you agree?

22 A. Well, I was not in the meeting, so I would not be able  
to

23 tell the exact year.

24 Q. That's fine. Would you agree that -- well, I'm  
suggesting

09:58:38 25 that the structure that I've just described was, in fact, put  
in

26 place by Foday Sankoh; would you agree with that?

27 A. Yes.

28 Q. Okay. I'm going to make a suggestion to you; I want to  
see

29 if you would agree with this: That there were, in fact, only  
two

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1 scenarios in which Augustine Gbao would receive reports. The

2 first one is this: As overall security commander he would

3 receive reports when the area commander had failed to  
implement a  
4 Joint Security Board recommendation; do you agree?  
09:59:47 5 A. Yes.  
6 Q. And the second and final scenario in which Augustine  
Gbao  
7 would receive reports was in his role as IDU commander where  
he  
8 was receiving reports or -- let me start that again. I'm  
sorry.  
9 The second and final scenario was this: He would receive  
reports  
10:00:26 10 as the overall IDU commander from the district IDU commander,  
as  
11 I have just described; do you agree?  
12 A. Yes.  
13 Q. Just to clarify that: In other words, the second  
scenario  
14 would be the copies of the reports which were being sent to  
the  
10:00:58 15 area or brigade commander; you agree?  
16 A. No. The security reports by then, from the district IDU  
17 commander, they would take them to the overall security  
18 commander, especially those that had to do with investigation  
so  
19 that he himself would give his own advice, with the advice  
that  
10:01:40 20 the area commander or the town commander would give. This was  
21 the case that would come together, then we decided what to do.  
22 That was how we operated.  
23 Q. So you don't agree with me that there were only two  
24 scenarios where Augustine Gbao would receive reports; is that  
10:02:13 25 what you're saying?  
26 A. I don't understand what you mean.

you  
that

27 Q. Well, I'm going to try it gain, Mr Witness, and I want  
28 please just to listen to the question very carefully because I  
29 don't want us to talk at cross-purposes. Now, I suggested

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failed

1 there were two scenarios, and only two scenarios, whereby  
2 Augustine Gbao would receive reports. The first one, as you  
3 agreed, was in his role as overall security commander he would  
4 receive reports in situations where the area commander had  
10:03:12 5 to implement Joint Security Board recommendations?

what?

6 JUDGE THOMPSON: He would, in that context, would be  
7 Norm, the norm?

8 MR CAMMEGH: Sorry, Your Honour. I --

what?

9 JUDGE THOMPSON: He would in that context would mean

10:03:31 10 The norm, because once more we're back to the usual hobby  
horse.

So

11 The witness seems to be saying this was not how we operated.

the

12 he would in that context, the subjunctive mode would be what,

13 norm? Or actually?

14 MR CAMMEGH: The norm, sorry.

10:03:54 15 JUDGE THOMPSON: That's what I'm trying to say. I  
didn't

16 want to be that explicit.

17 MR CAMMEGH: Sorry, Your Honour. That's all right.

18 JUDGE THOMPSON: We are in that very delicate terrain  
with

19 these witnesses, you see.

10:04:03 20 MR CAMMEGH: Well, I'm trying to make it as clear as I  
can.

21 JUDGE THOMPSON: I can see the effort. In fact, I  
enjoin

22 you in doing that. But it seems as if there's a disconnect  
23 between you and the witness because of this subtle difference.

24 MR CAMMEGH: I agree. Yes, I agree. Can I just clear  
this

10:04:22 25 with Your Honours: That I think you're all aware I'm putting  
a

26 thesis that in practice there were two scenarios where, in  
27 practice, Mr Gbao would receive reports.

28 The first one, I hope we are all agreed, the witness  
29 appeared to accept that, in practice, Gbao would receive  
reports

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1 as overall security commander, wherein the area commander had  
2 failed to implement Joint Security Board reports. I think if  
3 anybody wants me to retrace that, I will, but I hope that that  
is  
4 fairly unequivocal.

10:04:57 5 JUDGE BOUTET: When you say that based on what? The  
6 evidence of this witness?

7 MR CAMMEGH: On the answer of the witness earlier, and  
it  
8 was the second scenario where --

9 JUDGE THOMPSON: That we got into the difficulties.

10:05:06 10 MR CAMMEGH: Yes. Now, if any of Your Honours wants me  
to  
11 retrace --

12 PRESIDING JUDGE: And then in the third scenario we got  
13 into further problems when he shifted grounds, and said that  
the  
14 district commander could send reports directly to the overall  
10:05:18 15 commander of the IDU, particularly where it concerns

16 investigations. So this goes, it cuts right across all what  
he's  
17 been saying, and that is where you've made the remark, you  
know,

18 that it would appear then that you do not agree with me on the  
19 two thesis that I have put across to you.

10:05:37 20 MR CAMMEGH: I'm not sure that the witness and I are at  
21 odds on the second scenario, and that's why I want to retrace  
it  
22 and understand exactly what he meant, because it may be that  
I'm

23 not putting it in a way that's being clearly understood, so

24 that's why I want to retrace scenario number two, because I'm  
not



10:05:54 25 sure that we were at odds, with respect. And I want to be  
sure  
26 that we are unequivocal about it.  
27 JUDGE THOMPSON: My intervention was because I wasn't  
sure  
28 what sort of evidence you were trying to elicit.  
29 MR CAMMEGH: Well, can I try with the second scenario  
again

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1 and we will see how far we get.  
2 Q. Mr Witness, as you've heard, there are two scenarios  
that  
3 I'm suggesting, and only two scenarios where Augustine Gbao in  
4 practice, in reality, received reports. The second one is  
this:  
10:06:30 5 I suggest that in his role as overall IDU commander Mr Gbao  
would  
6 receive copies of the reports from the district IDU commander  
7 which were being sent to the area or brigade commander in  
8 relation to investigations -- to investigations. Do you agree  
9 with me?  
10:07:12 10 A. Yes.  
I'm 11 MR CAMMEGH: Right. I hope I can move on from that.

I'd 12 anxious to move on, but if Your Honours see any equivocality  
13 be happy to retrace it.

here, 14 Q. Now, can you just confirm one or two matters for me  
10:07:33 15 please. The IDU, or the role of the IDU essentially was for  
or 16 to investigate disputes between civilians and soldiers; do you  
17 agree?  
18 A. Yes.

right 19 Q. Okay. Where the dispute lay between civilians, am I  
10:08:01 20 it was the role of the G5 to attempt to settle such disputes  
as 21 amicably as possible?  
22 A. Yes.

power 23 Q. Right. I think you've already told us the IDU had no  
24 of arrest; is that right?  
10:08:28 25 A. Yes.

suggest 26 Q. You mentioned yesterday that between 1998 and 2000 the  
27 district IDU was, in fact, a man called Sylvester. Can I  
28 that you are mistaken about that? I'm not suggesting that you  
29 are lying, of course, but can I suggest that the name of that  
IDU

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1 district commander was Francis Musa; am I right?  
2 A. Well, I wouldn't say you are correct or you are lying  
3 because when we went to Kailahun and they called us he is  
stood,  
4 and he said that he was the one that had been appointed by  
10:09:17 5 Francis Musa to be a district commander, Sylvester. So I did  
not  
6 know whether it was a legal assignment that was given to him  
so,  
7 all of us, we had that in mind that he was the district -- and  
at  
8 that time I was at Pendembu -- but all along it was Francis  
Musa.

9 Q. All right. Well, I'm happy to accept that answer,  
10:09:43 10 Mr Witness. Thank you. Can I suggest that in relation to the  
there  
11 general working and efficiency of the Joint Security Board  
First  
12 were perhaps two main problems which affected its working.  
13 of all, is it true that on occasions the Joint Security Board  
or,  
14 sorry, it was difficult to set up a Joint Security Board when  
the  
10:10:21 15 war disrupted its structure?

16 A. Yes.  
17 Q. For example, it was sometimes difficult to locate Joint  
18 Security Board representatives from the various units and  
collect  
19 them together because of the pressure from the war front;  
would  
10:10:56 20 you agree?

21 A. Exactly so.

22 Q. Okay. And was there a second prevailing problem, in  
23 particular in relation to incidents which had allegedly taken  
24 place at the front lines whereby, when some -- when soldiers  
were  
10:11:20 25 informed that they were due to attend a Joint Security Board,  
26 they would sometimes go AWOL and run away; is that true?  
27 A. Yes.  
28 Q. After the, I'm not sure, is it top or tap 20, 40 and  
final?  
29 Tap. Is it tap? In the months following tap final, were you

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1 familiar with a directive within the newly-shaped RUF to wipe  
out  
2 armed child soldiers after the Gios had left? I should say  
wipe  
3 out the use of armed child soldiers, not kill them all; is  
that  
4 something you remember?  
10:12:38 5 A. Yes. The instruction came.  
6 Q. And who did that instruction come from?  
7 A. Well, at that time, it was CO Foday who came initially  
and  
8 gave the instruction. He said that it was Sankoh that gave  
that  
9 instruction and --

10:13:01 10 THE INTERPRETER: Your Honours, would the witness go a  
11 little bit slow?  
12 MR CAMMEGH:  
13 Q. Mr Witness, I'm sorry to interrupt you again. It's my  
14 fault because I should remind you more often, but please don't  
10:13:12 15 rush along. Please let the interpreters have a chance to  
16 interpret what you are saying. So could you start that answer  
17 again, please, and take it slowly.  
18 A. I said at the time that we were at Mende Buima, when  
they  
19 had driven the Gios, Foday, who was the commander at Mende  
Buima,  
10:13:44 20 came. He said, Sankoh said the little children who had been  
21 going with the Gios, once the Gios had gone, he said, all of  
them  
22 should stop. Nobody should give them arms.  
23 Q. Okay. Does that complete your answer?  
24 A. The time that we came to Giema, 1993, Peter Vandi  
himself  
10:14:31 25 gave the same instructions. He said, no arms should be given  
to  
26 children who had been moving with the Gios. See, I used to  
hear  
27 that instruction.  
28 Q. Okay. At any time during the war did you see Augustine  
29 Gbao accompanied by armed children?

were 1 A. No. Augustine Gbao, when we were at Giema, our houses  
2 opposite each other, just about ten feet.

3 Q. Your house was ten feet from his house?

4 A. Yes, when we were at Giema.

10:15:33 5 Q. Right. Thank you. Can I just ask you one or two  
questions

I 6 about training after the Gios left, and I want to be sure that  
7 recorded your evidence correctly; the questions asked by  
8 Mr Jordash here, and answers that you gave. Did you tell the  
9 Court, and correct me, please, if I'm wrong, did you tell the

10:16:02 10 Court --

11 A. Mm-hmm.

and 12 Q. -- in 1994 you heard of training -- I'm sorry, in 1994  
13 1995 you heard of training in Baima and Bunumbu; is that  
right?

14 A. Yes.

10:16:27 15 Q. And did you say that after the intervention you heard no  
16 more about a training base in Bunumbu?

where 17 A. No. I said that I heard about it, but I did not know  
18 the people went and how many there were.

this 19 Q. All right. Did you, and I'm sorry if you've answered

10:17:08 20 question already, but I just need to be sure of what you said.

training 21 Did you receive any complaints from any of the Kailahun

22 bases at any time up until the end of the war?  
23 A. No. Except the time that the Gio people were there  
because  
24 when we went there, you see, we only spent two months there.  
So  
10:17:44 25 when I left the base that complaint came, that the Gios had  
been  
26 beating people at the base. But, apart from that, I did not  
hear  
27 any other complaint about that.  
28 Q. Okay. Mr Witness, after the Gios left, did people join  
the  
29 Kailahun District training bases voluntarily?

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1 A. That, I would not be able to look into somebody's mind.  
2 Q. Well, let me put it another way: After the Gios left,  
did  
3 you at any stage become aware of anyone being forced to train  
at  
4 any of those Kailahun bases against their will?  
10:18:58 5 A. No.  
6 Q. Okay.  
7 A. Because I used to see even the G5s, they had been  
boasting  
8 to go to the base, like Brima Jamiru, who was at Pendembu, he

9 himself spoke. He is the one that he said he was going to be  
10 trained and he went. He did not spend a long time there, a  
11 week  
12 or two; he came back. Apart from that, I did not have any  
13 other  
14 complaint.

15 Q. Can you spell that man's name, please, if you can?

16 A. Brima Jamiru. B-R-I-M-A.

17 10:19:39 Q. Yes.

18 A. J-A-M-I-R-U.

19 Q. All right. From what you could see, and from what you  
20 heard, was it your impression that people were going to these  
21 training camps in a desire to support the RUF in Kailahun  
22 District?  
23 10:20:19

24 A. I don't quite understand.

25 Q. I will try it again, Mr Witness. Was it your  
26 impression,  
27 because you were living in Kailahun District at the time --

28 A. Hm-mm.

29 10:20:36 Q. Was it your impression that those people who went to the  
30 training camps were doing so because they supported the RUF in  
31 Kailahun District?

32 A. Oh, yes. I used to hear about that.

33 MR CAMMEGH: Can I ask you to pause for a moment, Mr

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1 Witness. Forgive me.

2 PRESIDING JUDGE: Yes, are you objecting to the  
question?

3 MR HARRISON: Yes.

4 PRESIDING JUDGE: It has been answered.

10:21:06 5 MR HARRISON: Yes.

6 PRESIDING JUDGE: It has been answered.

7 MR HARRISON: Yes.

8 PRESIDING JUDGE: Okay. You may proceed, please.

9 MR CAMMEGH:

10:21:22 10 Q. I want you to refer to what you personally saw and what  
you

11 heard, Mr Witness, when you answer this next question. Was it

12 your impression that many of those who went to those training

13 camps did so because they wanted to become soldiers and have  
an

14 occupation?

10:22:08 15 A. Well, the impression that I used to have was that they  
went

16 to train, according to what I have been hearing, so as to

17 liberate. They said that they were going to join so as to

18 liberate this country. That was what I used to hear.

19 Q. All right. Just a couple of questions about the overall  
MP

10:22:40 20 commander, whose name was O'Jalley?

21 PRESIDING JUDGE: Mr Witness, just to liberate this  
country

22 from what?

people

23 THE WITNESS: That word was too rampant. A lot of  
24 had been using that word, that they said they were going to  
10:23:06 25 liberate this country. What they meant, I wouldn't be able to  
26 tell the meaning of the word liberation. But even the  
civilians  
27 used to utter those words -- that word. They said they would  
28 liberate this country.

29 MR CAMMEGH:

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ask

1 Q. Mr Witness --

2 A. Yes, sir.

3 Q. -- referring to His Honour Judge Itoe's question, can I

4 you to go a little bit further. What was it exactly that the  
10:23:42 5 civilians said that they wanted to be liberated from? Can you  
6 help us?

7 A. Well, the civilians, the idea that they had, it was from  
8 the ideology which they had. Sankoh had been showing  
everybody

9 that the war came to liberate this country from corrupt  
10:24:29 10 practices. So that was why the civilians had been using that  
11 word frequently.

couple

12 Q. Okay. I was going to come on to the MP, but just a  
13 more questions on training, if I may. Do you agree that there  
14 was virtually no training in 1997, following the arrival of  
15 junta in May of that year?

the

10:25:02

were

16 A. I did not hear about training because everybody was just  
17 going wherever he wanted. So I did not know whether people  
18 in the base. I did not know.

10:25:35

19 Q. Okay. What effect did the advent of the junta, in May  
20 1997, have upon the morale of the people of Kailahun District;  
21 can you help us?

gave

they

10:26:26  
went

District

during

22 A. Well, what I saw, even the AFRC soldiers who went, the  
23 people of Kailahun District, they welcomed them because they  
24 them a place to lodge. They would come near them and then  
25 would play with them. That I used to see because the junta  
26 with civilians. So that just proved that the Kailahun  
27 really provided encouragement for the civilians that went  
28 that 1997. That was what I observed.

any

29 Q. Okay. And from that time, May of 1997, did you observe

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1 desire or willingness to wage war amongst the civilians and,  
2 indeed, the soldiers within Kailahun District?

hearing,

3 A. According to my own observation, what I had been

4 civilians or soldiers, nobody was ready to fight during that  
10:27:49 5 time. Everybody had been feeling that the war had come to an  
6 end.

personally

7 Q. Okay. Now, again, referring purely to what you

8 observed, or what you personally heard, did there come a time  
9 again when people would voluntarily go to join the training  
10:28:17 10 bases?

11 A. That, I cannot tell now.

1998,

12 Q. But what about after the intervention in February of

13 Mr Witness?

1998,

14 A. I cannot tell, because I did not hear about a base.

10:29:00 15 Kailahun, I only heard about societies, but I did not know  
16 whether there was a base.

the

17 Q. All right. Thank you. In the Pendembu area -- I think

18 MP commander O'Jalley was based in the Pendembu -- sorry,  
19 Pendembu area for some time; do you agree?

10:29:39 20 A. Yes.

21 Q. Can you roughly give us the dates or the period during  
22 which O'Jalley was based there, to your knowledge?

23 A. O'Jalley was there 1996. 1996.

you

24 Q. Until when? If you can't be sure, please say so. If

10:30:37 25

can't be sure, it doesn't matter, Mr Witness. It's --

26 A. That, I can't tell exactly.

it

27 Q. All right. That's fine. Can you help me with this: Is

of

28 correct that within the Pendembu area the -- actually, in view

29 the previous witness's testimony, I don't think I need to ask

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Witness,

1 that question, so I'm going to move on. Forgive me, Mr

2 for taking you down that path. I just want you to comment,

3 please, on something you told my learned friend Mr Lansana

4 yesterday.

10:31:32  
copy

5 MR CAMMEGH: Your Honours, I'm afraid I don't have a

6 of the final transcript or, indeed, a draft for yesterday

7 evening, but my legal assistant I hope took an accurate note.

is

8 I'm going to read back to you what you said, and I think this

9 more or less correct. You said this: "It was not so easy to

10:31:58 10

share information if the fighters knew that you are an IDU."

11 A. Yes.

12 Q. And then I will continue: "They would not allow you to  
13 take even a paper. They would say that the IDU were passing  
14 information to the commanders and they didn't like it."

10:32:26 15 A. Yes.

very 16 Q. Then you went on to say: "To transfer information was  
17 difficult. Sometimes we got information if the agent could  
18 escape and ran with the report, but usually" --

19 A. Yes.

10:32:44 20 Q. "But usually didn't have the chance to move about. This  
21 happened so many times."

22 A. Yes.

23 Q. You agree with the truth of what you said there, do you?

24 A. Yes.

10:33:03 25 Q. Okay. Now, forgive me, but I would like you, please, to  
to 26 explain in a little bit more detail what you were attempting  
27 convey to the Court yesterday. What exactly did you mean by  
28 that?

29 A. Which one?

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with 1 Q. Well, can you explain the reputation that the IDU had

2 the other fighters?

3 A. Yes.

4 Q. Can you explain a little about that?

10:33:43 5 A. Well, the IDUs, the fighters considered the IDUs as  
[speaks

6 Krio].

7 Q. As what, sorry?

8 A. As inquisitive. [Speaks Krio]

9 PRESIDING JUDGE: It's not inquisitiveness, as such.

10:34:21 10 MR CAMMEGH: I wonder if His Honour Judge Thompson

11 could enlighten us?

12 JUDGE THOMPSON: I think it's gossip, or something.

13 PRESIDING JUDGE: Gossip.

14 MR CAMMEGH:

10:34:31 15 Q. Please carry on, Mr Witness, and give us as much detail  
on

16 this as you can, if you will?

17 A. Anyone who, if they came to know you an IDU, if you try  
to

18 go to the front line where there are arms, unless you said you

19 would stay near the commander who was on the ground every day,

10:35:14 20 but if --

21 THE INTERPRETER: Your Honours, it's not clear from the

22 witness.

23 JUDGE BOUTET: We don't have -- we have absolutely no

24 translation what's going on now.

10:35:38 25 THE INTERPRETER: Your Honours, it's not clear from the

26 witness. Can he repeat the answer?

27 MR CAMMEGH:

problem  
again?

28 Q. Mr Witness, I'm sorry, there seems to have been a  
29 with the translation. Can I ask you to start that answer

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it  
an

1 I'm sorry.  
2 JUDGE BOUTET: Mr Witness, you were at the stage where  
3 was translated that if you tried to go to the front lines as  
4 IDU, what happened. If you can take it from there, slowly  
10:36:19 5 please.

line,

6 THE WITNESS: If any IDU agent was sent to the front  
7 except he was with a commander, and he should stay close with  
8 him, and that would not even happen for an IDU man to stay  
9 commander for the whole of the day. So when we sent them,

with a  
they

of

10:37:01 10 were at the battalion headquarter town. So that was why some  
11 the front line information we did not receive them, because  
12 fighters would not do something, if it's something bad at the  
13 front, and he himself would -- he comes to report himself that

he



wind

10:37:49  
you

get

10:38:31

10:38:59

by

Page 18

brief.

14 did bad things that day, except, after a while, if you get  
15 of it, you would be in doubt whether to report him because if  
16 made the report, they would ask you when that happened and who  
17 did it, and, if you show the person, he would deny, and there  
18 would be no proof. So that was the problem to -- for us to  
19 accurate information from the front line.

20 MR CAMMEGH:  
21 Q. So, to put it simply, was this the case: That it was in  
22 fact frequently difficult for the IDU to receive reports of  
23 crimes from the front lines because combatants would sometimes  
24 obstruct IDUs from doing their job properly; was that right?

25 A. Yes.  
26 Q. Even though the IDUs were doing their best?  
27 A. Yes.

28 MR CAMMEGH: Your Honours, there were two transgressions  
29 me yesterday, questions that should have been put in closed

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1 session. I wonder if I could do that now? I'll be very

trying  
witness  
10:39:40  
at  
10:39:56  
which I  
doing  
10:40:15  
the  
sometimes  
combatants?  
10:41:01  
IDUs  
that  
2  
JUDGE BOUTET: I'm trying to understand what you are  
3  
to get at, Mr Cammegh, but you asked a question of this  
4  
if the role of the IDU was to investigate disputes between  
5  
soldiers and civilians. Now we are at the front line. So I'm  
6  
a bit of a loss to try to follow your line of questioning.  
7  
MR CAMMEGH: Okay. I'll clear that up.  
8  
JUDGE BOUTET: I'm very confused on this. I'm not sure  
9  
that time if you had asked a question if it was civilians only  
10  
was it G5, then you moved the IDU does this.  
11  
MR CAMMEGH: Your Honour makes a valid point and I'm  
12  
grateful because I've left an element out of the question  
13  
should put in now, if I may.  
14  
Q. When you talk of IDUs being obstructed sometimes from  
15  
their job at the front line, are you talking about crimes at  
16  
front line in which the victims were civilians?  
17  
A. I don't understand.  
18  
Q. All right. You've just said that the IDUs were  
19  
prevented from doing their job at the front line by  
20  
A. Yes.  
21  
Q. Did it sometimes happen that crimes were committed by  
22  
soldiers against civilians on the front lines, but that the  
23  
were obstructed in investigating these crimes properly? Did  
24  
sometimes happen?

10:41:44 25 A. Yes.  
26 MR CAMMEGH: Does that clear the issue up, Your Honour?  
27 Q. And when you say the IDU were being obstructed, are you  
in  
28 fact saying that the IDU would occasionally be obstructed by  
29 combatants because the combatants didn't want the IDU prying  
into

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1 their business; is that what you're saying?  
2 A. Yes.  
3 MR CAMMEGH: Your Honours, can I briefly wrap up this  
4 cross-examination by going into closed session, please, for  
just  
10:43:02 5 one or two questions?  
6 PRESIDING JUDGE: Yes, we may.  
7 MR CAMMEGH: I'm grateful.  
8 PRESIDING JUDGE: Court Management, are we not yet  
there?  
9 MR GEORGE: Not yet, Your Honour.  
10:45:38 10 MR CAMMEGH: May I take brief instructions, Your  
Honours,  
11 please?  
12 PRESIDING JUDGE: Yes, you may.

13 [At this point in the proceedings, a portion of the  
14 transcript, pages 20 to 27, was extracted and sealed under  
10:45:42 15 separate cover, as the proceeding was heard in a closed  
session]

16  
17  
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29

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1 [Open session]  
2 MR GEORGE: We are now in open session.  
3 PRESIDING JUDGE: Yes, thank you. Mr Wagona, just a

4 minute.

11:08:58 5  
This

We are now resuming this trial in a public session.

6 is the ruling of the Chamber in respect of the closed session  
7 application made, first of all, by learned counsel for the  
first

8 accused, and later on backed by learned counsel for the third  
9 accused in his cross-examination of this witness. Consistent  
11:09:35 10 with the general requirement that criminal proceedings be

11 conducted in public, as enjoined by Rule 78 of the Rules of  
12 Procedure and Evidence of this Court, and taking into  
13 consideration Article 17(2) of the Statute of the Court, but  
14 exceptionally as authorised by Rule 79(A)(ii) of the said  
Rules,

11:10:00 15 and the need to protect witnesses as provided for in Rule 75,  
16 this Chamber, on the application of counsel for the first  
17 accused, and subsequently learned counsel for the third

18 for a certain portion of the testimony of witness number DIS-  
149  
19 to be heard in closed session did, by way of an exceptional

11:10:34 20 procedure, grant the said application for the reasons advanced  
in  
21 support thereof.

22 Let us now proceed, following this ruling, to conducting  
23 these proceedings in an open session. And, Mr Wagona, having  
24 conducted part of your cross-examination in closed session,  
you

11:10:58 25 may now proceed in conducting the rest of it in open session.

26 MR WAGONA: Thank you.

27 Q. Witness, we are now in open session, so be careful when  
28 answering the questions not to reveal your identity; okay?

29 A. Okay. All right.

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reports

1 Q. Now, witness, I suggest to you that when you sent

to

2 to your overall unit commander, he would in turn send reports

3 the overall security commander; do you accept?

4 A. Yes.

11:11:52 5  
not

Q. And the overall security commander was Augustine Gbao,

6 so?

7 A. Yes.

that

8 Q. And from what you have testified, it's correct to say

unit

9 there were two sets of reports prepared; reports to overall

11:12:34 10

commanders and the then combined reports to the brigade

11 commander; is that correct?

12 A. Yes.

receive

13 Q. And earlier on you had said that Augustine Gbao did

14 reports where area commanders did not implement Joint Security

11:13:23 15

Board recommendations; you remember?

16 A. Yes.

reports 17 Q. But it is also correct, Mr Witness, that security  
18 were always sent to Augustine Gbao by district IDU commanders,  
19 not so?

11:14:04 20 MR CAMMEGH: Can I just, forgive me, interrupt: The  
word I  
21 used, advisedly, was copied to Augustine Gbao, not sent, in  
this  
22 context.

23 MR WAGONA: My Lord, I'm aware that that's how counsel  
put  
24 it.

11:14:20 25 PRESIDING JUDGE: And you are not bound to use the same  
26 words. You're in cross-examination. You may proceed, please.  
27 MR WAGONA: Thank you.  
28 Q. Witness, did you hear the question?  
29 PRESIDING JUDGE: Take it again, please, Mr Wagona.

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1 MR WAGONA:  
2 Q. Witness, I'm saying that it is correct, isn't it, that  
3 district IDU commanders always sent reports to the overall  
4 security commander, Augustine Gbao, not so?

11:15:11 5 A. They usually sent copies.

advice; 6 Q. And you said that that was for him to give his own  
7 not so?  
8 A. Yes.  
9 Q. Now, witness, is it correct that the common complaints  
that  
11:16:00 10 the IDU office would receive were complaints by civilians  
against  
11 fellow civilians?  
12 A. No. Complaints were, from civilian against civilians,  
were  
13 referred to the G5.  
14 Q. But I suggest to you that the civilians were afraid to  
11:16:33 15 complain against RUF combatants; not so?  
16 A. No. That was in 1991, 1992, when that was happening.  
17 Before that, the civilians were bold to report any fighter.  
18 THE INTERPRETER: Correction, interpreter. After that  
the  
19 civilians were bold to report any fighter.  
11:17:25 20 MR WAGONA:  
21 Q. Now, witness, the incident concerning Kallon Nabieu was  
a  
22 case of an RUF combatant taking over a civilian's wife; not  
so?  
23 A. He did not take her. She [sic] wanted to take her,  
24 according to the statement when I explained what transpired;  
that  
11:17:56 25 was how it happened.  
26 Q. And the IDU office had known about the incident before  
27 Mr Lansana reported, not so?  
28 A. No. The IDU office received the information. The very  
29 hour that the IDU office wanted to send someone to find out,  
it



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1 did not even take an hour when Pa Lansana himself came because  
2 Gagor was a place far from the front line. It's more than 20  
3 miles off from the front line.

4 Q. And the way that case was dealt with was that Kallon was  
11:18:54 5 advised to leave the woman; not so?

6 A. The lady, we persuaded the lady to go back to her  
husband.

7 For Kallon, he was disciplined. In fact, they changed his  
8 assignment. They fired him to Bunumbu, Yawei Chiefdom.

9 Q. Now, the incident involving Bockarie, in the incident  
11:19:36 10 involving Bockarie, Bunduka, the woman was a civilian; not so?  
11 She was not an RUF combatant; is that correct?

12 A. Yes.

13 Q. And Bunduka gave her a serious beating, didn't he?

14 A. That was what the lady reported, that she was beaten up;  
we

11:20:06 15 were not present.

16 Q. And in that case, the case was concluded by the woman  
being  
17 escorted to her people; not so?

18 A. Yes, we decided on that, since she said she would not

19 breastfeed the child again and she was --

11:20:57 20 THE INTERPRETER: Your Honours, can the witness take  
that

21 bit again?

22 MR WAGONA:

23 Q. Please repeat your answer, Mr Witness.

24 A. Bunduka, since he was annoyed, he said he would not feed  
11:21:01 25 the child again because he was jealous, and he said he would  
beat

26 him -- beat her up -- since she had reported him and he said  
that

27 the lady should not go back to his house; in fact, he would  
not

28 feed her any more. So we decided that if you have made this

29 decision, this lady has relatives, and she's married. His

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1 mother's alive, his father's alive, so we would send her to  
them.

2 If you are ready, you would take her. So the G5 gave someone,

3 someone to escort her, to escort her to her relatives.

4 Q. Okay. Thank you. Now, you spoke about people displaced  
11:22:05 5 from the war front and being brought to Giema; do you  
remember?

6 A. Yes.

7 Q. And you said those who were newly brought would be given  
8 food like bananas and so on, brought by the other civilians;  
do  
9 you remember?  
11:22:29 10 A. It was not only civilians. That was a concerted effort.  
11 banana  
12 Soldiers -- the fighters were going with civilians to find  
13 and they would bring it back. It was not only civilians.  
14 Civilians were not only -- they were not going alone to find  
15 food  
16 in the bush at that time.  
11:22:51 15 PRESIDING JUDGE: Okay. Can you now answer the  
16 question?  
17 THE WITNESS: Should I repeat?  
18 PRESIDING JUDGE: Counsel asked you a question that when  
19 people were brought from the war front, they were given food  
20 which had been brought by other people before, which had been  
11:23:15 20 brought by others. You did not answer the question. You went  
21 and said that food was not only for civilians, it was brought  
22 by  
23 soldiers, by everybody --  
24 THE WITNESS: Yes, yes.  
25 PRESIDING JUDGE: -- and so on.  
11:23:31 25 MR WAGONA:  
26 Q. So the answer is "yes"?  
27 A. Yes.  
28 Q. Thank you. Okay. My next question, then, is this: Is  
29 it  
30 correct that the civilians who would have come earlier before

1 would participate in going to find this food, together with  
the 2 other civilians?

3 A. Yes. Because the fighters, they were in the lead. They  
4 would go with them and they would find the food and they would  
11:24:08 5 carry it, the G5, the civilians, and they would bring it back.

6 Q. Is it also correct that the displaced civilians who came  
7 earlier would participate in farming on the community farms?

8 A. Yes.

9 PRESIDING JUDGE: Mr Witness, what you're saying is that  
11:24:45 10 the civilians would go food-finding and soldiers too would go  
11 food-finding with them; it was a combined effort. Soldiers  
were 12 food-finding, civilians were also food-finding and they would  
13 bring the food?

14 THE WITNESS: Yes.

11:25:06 15 PRESIDING JUDGE: Is that what you're saying?

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

17 MR WAGONA:

18 Q. Witness, you were asked by Mr Cammegh, the lawyer who  
asked 19 you questions before now, about the children. Is it correct  
that 20 when the Gios left, they left behind these children; they did  
11:25:57 not

21 go with them, not so?

22 A. No. The Gio people's children, they took them back,  
except  
23 the Sierra Leone children, who were moving around with them,  
the  
24 Sierra Leone children who were moving around with them, they  
were  
11:26:24 25 the ones who remained. But the children of the Gios, they  
left  
26 with them. They all went.

27 Q. And when the Gios were still around, these Sierra  
Leonean  
28 children who later remained behind had been fighting with  
them,  
29 not so?

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1 A. No, they did not give them guns when the Gios were  
around.  
2 They used to use guns even --  
3 THE INTERPRETER: Your Honours, can the witness take  
that  
4 bit again?  
11:27:23 5 MR WAGONA:  
6 Q. Witness, the interpreter asked you to repeat your  
answer.

7 A. When the children of the Gios were around, they were  
using  
8 guns at that time. But wherever these Gio children went,  
since  
9 they were armed, the Sierra Leonean children were moving along  
11:27:47 10 with them because of that, so they would move around with  
them,  
11 but they did not give the Sierra Leonean children guns because  
12 they said the guns were their mothers and their fathers, so  
they  
13 did not give it to anyone.  
14 Q. Witness, I suggest to you that you are not telling the  
11:28:26 15 truth; that you know that even after the Gios left the  
children  
16 continued using guns; what do you have to say?  
17 A. I am not lying. When the Gio children were present,  
they  
18 were not giving guns to any Sierra Leonean child.  
19 Q. Witness, ever since you joined the RUF in 1992, you  
11:29:31 20 remained a loyal RUF officer; not so?  
21 A. Yes.  
22 Q. And that's because you strongly believed in the RUF  
23 ideology; not so?  
24 A. Yes.  
11:29:59 25 Q. And until now you believe in the RUF ideology; not so?  
26 A. Yes.  
27 Q. And you also remained loyal to the commanders under whom  
28 you worked in the RUF; not so?  
29 A. Yes. Even though the war was over, wherever I see them

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1 would respect them.

2 Q. And one of those commanders is Mr Issa Sesay, on whose  
3 behalf you have come to testify; not so?

4 A. I did not purposely come to testify for him. I came to  
11:31:19 5 clear the doubt the Court had --

6 PRESIDING JUDGE: Mr Witness, answer the question first.  
7 Are you loyal -- you said you were loyal to your commanders.

8 THE WITNESS: Yes.

9 PRESIDING JUDGE: Are you loyal to Issa Sesay or not?

11:31:37 10 THE WITNESS: Yes. Yes. Yes.

11 MR JORDASH: May I ask that the witness be allowed to  
12 answer the question? The witness was about to say something.

13 PRESIDING JUDGE: Let him answer the question. I wanted  
14 him, you know, before he runs around to answer the question  
11:31:58 15 first; he can come back to his explanation.

16 MR JORDASH: With the greatest respect, he was answering  
17 the question, and he was making it quite clear the distinction  
18 between --

19 PRESIDING JUDGE: I wanted him to answer the question  
11:32:09 20 first. It was on loyalty and then he can now explain himself.

21 MR JORDASH: With respect, in my submission, he was.

22 PRESIDING JUDGE: He wasn't. Mr Witness, you may now

23 explain.

24 THE WITNESS: My Lord, the answer is "yes."

11:32:31 25  
come

PRESIDING JUDGE: No, you were explaining why you have

26 to testify. You said "yes" to your loyalty to Sesay and your

27 commanders, your RUF commanders, and you were going to explain

28 why you are here to testify.

29  
only

THE WITNESS: Yes, to testify. One, firstly it is not

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network

1 for Issa Sesay, but to give an idea of how the security

one

2 was running within the RUF, because I thought that would be

yes,

3 of the problems the Court had. That's why I decided to say

4 to say that I would go and testify about that.

11:33:34 5  
that

JUDGE BOUTET: Can you explain what you mean by this,

6 you were to give an idea as to how the situation that what was

7 running in the RUF and you thought that --

8 THE WITNESS: Yes.

9 JUDGE BOUTET: Why are you saying so? Is it in the

11:33:54 10  
would

security network that would be in the RUF, as it existed,



11 be of, in your view, of assistance to the Court?

12 THE WITNESS: Well, how we were working with the  
civilians

13 and how we were working between the civilians and the  
soldiers,

14 the fighters, how we were protecting them; that was what I  
meant.

11:34:31 15 JUDGE BOUTET: Mr Witness, did you have a rank as an IDU  
16 commander?

17 THE WITNESS: I don't understand.

18 JUDGE BOUTET: Did you have a rank?

19 THE WITNESS: No, I had no rank. I was not given any  
rank

11:34:56 20 to say that I was a corporal or a captain because that was the  
21 instructions we received, that they would not give ranks  
because

22 if they give you a rank you will hide from the fighters. How  
23 much more if they give you a rank? Me, in particular, I did  
not

24 have a rank.

11:35:22 25 JUDGE BOUTET: But the IDU agents that would go to the  
26 front line, they had no rank either?

27 THE WITNESS: I did not take notice of that to say that  
28 this particular agent had this rank.

29 JUDGE BOUTET: So when you were trained to become an IDU

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1 agent, or IDU officer, whatever you called them, you were not  
2 given any rank at any time?

3 THE WITNESS: No.

4 JUDGE BOUTET: An agent was reporting to you, for  
example,

11:36:16 5 because you were, by assignment, his superior?

6 THE WITNESS: That was why they were reporting to me.

7 JUDGE BOUTET: Because of the function you were  
occupying?

8 THE WITNESS: Yes.

9 JUDGE BOUTET: Okay. Thank you very much.

11:36:40 10 PRESIDING JUDGE: Mr Wagona, it is 11.30. It is past  
11 11.30. We would recess and we will continue your  
12 cross-examination after we recess. The Chamber will rise,  
13 please.

14 [Break taken at 11.32 a.m.]

12:13:59 15 [RUF06NOV07B - JS]

16 [Upon resuming at 12.10 p.m.]

17 PRESIDING JUDGE: We are resuming the session. Mr  
Wagona,  
18 you may continue.

19 MR WAGONA:

12:14:41 20 Q. Witness, may I remind you to be careful when answering  
the  
21 questions because we are in open session; yes?

22 A. Okay.

23 Q. Now, you spoke about a time when there was brushing in  
24 Pendembu; do you remember?

12:15:06 25 A. Yes.  
26 Q. And you said it was done by civilians; do you remember?  
27 A. I have not said only civilians. I said civilians and  
28 fighters who -- that the MP commanders gave.  
29 Q. Okay. Did any civilian refuse to participate in that

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1 exercise?  
2 A. No.  
3 PRESIDING JUDGE: What was the question? Did any  
civilian  
4 refuse to participate?  
12:15:58 5 MR WAGONA: Yes, My Lord.  
6 PRESIDING JUDGE: What was the question again? Was it  
7 could any civilian refuse or did any civilian refuse?  
8 MR WAGONA: My question was: Did any civilian refuse?  
Did  
9 any civilian refuse to participate in that exercise?  
12:16:24 10 PRESIDING JUDGE: Thank you.  
11 THE WITNESS: No.  
12 MR WAGONA:  
13 Q. And I suggest that civilians could not have refused to  
14 participate; not so?

12:16:51 15 A. Not at all because it was they themselves that made the  
16 suggestion. They were willing to work.  
17 Q. Now, concerning training of civilians, is it your  
evidence 18 that you do not know that there were civilians who were forced  
to 19 train?

12:17:27 20 PRESIDING JUDGE: Repeat the question, please.

21 THE WITNESS: Repeat the question, please.

22 MR WAGONA:

23 Q. I said concerning training by civilians, is it your  
24 evidence that you do not know that there were civilians who  
were 25 forced to train?  
12:17:42 26 A. Generally.

27 PRESIDING JUDGE: Generally what, Mr Witness? Don't end  
up 28 with generally, because -- give us a response, please.

29 THE WITNESS: I said I wouldn't be able to tell whether  
all

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1 the civilians who were asked to go for training were not  
willing.

2 MR WAGONA:

3 Q. Witness, I suggest to you that concerning children you  
1020 lied  
4 when you said they were only used by commanders as house boys  
12:18:55 5 because they were also armed and used as bodyguards; what do  
1021 you  
6 say?

7 THE INTERPRETER: Your Honours, would the learned  
1022 attorney  
8 repeat the question?

9 THE WITNESS: I did not lie because I did not see little  
12:19:15 10 boys who were bodyguards to any commander who had arms.

11 MR WAGONA:

12 Q. Now, you stated that IDU had difficulties investigating  
13 crimes committed by RUF combatants at the front line; do you  
14 remember?

12:19:59 15 A. Yes.

16 Q. Did IDUs mention these difficulties in reports to  
1023 district  
17 IDU commanders?

18 A. Yes; they used to make reports.

19 Q. I would therefore take it that the overall security  
12:20:42 20 commander, Augustine Gbao, knew about these difficulties; not  
1024 so?

21 A. Yes; they used to give the advice, peace of advice to  
1025 the  
22 fighters. But while the problem was the fighters wanted --  
1026 when

23 the commanders had been advising them, so as not to disturb  
1027 IDUs

24 at the front line, that the commander should show the person  
1028 who

12:21:27 25 could be with them at the front line, and that that led the

IDU, 26 commander, they themselves, not to accept because they said  
identity. 27 as long as he was at the front line, will not show his  
problems. 28 Nobody should know his identity. That was what created  
29 When you have given advice --

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asked 1 THE INTERPRETER: Your Honours, would the witness be  
2 to repeat the last segment of his testimony?  
3 MR WAGONA:  
4 Q. Witness, please repeat the last part of your testimony.  
12:22:13 5 A. Augustine Gbao was aware of these reports which  
concerned 6 the disturbances that the IDUs used to have at the front line,  
7 and they used to give pieces of advice to battalion commander,  
so 8 that he could advise the front line commanders. While the  
9 problem arose, the front line commanders, they asked so that  
they 10 could know the IDU men who were with them.  
11 Q. So are you saying, therefore, the problem persisted?  
12 A. Yes, it continued.

you 13 JUDGE BOUTET: Mr Witness, just your previous answer,  
14 said -- are you saying that Gbao would give advice to the  
12:23:38 15 battalion commander so that the battalion commanders could  
advise  
16 the front line commanders about IDUs, that the front line  
17 commanders did not know who were the IDUs working with him, or  
on  
18 the front lines with him? How did that work?  
19 THE WITNESS: I said Gbao, Augustine Gbao, used to give  
12:24:05 20 pieces of advice to the battalion commanders so that they  
could  
21 advise the front line commanders so as to stop disturbing the  
IDU  
22 agents at the front line.  
23 JUDGE BOUTET: But would the front line commanders know  
or  
24 did they know at the time who the IDU agents were?  
12:24:38 25 THE WITNESS: That was what they wanted to know. The  
26 agents that would be with them at the front line because the  
27 agents were at the battalion headquarters, so they wanted to  
send  
28 agents who could be with them at the front line. That was  
what  
29 they wanted to know, but Mr Gbao did not accept.

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1 JUDGE BOUTET: I don't understand what you're saying.  
2 You're saying that there were no IDU agents at the front line?

3 THE WITNESS: That is what I'm saying. I said any  
agents  
4 that we sent was at the battalion headquarters, so that -- so  
12:25:21 5 that if you could --

6 THE INTERPRETER: Your Honours, would the witness be  
7 instructed to go a little bit slow?

8 JUDGE BOUTET: Witness, can you speak slowly, please,  
and  
9 repeat your last answer, please, slowly.

12:25:40 10 THE WITNESS: Okay. I said that the agent that we had  
been  
11 sending, they were at the battalion headquarters, so that even  
12 the commanders would be able to know them. But the front  
line,  
13 if we sent any agent at the front line, who had been moving  
with  
14 the fighters, they would be able to get information. If he  
asked

12:26:13 15 permission to come with it, if the front line would ask him  
where  
16 are you going and why are you going, and the agent, he,  
himself,  
17 would not like to disclose the identity, he would not explain.  
18 So because of this they were not given passes. So at any time  
19 this advice came from Augustine Gbao, the front line  
commanders,

12:26:47 20 they would ask the battalion commanders about the agents that  
21 they had been talking about at the front line. We do not know  
22 you. Who are they? This was the problem and Augustine Gbao,  
he  
23 himself, would not disclose the person's identity as the agent



headquarters  
24

who was at the headquarters. The agent that was the

12:27:13 25

was the only one that was known. That was how it went.

26

JUDGE BOUTET: So, in short, there were no agents at the

27

front line?

order

28

THE WITNESS: Oh, my God. They were there. But in

29

for them to get information, and to be able to transfer that

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and

1

information, that was the problem, because if a fighter went

going?

2

asked for a permission to go, they would ask where are you

3

There was a problem for them to leave. So because of that, we

4

will just assign people at the battalion headquarters.

12:28:11 5

Initially, that was how it worked.

6

JUDGE BOUTET: Thank you.

7

MR WAGONA:

8

Q. And did the area commanders also know about these

9

difficulties being faced by IDU?

12:28:38 10

A. Yes.

such

11

Q. So did Issa Sesay, when he was in Pendembu, know about

12 difficulties?

the

13 A. No, because at that time, 2000, there was no problem at

14 front line, 2000, when Issa Sesay had taken over the RUF.

12:29:22 15 Q. But in 1998, when he was supervising the front lines in  
16 Pendembu, as you have testified, he knew about these problems,  
17 didn't he?

18 A. Yes.

19 MR WAGONA: My Lords, that concludes my cross-  
examination.

12:30:22 20 PRESIDING JUDGE: Yes, Mr Jordash, any re-examination?

21 MR JORDASH: No, thank you.

22 PRESIDING JUDGE: Well, Mr Witness, we have come to the  
end

23 of your testimony. Thank you for coming to assist the  
Tribunal

24 with the evidence that you have given before it and we wish  
you a

12:31:16 25 safe trip back to your place of residence. Thank you for  
coming.

26 THE WITNESS: Thank you, sir.

27 PRESIDING JUDGE: Yes. Can the witness be escorted out,  
28 please? Yes, you can take him out.

29 [The witness withdrew]

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1 PRESIDING JUDGE: Yes, Mr Jordash, do we have --

2 MR JORDASH: The next witness, the 14th witness, is  
3 DIS-281, who will give evidence in Krio. Whilst the witness  
4 is being brought in, may I leave the Court for two minutes? The  
5 last witness is leaving straight away to go home, I think  
6 today, and I would appreciate being able to see him for 30 seconds  
7 before he leaves.

8 PRESIDING JUDGE: You may, please.

9 MR JORDASH: I'm grateful, thank you.

10 [The witness entered court]

11 WITNESS: DIS-281 [Sworn]

12 [The witness answered through interpreter]

13 MR JORDASH: May I make an application in a closed  
14 session, please?

15 PRESIDING JUDGE: Court Management, may we move to a  
16 closed session for Mr Jordash to make his application, please?

17 Mr Jordash, are you making this application for the entirety  
18 of his testimony or for just a portion of it?

19 MR JORDASH: For the entirety.

20 [At this point in the proceedings, a portion of the  
21 transcript, pages 44 to 102, was extracted and sealed under  
22 separate cover, as the proceeding was heard in a closed  
23 session]

24 [Whereupon the hearing adjourned at 5.40  
p.m.,

to be reconvened on Thursday, the 8th day of

17:45:37 25

November 2007 at 9.30 a.m.]

26

27

28

29

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WITNESSES FOR THE DEFENCE:

WITNESS: DIS-149

2

CROSS-EXAMINED BY MR CAMMEGH

2

CROSS-EXAMINED BY MR WAGONA

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WITNESS: DIS-281

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EXAMINED BY MR JORDASH

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