

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

MONDAY, 26 NOVEMBER 2007
9.49 A.M.
TRIAL

TRIAL CHAMBER I

Presiding

Before the Judges:

Benjamin Mutanga Itoe,
Pierre Boutet

For Chambers:

Mr Thomas George

For the Registry:

Ms Advera Kamuzora
Mr Thomas George

For the Prosecution:

Mr Charles Hardaway
Mr Reginald Fynn

For the accused Issa Sesay:

Mr Wayne Jordash
Ms Sareta Ashraph

For the accused Morris Kallon:

Mr Kennedy Ogeto

For the accused Augustine Gbao:

Mr John Cammegh

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OPEN SESSION

1 RU26NOV07A - JS]

2 Monday, 26 November 2007

3 [The accused present]

4 [The witness entered Court]

5 [Open session]

6 [Upon commencing at 9.49 a.m.]

7 PRESIDING JUDGE: Good morning, learned counsel.
We

8 are resuming our proceedings. Yes, is it Ms Ashraph who is

9 taking the next witness?

09:57:44 10 MS ASHRAPH: It is, Your Honour. The next witness is
11 DIS-187. She is the 17th witness for the Defence, Mr Sesay's
12 Defence.

13 PRESIDING JUDGE: Right.

14 MS ASHRAPH: She will be testifying in Mende today.
Your

09:58:19 15 Honour, the witness has just said she would like to use the
16 restrooms.

17 PRESIDING JUDGE: Yes, she may. She should be allowed,
18 please. She appears to be under stress. She is winking and
19 winking. Better take her out quickly.

09:59:42 20 [The witness stood down]

21 [The witness entered Court]

22 WITNESS: DIS-187 [Sworn]

23 [The witness answered through interpreter]

24 MS ASHRAPH: Your Honours, before I start, the witness
10:03:27 25 isn't literate and there are the names of two towns that will
26 have to be -- I will ask the assistance of Court Management to

protective

27 write down with the witness to be exhibited due to the
28 measures.

29 EXAMINED BY MS ASHRAPH:

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faith?

1 MS ASHRAPH:
2 Q. Madam witness, it's right that you are of the Muslim

3 A. Yes.

4 Q. And what languages do you speak?

10:03:56 5 A. I can speak Mende, Krio clearly.

6 Q. It's right that you have been married for the past 17
7 years; is that correct?

married.

8 A. I am 54 years. There, I was 17 years when I got

9 Q. And it's right, witness, that you are not literate?

10:04:25 10 A. No.

11 Q. Witness, when the war broke out in Sierra Leone it's
12 correct that you went to Guinea; is that right?

13 A. Yes, I was in Guinea.

14 Q. And where were you living when you were in Guinea?

10:04:41 15 PRESIDING JUDGE: Is it that when the war broke out she

out? 16 went to Guinea or that she was in Guinea when the war broke
17 MS ASHRAPH: I'll clarify that.
18 Q. Witness, do you know when you went to Guinea?
19 A. Well, I was not here when the war broke out. I went,
then
10:05:05 20 after a week the war broke out.
21 Q. And where were you living when you were in Guinea?
22 A. I went to Koindu, but later I was now in Tanzari camp.
23 Q. And that's a camp run by the United Nations; is that
right?
24 A. Yes.
10:05:30 25 Q. And what did you do while you were at that camp?
26 A. I used to do a birth attendant. I used to do birth
27 attendance work.
28 Q. And there came a time when you returned to Sierra Leone;
29 that's correct?

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1 PRESIDING JUDGE: Is it bar attendant or --
2 MS ASHRAPH: Birth attendant.
3 PRESIDING JUDGE: Birth.
4 THE WITNESS: Birth attendant.
10:05:59 5 MS ASHRAPH:

6 Q. Witness, can you explain what a birth attendant is,
please?

7 A. Well, I used to help women in -- who when they were --

8 THE INTERPRETER: Can the witness kindly repeat her
answer.

9 PRESIDING JUDGE: She is a midwife or so, I think, I --

10:06:31 10 birth attendant, okay.

11 MS ASHRAPH:

12 Q. Your Honour, do you -- witness, do you want to repeat
your

13 answer, please?

14 A. I studied midwifery. I have the certificate. That's
what

10:06:47 15 I did and that's the certificate I have; even now I am
delivering

16 women.

17 Q. Witness, there's a time that you returned to Sierra
Leone?

18 A. Yes.

19 Q. Do you know when that was -- what caused you to return
to

10:07:00 20 Sierra Leone?

21 A. Well, during the intervention, that's when I returned.

22 Q. And why did you return to Sierra Leone?

23 A. Well, I separated with my child, but I was there when
they

24 said that child is in Segbwema to a woman called Mammy, so
then

10:07:24 25 they said the war has ended. Thank God. So people were
coming

26 across, to see. So I tried to come across the river as well
to

27 search for my child.

said

28 Q. Okay. Witness, do you know who was in power when they
29 the war had ended? Do you know who was in power in Freetown?

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had

1 A. Well, I was not in Freetown. I just heard that the war
2 ended. I didn't know who was in power because I was in

Guinea.

you

3 Q. Do you know where President Kabbah was at the time that
4 returned to Sierra Leone?

10:08:01
in

5 A. I didn't know where President Kabbah was because I was
6 Guinea. I just heard that the war had ended. They said we
7 should come.

go?

8 Q. And when you said you crossed the water, where did you
9 A. When I crossed the river I went to Manowa, then to

10:08:23
return.

10 Segbwema. I did not get my child there, so I planned to
11 Then we came to Manowa, but we were cut off.

right?

12 Q. Right. Witness, if you can just slow down for a minute.
13 You went to Segbwema and your son was not there; is that

14 A. No.

10:08:43 15 Q. Did anything happen while you were in Segbwema?
16 A. Yes. I was in Segbwema when they said my child was in
17 Kenema and people were running away. They said there had been
an
18 intervention. They said ECOMOG were coming.
19 Q. And who were those people who were running, witness?
10:09:03 20 A. Well, so many people were running away. I used to see
see
21 gunmen running away. They said ECOMOG had come. I used to
22 civilians, black people, whoever, people were running away.
23 Q. And did you speak to any of the civilians?
24 A. Yes, I spoke to some of them. I asked some of them.
They
10:09:23 25 said the war has intense in Kenema and they said they were
coming
26 in. They said some of them were coming to Kailahun, Pendembu,
27 because there is -- people are running helter-skelter in
Kenema.
28 Q. Do you know what they were running from; did they say?
29 A. They said there had been an intervention. They said
ECOMOG

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1 had come so there's fighting there.

2 Q. Witness, have you ever heard of the Kamajors?

in 3 A. Yes, I used to hear that Kamajors were there when I was

4 Guinea.

10:10:12 5 Q. And how did the civilians that were coming into Segbwema
6 appear to you?

7 PRESIDING JUDGE: Ms Ashraph.

8 THE WITNESS: They were humans.

9 PRESIDING JUDGE: She's sniffing, I don't know, unless
she

10:10:34 10 has catarrh. I don't know whether there's some stress or so.

11 THE WITNESS: That's how I do it with my eyes. There's
12 nothing wrong with me.

13 PRESIDING JUDGE: I was not complaining of your eyes.

14 MS ASHRAPH: Mr George has told me the witness would
like

10:11:04 15 some hot water, not some cold water. The witness unit is
dealing

16 with that now.

17 THE WITNESS: Right now I don't want anything to drink.

18 I'm all right.

19 MS ASHRAPH: Okay, thank you, Ms Witness.

10:11:19 20 THE WITNESS: As for my eyes, that's how I do with them.

21 MS ASHRAPH:

22 Q. Did the civilians say where they were going, the
civilians

23 that were coming into Segbwema?

24 A. People were running away. Nobody asked one another. So

10:12:17 25 you wouldn't think at that time about somebody else's
business.

26 What you cared about is what is happening to you.

27 Q. Do you know if the Kamajors were doing anything in
Kenema?

about

28 A. I did not go to Kenema, so I can't explain anything
29 Kenema.

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if

1 Q. Did you hear from the civilians who were -- did you hear
2 the Kamajors were doing anything in Kenema?

3 A. The civilians, they said Kenema is tense. They said the
4 Kamajors were capturing people, they were arresting people.
10:12:56 5 Those people who were -- hosted with Kamajors.

6 THE INTERPRETER: Your Honours, the witness is speaking
7 very fast.

8 MS ASHRAPH:

10:13:09
speak

9 Q. Witness, witness. What you say is very important and
10 people are trying to write it down. So if you could just
11 slowly because people are also translating it so everybody
12 can hear you.

else

13 A. Okay. Can I start?

last

14 Q. You can start, yes. If you can just repeat what your
10:13:25 15 sentence was?

had 16 A. People said the Kamajors were chasing people, those who
to 17 hosted the Kamajors. The Kamajors were doing something wrong
18 them.
19 Q. Witness, did you stay in Segbwema or did you go
elsewhere?
10:13:50 20 A. I returned to Manowa.
21 Q. And why was that?
22 A. People were running away from Kenema. They were coming.
23 They said they were capturing people. They were ill-treating
24 people. Would you go there?
10:14:05 25 Q. Witness, you moved to Manowa and what was your purpose
in
26 moving to Manowa?
27 A. I wanted to return to Guinea.
28 Q. And were you able to return to Guinea?
29 A. I was unable to return there.

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1 Q. Why was that?
2 A. I met the road had been cut off. They said the Guineans
3 had cut -- blockaded the road so nobody could go to the river.
4 Q. And what happened next when you were in Manowa?

10:14:41 5 A. Well, I was in Manowa up to one week. I was in Manowa
one
6 day.
7 Q. Did you know anyone in Manowa?
8 A. Yes.
9 Q. Who was that?
10:15:03 10 A. Her name is xxxx. She's my friend.
11 Q. And when did you first come to know xxxx?
12 A. At that time the war had not started. We were doing
13 business together.
14 Q. And where were you staying when you went to Manowa?
10:15:19 15 A. I was with xxxx because she was the person I knew there.
16 Q. And where were both of you?
17 A. We were in the town at her house; that's where we were.
18 Q. And did you remain in the town throughout your time in
19 Manowa?
10:15:39 20 A. No. We used to go -- sometimes we would go to the --
they
21 would say we should go to the zoo bush. They said they used
to
22 hear news. At that time I went there they had zoo bush there.
23 Q. Okay. Who would say you should go to the zoo bush?
24 A. The person I was staying with. The whole of Manowa
would
10:15:58 25 go to the zoo bush. The person that I was staying with in
Manowa
26 would go there.
27 Q. Okay. And why was that, witness?
28 A. Well, when you go there, when you go to a place and they
29 said they are walking on one leg you too should walk on one
leg.

1 So that's what they were doing. That's why I took after them.

2 Q. Okay. And did anything happen when you were in the
bushes

3 around Manowa?

4 A. Well, when we were in the bush nothing happened there to
10:16:35 5 us. Then we returned to town.

6 Q. Did anyone appear to be in control of the town?

7 A. Yes.

8 Q. Who was in control of the town?

9 A. Townspeople. They were in charge of the town.

10:16:55 10 Q. Do you know if any -- any armed men were in control of
the
11 town?

12 A. At that time that I went there, that town was not under
the
13 control of gunmen. They would just come and pass through.

14 Q. When you were --

10:17:27 15 MS ASHRAPH: Excuse me for a minute, Your Honour.

16 Q. Did you ever see any jet planes when you were in Manowa?

17 A. No. Initially, when I was in Manowa, jet never went
there.

18 At that time it had not come there. It will come but not at
that

19 time.

10:17:54 20
caused

Q. Okay. And you said you returned to the town. What

21 civilians -- the townspeople to return to the town?

So

22 A. Well, they said there will be fighting, that there was
23 going to be an intervention, they would bring back Mr Kabbah.

return

24 they sent to their people and told them that they should

10:18:24 25

to the bushes.

26 Q. Who sent to their people?

was

27 A. Well, I did not know who sent the message. I was -- I

28 not in Manowa. The person that I was staying with, whatever

home

29 decision that person take, I would go by. That was not my

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1 town. Even during normal times I didn't know, there.

2 Q. The person you were staying with, is that xxxx?

3 A. Yes.

10:19:02 5

4 Q. And was there a time when you ever saw any armed men in
5 Manowa?

6 A. Yes. One day we were in Manowa when they said they had

were 7 come. They said they were calling them People's Army. They
8 wearing red caps.

9 Q. And what happened when they came to the town?

10:19:25 10 A. They came and they said that they want the townspeople.
11 There was a court barri and they went to the court barri and
we
12 all assembled at that court barri.

13 Q. And how did the -- how did the townspeople know to
assemble
14 at the court barri?

10:19:40 15 A. They had a gun that they were banging, and we all went
16 there when we heard that.

17 Q. I'm sorry, a what that they were banging?

18 A. An iron, an iron. That's what they were knocking
together.

19 Q. And the townspeople proceeded to the court barri, and
then
10:20:10 20 what happened?

21 A. Then the People's Army said to them that, "We've told
you
22 that the war has ended. What is it that you've seen that you
are
23 going to the bush. So please come out and let's all stay
24 together as one."

10:20:29 25 Q. Do you know who -- the names of any of the people who
came
26 to speak to you that day?

27 A. I can remember only one person's name.

28 Q. And what name is that, witness?

29 A. They were calling him people's son.

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bush,

1 Q. Okay. And after they said, "Why are you going to the
2 let us be together as one," did they say anything else to the
3 townspeople?

return

4 A. Yes, the townspeople told them that, "Well, we would

10:21:10
what

5 and stay together but we do not have salt and Maggi. That's
6 we really want. So if you say we should come back and stay,
7 those are the things you should give to us," and they said,
8 "Okay."

9 Q. So they said, "Okay," and then what happened?

10:21:28
know

10 A. After three days I saw them bring the salt. I didn't
11 the number of bags they brought because there was a village
12 called Foindu-Maweh.

13 Q. After three days they brought the salt?

14 A. Yes.

10:21:46

15 Q. Why do you mention the village Foindu-Maweh?

16 A. I went to Foindu together with my friend and I met them,
17 they had brought the salt and they shared it.

18 MS ASHRAPH: Your Honours, I believe Foindu-Maweh is

19 F-O-I-N-D-U - M-A-W-E-H.

10:22:13
20

PRESIDING JUDGE: Is that where the salt came from?

my
--
a
21 THE WITNESS: No, I went to Foindu-Maweh together with
22 friend. I was not in town when they brought the salt. I was
23 I had gone to Foindu when they brought the salt and people had
24 substantial amount of the salt when they shared that salt.

10:22:32 25 PRESIDING JUDGE: Thank you.

you
26 THE WITNESS: I have not completed that yet, just that
27 said I should talk and pause, that's why.

28 MS ASHRAPH:

29 Q. Continue, witness.

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yours,"
day.
1 A. So that salt, when I met, they had shared it among the
2 people. I saw the salt in a pile and they said, "That is
3 and they returned. They did not sleep in that town on that
4 I did not even meet them there.

10:23:03 5 Q. You said you didn't meet them there. You were referring
--

the
6 A. No, no. It is not my friend that I did not meet there,

to 7 people who brought the salt, for my friend who went together

said: 8 Foindu, we returned together and they called her and they

They 9 This is your own salt, the salt that these people brought.

10:23:25 10 were sharing the salt by houses. The people who brought the
11 salt, I did not meet them in the town.

12 Q. What were you doing in Foindu, witness?

village, 13 A. Well, the person I was staying with, that was her

would 14 and if you were staying with somebody, wherever she went, I

10:23:41 15 go with her. They had some plantation there that they were
16 harvesting so --

17 THE INTERPRETER: Your Honours, the witness is speaking
18 very fast.

19 MS ASHRAPH:

10:23:51 20 Q. Witness, if you could just slow down because people are
21 translating.

22 A. Okay.

23 Q. We will get there eventually.

24 A. Okay.

10:23:57 25 Q. You have enough time to say everything [overlapping
26 speakers]

27 A. Okay.

28 Q. But if you could just slow down and then they can
29 translate. So if you could just take that last sentence
again.

1 A. Can I speak?

2 Q. You can speak, yes.

3 A. Where did we stop?

4 Q. You were speaking that you were going to Foindu because
you
10:24:24 5 were staying with your friend xxxx and that there was a
6 plantation there.

7 A. Yes.

8 Q. Who did that plantation belong to?

9 A. Her husband owned it.

10:24:46 10 Q. And what did her husband do for a living?

11 A. Her husband was a businessman and he had a plantation
farm
12 and he would sell the harvest. If when -- I went there I used
to
13 see him sell cigarettes and doing that farming.

14 Q. Who else was farming there?

10:25:19 15 A. Those civilians, they used to do swamp farming. In
fact,
16 there was a lot of them. There was a lot of plant farming,
but
17 there were swamp farms, the civilians, all of them had swamp
18 farms.

19 Q. Were there any fighters farming there?

10:25:42 20 A. Which fighters?

21 Q. Were there any people with guns farming there?
22 A. Staying in that town?
23 Q. Farming?
24 A. No, I have said that those gunmen were not in that town.
10:25:58 25 They came and they returned. They wouldn't farm there.
26 Q. How did they behave when they came to the town, witness,
27 the fighters?
28 A. I did not see them do anything to anybody apart from --
29 PRESIDING JUDGE: Yes, Mr Hardaway?

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town
1 MR HARDAWAY: Just get some clarification as to which
2 the witness is referring to? We have Manowa and we have --
3 PRESIDING JUDGE: Segbwema.
4 MR HARDAWAY: Segbwema and Foindu-Maweh. If we just get
a
10:26:31 5 clarification as to which town she is referring to.
6 PRESIDING JUDGE: Ms Ashraph, would you please?
7 THE WITNESS: That town, I was staying in Manowa Town.
8 This Foindu, it's just a town. We went there and we returned.
9 We went to leave food for the workers. I'm talking about
Manowa
10:26:46 10 Town. But when I left Manowa --

you 11 PRESIDING JUDGE: Wait, wait, madam. Hold on. Madam,
12 go slowly, eh?
13 THE WITNESS: Okay.
farming 14 PRESIDING JUDGE: It was in Manowa that there was
10:26:59 15 by civilians, the swamps and things like that.
I 16 THE WITNESS: When I went to Manowa I found the swamp.
17 met them harvesting the rice.
18 PRESIDING JUDGE: Yes, and that was where you said that
the 19 soldiers were not farming. It was civilians who were farming.
10:27:21 20 THE WITNESS: Yes, I saw -- I met civilians there.
21 PRESIDING JUDGE: Mr Hardaway, are you -- we're in
Manowa,
22 I suppose.
23 MR HARDAWAY: Thank you for the clarification, Your
Honour.
24 PRESIDING JUDGE: Yes.
10:27:35 25 MS ASHRAPH:
26 Q. Witness, you were staying in Manowa?
27 A. When I left Guinea and came, is that what you mean?
28 Q. No, no. At the time when the fighters came led by
29 [indiscernible], that event occurs in Manowa?

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1 A. I was in Manowa.

2 Q. When the salt arrived, you were not in Manowa?

3 A. Went to Foindu in the village, but I did not sleep
there.

4 It's about three miles. We just went there to leave food. I
10:28:13 5 returned and slept in Manowa.

6 Q. Thank you. And you went to leave food I think you said
for

7 people working on the farm?

8 A. Yes. Cocoa farm.

9 Q. Witness, did anything else happen while you were in
Manowa?

10:28:40 10 A. Yes.

11 Q. What happened, witness?

12 A. I was in Manowa one day in the morning when a man came
and

13 called me up. His name is Lansana, Anthony. He said they
were

14 calling me under the court barri.

10:28:57 15 Q. And, witness, who was calling you to the court barri?

16 A. Lansana. It was Anthony who came and summoned me that
17 Mr Lansana was calling me.

18 Q. And who was Mr Lansana?

19 A. He was one of the townspeople in that town. When I went
he

10:29:16 20 told me that he was working at the Panguma hospital then.

21 Q. Okay. And when you got to the court barri -- well, did
you

22 go to the court barri?

23 A. Yes, I went to the court barri.

24 Q. And when you got there, who was there?

10:29:35 25 A. I went there and I met them sitting there, the elders
and

26 some young boys, they were sitting down.

27 Q. And what happened when you met the elders and the young
28 boys?

29 A. Then I went there and they gave me a place to sit down.

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1 Q. And what happened there?

2 A. Then they asked me if I was the person who had come from
3 Guinea.

4 Q. Yes?

10:30:10 5 A. They said, "No, we do not believe that you have come
from

6 Guinea." They said, "You are a rebel. You've just come to
spy

7 on us to see what we are doing here."

8 Q. And what happened next, witness?

9 A. Then I said, "I am not a rebel. In fact, when I was
10:30:29 10 coming, the pass that I obtained in Guinea is still with me
11 here," and I put my hands into the bag and I gave it to them.

12 Q. And what pass was that, witness?

going

13 A. They gave me that paper in Guinea when I said I was
14 in search for my child and they said --

10:30:47 15 THE INTERPRETER: Your Honours, the witness is speaking
16 very fast again.

17 MS ASHRAPH:

18 Q. Witness, again, if you can just -- just slow down.

19 A. Okay.

10:30:58 20 MR OGETO: Your Honours, I'm sorry to interrupt, if
21 Mr Kallon can use the bathroom, please?

22 PRESIDING JUDGE: Yes, please, he may.

23 MS ASHRAPH:

were

24 Q. Witness, you said you had a pass that you got when you
10:31:23 25 leaving Guinea; who gave you that pass?

coming.

26 A. It was the Guinea people who gave me that pass because I
27 was staying in a camp and I bid them farewell that I was

was

28 I said I was going to search for my child. They gave me that
29 pass for them to know that I was a refugee from Guinea. That

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1 the pass I had that I got out and showed it to them.

2 Q. And then what happened after you showed them your pass?

3 A. The bag that I had in my waist, they said I shall remove
4 everything, together with the watch and the ring that I had.

10:31:59 5 Q. And what was in the bag that was on your waist?

6 A. There was money in that bag that I had around my waist,
7 3,900,000 leones.

8 Q. And where did you get that money from?

9 A. I got it from Guinea. I used to get supplies, I would
sell
10:32:20 10 some, I was doing some business where I had that money.

11 PRESIDING JUDGE: 3,900,000 -- 3 million --

12 MS ASHRAPH: Nine hundred thousand leones.

13 THE WITNESS: 3,900,000.

14 PRESIDING JUDGE: Was the money in the bag or where was
it?

10:32:42 15 THE WITNESS: It was in that bag around my waist. It's
a
16 bag that they put money in around the waist. That's what I
had.

17 So I put my hand in there and got out the pass and they saw
that

18 bag and they said I shall remove it and give it to them.

19 MS ASHRAPH:

10:33:14 20 Q. And what happened after you gave them the bag and the
watch

21 and your ring?

22 A. Then they opened it and removed it, the chain and the
ring

23 and the watch, they took everything and they put all on paper
and

24 they kept them.

10:33:32 25 Q. And then what happened next, Witness?

26 A. Then they said, "Well, the person that I was staying
27 with" --

28 PRESIDING JUDGE: The chain, the ring and --

29 MS ASHRAPH: The watch.

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1 PRESIDING JUDGE: -- and the watch; what of the money?

2 THE WITNESS: Everything they took away from me from the
3 bag, everything, it was with them.

4 PRESIDING JUDGE: Yes.

10:34:03 5 MS ASHRAPH:

6 Q. And what happened then?

7 A. But they were not gunmen. They were -- the townspeople,
it
8 was the townspeople who were taking away these things from me.

9 Q. And what happened after they'd taken your things from
you,

10:34:18 10 Witness?

11 A. Then they said, "Well, the person that I was staying for
12 should come and stand as trustee for me, and xxxx and her
husband
13 came and they stood as trustees and I was released and we went
14 home.

10:34:33 15 Q. Okay. And where did you sleep that night?

16 A. I slept with xxxx. I was very discouraged then.
17 Q. And did anything happen that night?
18 A. That night we were lying down at around 2.00 when they
came
19 and knocked the door, and when we got up people were packing
10:34:57 20 their belongings, and they said we should return to the zoo
bush.
21 That was in dead night. Everybody was up. They said that
people
22 had called them, that they should go to the zoo bush. They
said
23 they were coming.
24 Q. And did you see -- did you see or did you hear anything
10:35:13 25 that night?
26 A. No, that night I did not hear anything. In fact, at
that
27 time I was very scared. I just took after them and we went.
28 Q. And when you went back to the bushes, did you hear
29 anything?

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1 A. I just heard singing. They sang for the rest of the
night
2 and morning. They were singing and calling out the names of
the

3 Kamajors. They were really singing joyously.

4 Q. Do you know who was singing, Witness?

10:35:52 5 A. I said I was in the bush. How would I know them? How
6 would I be in the bush and know what's going on in town?

7 Q. And do you know what they were singing?

8 A. No, they were just singing in Mende.

9 Q. And you said they were calling out names of Kamajors.
How

10:36:09 10 do you know that?

11 A. They were singing -- you want me to sing for you?

12 Q. No, no, witness. I just want -- you said they were
calling

13 the names of --

14 A. They were singing and calling names of Kamajors. So if
I

10:36:27 15 sing that you would know that that's the name I'm calling. I
16 will just sing it a little because I'm here to testify.

17 PRESIDING JUDGE: Do we need that?

18 MS ASHRAPH:

19 Q. No, I don't think that would be necessary, witness, but
10:36:43 20 thank you. How did you know they were --

21 A. How would you know that they were calling names of
Kamajors

22 if you really care about them. How would you know? I'm here
to

23 testify and I have sworn on the Koran.

24 Q. How did -- how did -- how did you know they were Kamajor
10:37:14 25 names they were singing, witness?

26 A. That's why I said listen and let me sing, then you will
27 know. I did not see them. But what they said, that's why I
have

28 told you to listen and let me say it.

29 PRESIDING JUDGE: You can say what they were singing. I

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1 mean, what were they singing, not necessarily to sing, please.

2 You don't need to sing here.

3 MS ASHRAPH:

4 Q. Okay, witness, just say what they were saying?

10:37:43 5 A. That's what I'm saying. They were singing. They said
6 today we are going to slaughter. We are going to cut people's
7 throat today. We are very, very close to the town.

8 Q. And how did you know that was -- how did you know that
9 singing was about the names of the Kamajors? Had you heard
the

10:38:13 10 song before?

11 A. No, I was in Guinea. That was the first time I ever
heard
12 of that song. The first time I ever heard of that song I was
13 really afraid.

14 Q. If it was the first time you heard that song, how did
you

10:38:29 15 know what that song was?

16 A. They were singing in Mende and I understand Mende very

be 17 well. That was the way they were singing. They said whether
was 18 you a Kamajor, we are going to cut the people's throat. That
was 19 what they were singing. I did not see the person, but that
10:38:51 20 what they were singing. What I heard is what I'm explaining.

21 Q. And you spent the night in the bushes, and then what
22 happened next?

23 A. In the morning they asked Mr xxxx to bring me to town.
24 Then Mr xxxx brought me to town.

10:39:12 25 Q. First of all, who's Mr xxxx?

26 A. xxxx husband, the person I was staying with who went and
27 stood as a guarantor for me. His name was xxxx.

28 Q. And who asked him to bring you to town. Who asked xxxx
29 bring you to the town?

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only 1 A. Well, I only saw the person who came to collect me. I
2 went and meet people in the court barri now.

3 Q. And who were the people that you met in the court barri?

4 A. I met a large crowd of people. I don't know all of
them.

10:40:06 5 Q. Did any of those people have guns, witness?

6 A. No.

7 Q. Had you seen any of those people before?

8 A. Mr xxxx who brought me and Anthony, I knew those two,
and
9 there are other people I know as well, but I don't know their
10:40:31 10 names now. There are other peoples I saw which I have never
seen
11 before.

12 Q. And what happened when you went to the court barri?

13 A. I met the captured other people accusing them of -- of -
-
14 of bringing business for rebels. So they captured us. There
10:40:57 15 were nine of us in number. There were six men.

16 Q. Okay. There were nine of you in number and six men.
You
17 said they accused you all of bringing business for rebels.
What
18 does that mean?

19 A. Yes. I met they've captured those people. They were
10:41:18 20 accusing them of bringing -- of doing business with the
rebels.
21 So they arrested all of us.

22 Q. And what happened after they arrested you and the other
--
23 A. Then we were -- then they went and put us in prison and
one
24 zinc structured house called pan-body and we were locked in
that
10:41:40 25 structure.

26 Q. Were they saying anything when they locked you inside
the
27 zinc structure?

28 MR HARDAWAY: Objection, Your Honour, leading.

they've

29 THE WITNESS: We were locked in there. They said

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1 put us in prison.

2 PRESIDING JUDGE: How is it leading?

3 MR HARDAWAY: Implying that something in fact was said.

4 PRESIDING JUDGE: It's overruled. I don't see anything

10:42:10 5 leading there.

6 MS ASHRAPH:

7 Q. I'm sorry, witness, can you just repeat your last
answer?

8 A. Which one?

9 Q. Were they saying anything when you were locked inside
the

10:42:24 10 zinc structure? Was anything said?

11 A. They only came. That is the explanation given. They
said

12 they've arrested us, then they imprisoned us. Until their
boss

13 came from Bunumbu, then they arrested us and put us into
prison.

14 Then all our belongings were seized. We never received those

10:42:46 15 except --

16 Q. All right. We are just going to visit that. They said

Did

17 we're putting him there until their boss came from Bunumbu.

18 they say who that was?

19 A. Yes, that is what they said. No, they told us that the
10:43:01 20 person who was coming from Bunumbu will come and interview us
21 until that person came, but we are now under arrest.

-- 22 Q. Did they tell you who the person from Bunumbu was or did

came 23 A. No, that was only what they said. They said when he

24 they will be interviewed.

10:43:20 25 Q. And you said your belongings were seized?

26 A. Everything. I never got it back.

27 Q. What was seized from you, witness?

28 A. My wrist watch and my necklace and my ring and my money.

29 All those were left with them.

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before?

1 Q. Are you referring to when they seized them the day

and

2 A. Yes, and they said they asked for my bag that I brought

and

3 they brought that bag too, and then they looked into that bag

4 then put everything together, everything was together now with

10:44:01 5 them.

6 Q. Okay. Witness, when did they ask for your bag to be
7 brought?

8 A. On that very day that we were taken, the morning that
they
9 took me, that was the morning they brought my bag and they --
and
10:44:19 10 they took everything out of that bag.

11 Q. And what was in that bag?

12 A. My clothes and my underpants and the paste, brush and
body
13 cream.

14 Q. And what happened after you were put into the zinc
10:44:41 15 structure with the others?

16 A. Then on the Sunday morning, later in the morning then we
17 heard gunshots.

18 Q. If I can just stop you there, witness. You said on the
19 Sunday morning. What day of the week is it when you were put
10:44:58 20 into the zinc structure?

21 A. It was on a Saturday that we were arrested. Well, let
me
22 start all over again. I was called on Friday where they
seized
23 all these -- of my belongings. Then Saturday morning was the
day
24 that we were arrested. Then Sunday, later in the day, that
was
10:45:17 25 the time we heard the gunshots.

26 Q. You heard gunshots, and then did you know what was
27 happening?

28 A. No, we were in prison. We were locked in this zinc
29 structure. We were even afraid of our life. How can we
explain

1 anything.

2 Q. And what happened next after you heard the gunshots?

3 A. After this rapid firing, then there was -- it died down

a

4 bit.

10:45:52 5 Q. And then what happened?

6 A. Then after it had died down we were in the -- then one

we

7 person spoke: "There are people in this zinc structure. Can

8 shoot at this zinc structure?"

9 THE INTERPRETER: Your Honours, the witness is speaking

10:46:11 10 very fast.

11 MS ASHRAPH:

slowly.

12 Q. Okay, witness, again, you need to speak a bit more

13 Okay?

14 A. Okay.

10:46:18 15 Q. What we last have that you said is that a voice said,

16 "There are people inside this zinc structure, can we shoot?"

17 A. What? Can I talk?

18 Q. You heard a voice; what did that voice say?

19 A. Who is to talk, the interpreters or -- when the
interpreter
10:46:44 20 speaks, let you tell me. I have told you, I am not educated.
I
21 cannot understand English.
22 Q. The interpreter is going to speak and ask you a
question,
23 and then there will be a pause for you to give your answer,
okay?
24 But after you say about two or three sentences, if you can
just
10:47:02 25 pause?
26 A. Okay. Can I talk?
27 Q. You can talk, yes, witness.
28 A. When we were in that room, I did not see the person. I
29 heard the person's voice. He said, "CO Mohamed, I am going to

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1 shoot at this structure." He said, "No, don't shoot at that
2 structure. Don't shoot at that structure."
3 Q. Sorry, witness. A voice said, "CO Mohamed, I'm going to
4 shoot at that structure"?
10:47:35 5 A. Yes.
6 Q. And then what happened?
7 A. He said, "No, don't shoot at that structure." Then we

8 began to shout. We said, "The people have kept us in this
9 structure."

10:47:53 10 Q. You began to shout, and then what happened?

11 A. Then they went further a bit and said, "You are coming
to
you
12 make a queue here. Are you civilians, are you with guns? If
13 have guns, we are going to shoot at you. We are going to
14 shoot -- we are going to shoot at you because if you are
rebels
10:48:20 15 we are going to kill all of you."

16 Q. The voice said, "Are you civilians," and then said, "If
17 you're rebels we are going to kill all of you"?

18 A. They said, "Because we wouldn't stand by and allow you
to
19 kill us, but if you have no guns we'll do nothing to you."

10:48:41 20 Q. Okay.

21 A. Then they opened the door to the house, then two people
22 came out and I was the third person. Then all of us came out.

23 Q. Okay. What did they say about rebels, witness?

24 A. Who said what about rebels? I have not understood that.
10:49:03 25 Explain. What did they say about rebels?

26 Q. Did they ask you anything about rebels?

27 A. Who?

28 Q. The voices outside?

29 A. They did not -- they have not come out. They have not

1 asked us. That was what they were saying.

2 JUDGE BOUTET: There was -- there is no evidence from
this
3 witness as she was asking a question. She heard voices
outside.

4 Nobody is talking to her. There's voices.

10:49:22 5 MS ASHRAPH: I think -- I believe, Your Honour, that
they

6 said: "Are you" -- "do you have guns? Are you civilians" -
for
7 them to shoot.

8 JUDGE BOUTET: Yes, but these are voices outside. From
the
9 witness's evidence, it is directed necessarily to her. They
are

10:49:35 10 talking to this house or this hut or this --

11 MS ASHRAPH: I understand, Your Honour.

12 THE WITNESS: No, they were talking to the house.

13 MS ASHRAPH:

14 Q. Who opened the door, witness?

10:49:55 15 A. Well, we were standing outside. We did not know who
opened

16 it, but they opened it and we came outside. We were standing
in
17 a queue. First, two people went out and I was the third
person.

18 When we came out, we were frightened, but we saw them, they
had

19 guns.

10:50:13 20 Q. Okay. You saw them. Who did you see?
called 21 A. I saw people, I don't know them. But the person who
22 us outside, they used to call him, they used to call him
they 23 CO Mohamed. "Do you want us to bring them this way?" Then
24 said, "Yes, bring them here."

10:50:33 25 Q. And then what happened?
the 26 A. When that happened they said, "Well, we would go across
27 river with you." They said, "We are people's army. We fought
there, 28 with the Kamajors here." But they said, "If they left us
29 they would kill us," so they would take us across the river.

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1 They said who are civilians, they took us across the river.

they 2 Q. Okay, witness, they said they were people's army and

3 went across the river. And you said, "If we left" --

4 A. We thought if they left us behind, they would kill us.

10:51:05 5 Q. If they left you behind, who would kill you?

6 A. They said they've been fighting with the Kamajors there.

us, 7 They said, "We have been there and the Kamajors have attacked

8 so we were fighting against them. Have you seen these guns,
9 they're single barrelled guns, so if we left you here they
would
10:51:22 10 kill you because you are civilians. That is why we are taking
11 you across the river."
12 Q. And who did they say would kill you if you were left
there?
13 When you say "they" would kill you, who is "they"?
14 A. CO Mohamed said that, "We are people's army. You know
us?"
10:51:38 15 And we said, "No." At that time I was so frightened, let that
be
16 said. That is why we will take you across the river so that
they
17 will not kill you. These people who were put in this gaol
will
18 kill you. If they are put in this gaol and we've released
you,
19 we'll take you across and we agreed and they took us across
the
10:52:04 20 river.
21 Q. And how did the people's army treat you, witness?
22 A. When they took us across, thank God. In fact, the fact
23 that they released us from the guns and took us across to
24 Mende Kaima, there was a commander in Mende Kaima called CD,
his
10:52:19 25 mother cooked rice and gave it to us and we ate.
26 Q. And did you stay in Mende Kaima or did you move
elsewhere?
27 A. We slept at Mende Kaima.
28 Q. Okay. And what happened the next day?
29 A. Then they took us to Pendembu headquarters.

1 Q. And what happened when you went to Pendembu?

2 A. Then they took us to MP. I was asked and I explained
3 everything as to how I got there and I took out my papers and
4 they said, "Well, this place that you've come to will not do
10:53:03 5 anything to you."

more

6 Q. Can you just stop there. I will just ask you a couple
7 questions. You were taken to the MP. Do you know what the MP
8 is?

When

9 A. I was not there during the war. They said it was MP.
10:53:17 10 they took a civilian, that's where they would carry you. I do
11 not know anything about the war. I just explained, because
the
12 war did not meet me there. They said that was their own
police
13 station.

14 Q. Okay.

to

15 MS ASHRAPH: Your Honour, Mr Sesay would like to leave
16 use the washroom.

17 PRESIDING JUDGE: Yes, yes, he may, please.

18 MS ASHRAPH:

had 19 Q. It was their own police station. Do you know why you

10:54:00 20 been brought to their police station?

21 A. Well, when they brought us, that's where they took us
22 immediately. When they brought us from Mende Kaima, when they
23 took us there, that's where they carried us.

24 Q. And what happened when they carried you there?

10:54:24 25 A. When they took us to that station, they asked us what
had

They 26 happened to us, where we had come from, how we got there.

27 asked us and we explained everything. All the ring and my
28 necklace and my watches, I explained everything about them and
29 they said, "Well, when you've come here we will not do

anything

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go 1 to you. But that you've come here, we will not allow you to

the 2 that way so they will not kill you, but you will be here in

and I 3 charge of somebody." They asked me if I knew anybody there

4 said, "No."

10:54:46 5 [RUF26NOV07B-d1]

6 MS ASHRAPH:

7 Q. Okay. If I can stop you? You said nothing bad would
8 happen to you but they would not allow to you go there. Where
9 were they not allowing you to go, witness?

10:55:12 10 A. Well, they said they wouldn't allow me to return where I
11 had come from.

12 Q. And why was that?

13 A. They said, well, if they left us to return they may do
14 something bad to us. And I said, well my children are in

Guinea

10:55:28 15 that is where I had come from. And that -- they said if I had
16 knew someone in Kailahun. I said, no, I and my father and my
17 mother had all gone across the river.

18 Q. You said, if you went back they would do something bad
to
19 you. Who would do something bad to you?

10:55:47 20 A. That was what they told me that if they allowed me to
21 return there they would do something bad to me. Those were
22 enemies that were there. I did not know the distinction.

23 Q. And they asked you if you knew anyone?

24 A. Yes.

10:56:07 25 Q. And you said your family were in Guinea?

26 A. Yes, I said all of us went to Guinea.

27 Q. And what happened after that?

28 A. They took me -- there was a commander called Bawuteh.
They

29 said he should took me to his house because I did not know

1 anybody there.

2 Q. And did you go to his house?

3 A. Yes.

4 Q. And where did you sleep in --

10:56:35 5 MR PRESIDENT: What was the name commander, Bawuteh?
How

6 is that spelt?

7 MS ASHRAPH: Okay, Bawuteh is B-A-W --

8 THE WITNESS: That person's name is Bawuteh.

9 MS ASHRAPH: The spelling I have here, Your Honour is

10:56:48 10 B-A-W-U-T-E-H.

11 PRESIDING JUDGE: So they took her to a commander called
12 Bawuteh because she knew nobody in Kailahun.

13 MS ASHRAPH: She is in Pendembu.

14 PRESIDING JUDGE: Yes, but she knew nobody in Kailahun.

10:57:13 15 MS ASHRAPH: Yes.

16 MR PRESIDENT: That is what she said.

17 MS ASHRAPH: Yes.

18 MR PRESIDENT: She was in Pendembu, yes.

19 MS ASHRAPH: Yes.

10:57:16 20 Q. And did you go with Commander Bawuteh?

21 A. Yes, we went to his house.

22 Q. And where did you stay in his house?

23 A. He would leave his house, his room and I would sleep

but 24 together with his wife. And they said, we are people's army
10:57:32 25 we do nothing wrong to anybody. He would leave the room and I
know 26 and his wife would sleep. He would go outside but I do not
27 where he slept. I would sleep with his wife.
28 Q. How were you treated while you stayed in that house?
would 29 A. Oh, I was well treated. They would cook for me and I

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money 1 eat. We would sit together. They would talk to me. They did
2 nothing wrong to me there. I was just discouraged about my
3 that I had been deprived of.
4 Q. Did anything else happen while you were in Pendembu?
10:58:15 5 A. I was in Pendembu when one woman -- when I befriended
one 6 woman called Nancy. Then there was one woman who had gone
into 7 labour, and she delivered in my hands.
8 Q. And where did -- where was that baby delivered?
9 A. In Pendembu.
10:58:39 10 Q. Where?
11 A. In the nurse's hospital, in a hospital.

can 12 Q. And where is the hospital in Pendembu, witness, if you
13 just describe it?
14 A. Where the hospital was, it was a house that was used as
a
10:58:56 15 hospital. That was where they obtained medicine. That is
where
16 they created the labour room.
17 Q. Who created the hospital there?
18 A. I do not know who did that, who created it.
19 Q. And what treatment could you get at the hospital?
10:59:22 20 A. Whatever medicine there was Bco, folic acid, penicillin,
21 chloroquine, multi vitamins, whichever medicine. Even when a
22 woman delivers the yogurt that she requires, we will give it
to
23 her. We had everything.
24 Q. Okay. And who could go to that hospital? Who could get
10:59:45 25 treatment there?
26 A. It was a civilian who delivered that baby, so many
27 civilians were in there; soldiers too, many of them.
28 Q. And did you pay for the -- did people pay for the
29 medication, for the treatment?

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1 A. No.

2 Q. And what happened after you delivered the baby?

3 THE INTERPRETER: Can counsel repeat the question.

4 THE WITNESS: [No interpretation]

11:00:34 5 THE INTERPRETER: Your Honours, can the witness repeat.

6 MS ASHRAPH:

7 Q. All right, witness, you are going to have to repeat the

8 answer, please.

9 THE INTERPRETER: Plus counsel should repeat the
question.

11:00:43 10 MS ASHRAPH:

11 Q. All right. The question is: What happened after you

12 delivered the baby at Pendembu hospital that day?

13 A. Well, her stomach was aching that person, just like you
are

14 in a place and somebody has stomach ache and they take that

11:01:07 15 person to you. And I said I was a nurse, and she delivered in
my

16 hands.

17 Q. Right. And then what happened after that?

18 A. Once she delivered in my hands, this my friend that I
used

19 to go to Mende Buima because at Mende Buima too they liked me
and

11:01:24 20 they said I should come there. And I went and I told them and

21 they said, well Nancy --

22 Q. Okay, all right, Witness, if you just take it slowly,
you

23 said you told them you were a nurse?

24 A. I said and that my friend that I had befriended that I

11:01:45 25 would go to Mende Buima. They too liked me and they said I

26 should stay in Mende Buima.

27 Q. And you'd made a friend, is this Nancy?
28 A. Yes, Nancy.
29 Q. And on -- what did you decide to do?

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1 A. Well, I too wanted to stay with Nancy because she had
been
2 keeping my company very well.
3 Q. Okay. And where did Nancy live?
4 A. Nancy was at Mende Buima.
11:02:16 5 Q. And so what did you -- what happened next?
6 A. Then I came back and told Bawuteh, well I want to -- I
want
7 to stay at Mende Buima. And he said, "Nurse, you are under no
8 restriction here. We just wanted you to be here, but if you
want
9 to stay in Mende Buima there is a hospital there too, if you
want
11:02:39 10 to stay there you can stay there as well."
11 MS ASHRAPH: Excuse me for a moment, Your Honour. Thank
12 you, Your Honour.
13 Bawuteh said you were under no restriction and there was
a
14 hospital in Mende Buima as well. And then what happened?

11:03:23 15 A. Yes, he said, but if I want to go there let me go and
bring
16 Nancy so that she would sign on my behalf.
17 Q. Where would Nancy have to go and sign?
18 A. At Pendembu.
19 Q. Where in Pendembu?
11:03:40 20 A. At MP.
21 Q. What was the purpose of Nancy signing for you?
22 A. I too asked him and he said, "Well the reason is you are
a
23 civilian, and you have not been staying here and we don't want
24 anything to meet you."
11:04:00 25 Q. And what was Nancy --
26 A. He said because you women --
27 THE INTERPRETER: Your Honours, can the witness state
that
28 again.
29 MS ASHRAPH:

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1 Q. Witness, you started saying something about "you women,"
2 could you just repeat what you said after that, please?
3 A. Okay. When I told Bawuteh, he said let Nancy come and
sign

4 on my behalf.

11:04:29 5 Q. And you asked him why.

6 A. Yes.

7 Q. And he said what?

8 A. It is not for anything bad but for you women, you are a
9 civilian you have not been staying here we don't want anything
11:04:47 10 difficult to happen to you. So when you come -- when she
comes
11 there are rules that we will tell her about as to how she
should
12 treat you.

13 Q. Okay. And --

14 A. Can I proceed?

11:05:01 15 Q. Was Nancy a civilian or a fighter?

16 A. She was a civilian.

17 Q. And was she married?

18 A. Yes, her husband too was a civilian.

19 Q. And do you know if -- if -- do you know if other people
11:05:23 20 were signed for at the MP office?

21 A. If you were a civilian who had just gone there and they
22 want to take care of you, that was what they said, that
whoever
23 was taking you away would come so that they would see him. He
24 was not going there with any money.

11:05:40 25 Q. And then after Nancy signed for you did anything else
26 happen at the MP office?

27 A. Yes, they gave me salt, Maggi, a packet, a packet
contains
28 100. And they gave me a sponge and a set of pots.

witness. 29 Q. Why was that? Why did they give you these things,

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1 A. They said, well I was a stranger, I had just come and I
am
2 a nurse. I am going there to be working. They gave those to
me.
3 I had nothing when I came.

4 Q. And then what happened next?

11:06:19 5 A. We went and stayed at Mende Buima. They gave me a
house,
6 they gave me a single room. I was in Mende Buima and I was
7 living very well. There was no harassment directed towards
me.

8 Q. When you went to Mende Buima did anyone go with you when
9 you left Pendembu?

11:06:41 10 A. Yes, they -- people accompanied me, Bawuteh and his
wife,
11 they accompanied me happily, Nancy went. And they went there
to
12 see where I was staying.

13 Q. And when you got to Mende Buima, where did you go?

14 A. I went to Nancy's house. And they went and told the MP
11:07:00 15 that they had brought a stranger who was a nurse. That MP too
16 came and greeted me.

17 Q. And do you know the MP's name?
18 A. His name is Amara.
19 MR HARDAWAY: Forgive me, Your Honour.
11:07:14 20 MR PRESIDENT: Yes.
Court 21 MR HARDAWAY: Is it all right if I step away from the
22 for a brief couple of minutes?
23 PRESIDING JUDGE: Yourself?
24 MR HARDAWAY: Yes, myself.
11:07:25 25 PRESIDING JUDGE: Well, it depends on how you organise.
26 But, I suppose Mr Fynn --
27 MR. HARDAWAY: Mr Fynn can continue to take notes. This
is 28 my witness. Thank you, Your Honour.
29 PRESIDING JUDGE: That is okay. That is all right.

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1 Yes, Ms Ashraph, you may continue please.
2 MS ASHRAPH:
3 Q. You and you said the MP's name was Amara?
4 A. Yes.
11:07:47 5 Q. And he came to see you. And what happened when he came
to

6 see you?

7 A. Then he called the G5.

8 Q. And do you know what a G5 is, witness?

9 A. I've forgotten his name now.

11:08:04 10 Q. Do you know what -- what -- do you know what a G5 is?
Do

11 you know what the --

12 A. He was the chief of the civilians.

13 Q. And why did he call the G5?

14 A. Well I don't know. That is how I met it, I was not
there

11:08:27 15 when they established it.

16 Q. Why did Amara MP call the G5?

17 A. Because I was a civilian and he called him and said,
"This

18 is a stranger who had come. He's a nurse -- she's a nurse,"
and

19 they were all happy with me.

11:08:47 20 Q. And did they say anything to you?

21 A. They gave me a room and they said, "This is the room.
This

22 is the hospital," and introduced me to the other nurses who
were

23 working there and they received me well.

24 Q. They gave you a room?

11:09:04 25 A. Yes.

26 Q. In the hospital?

27 A. No. They gave me a room somewhere else.

28 Q. Okay. And then what happened?

29 A. I was there working there well and we were getting on
fine.

1 Q. And where was the hospital in Mende Buima?

2 A. It was at the junction of the road.

3 Q. The road to where, witness?

4 A. When you come from Pendembu entering, you know, it's the

--

11:09:55
When

5 it's straight. When you come you will enter Mende Buima.

that

6 you're coming from Giehun, going towards Pendembu, it's at

7 junction.

Manowa?

8 Q. And was your work any different than it had been in

9 Pendembu, I beg your pardon.

11:10:23

10 A. No, it's the same midwifery job.

Buima?

11 Q. And who could get treatment at the hospital in Mende

the

12 A. They used to treat civilians and soldiers, but it was

13 civilians whom they cared about too much. When they go they

14 would give you rules.

11:10:52

15 Q. What were the rules, witness?

16 A. You, the nurse, who was going there, they would tell you
17 you shouldn't sell medicines there.

18 Q. And why shouldn't you sell medicine?

if 19 A. They said because it's a war time and our people -- so
11:11:14 20 you say you are going to sell medicines, the people will
suffer,
21 so nobody should sell medicines. You should not discriminate.
22 Q. And you were working as a traditional birth attendant?
23 A. Yes. That was the same thing I was doing there.
24 Q. And so you were treating women?
11:11:44 25 A. Yes. I would not -- I would not give medicines. I
would
26 just help deliver women, so many of them.
27 Q. And would you have conversations with these women?
28 A. Yes.
29 Q. And were some of these women married?

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In 1 A. Yes. All of them were married who were coming to me.
-- 2 fact, that place, there was no women who stayed there without
3 if you are not married. You have to be married.
4 Q. Okay. And do you know who they were -- were they
married
11:12:21 5 to fighters or civilians?
6 A. Most of them were married to fighters; some of them

7 civilians, because it was all mixed up.

were 8 Q. And did you see or hear anything about how these women
9 treated?

11:12:48 10 A. The way their husbands were treating them; is that what
you 11 are saying?

12 Q. Yes, yes, witness.

13 A. I used to see them being treated fairly. They would go
14 together. So when the woman delivered, whatever they were
11:13:09 15 supposed to do, they would come to me and do it properly, and
16 they did everything well. In fact, I was even surprised, but
17 when --

18 THE INTERPRETER: Your Honours, the witness is speaking
19 very fast.

11:13:20 20 MS ASHRAPH:

just 21 Q. Your testimony is important, so you need to slow down
22 a little bit; okay? You were saying you were surprised. Why
23 were you surprised?

rebels 24 A. When we were in Guinea we used to hear that rebels,
11:13:31 25 have come. So when I came and I saw that they were humans and
26 they were going around the people very well, oh, no, that
27 surprised me.

28 Q. And, witness, how were you --

29 MS ASHRAPH: Excuse me, Your Honour.

1 Q. Witness, you were working at the hospital; how were you
2 able to feed yourself?

3 A. When I came initially, all of them used to give me food.
4 They used to sell me salt. They would bring it -- they would
11:14:09 5 bring supplies for us. At that time I did not know -- I did
not
6 know any commander's name. They will say Issa says we should
7 bring the salt for the nurses, Maggi and cigarette. If you
were
8 not smoking you will sell it. They will give us -- every two
9 weeks, they would bring food for us every two weeks.

11:14:26 10 Q. And the people that would bring the food for you, were
they
11 civilians or fighters?

12 A. Fighters. It was the fighters who brought the food
under
13 the court barri [indiscernible] summons us and they would
share
14 it among us. Maggi, salt, cigarettes.

11:14:48 15 Q. And did you have any other sources of food while you
were
16 at Mende Buima?

17 A. Yes. When we assisted these people to deliver the
children
18 they would give us food, rice. Even Nancy had a farm, she
used
19 to give me.

11:15:12 20 Q. Nancy had a farm. Were other civilians farming?

farm 21 A. Many of them. Even I farmed. Soldiers cultivated a
22 for me.
23 Q. Soldiers cultivated a farm for you. How was that
24 organized, witness?
11:15:36 25 A. They came together. They said because I was a nurse and
I
26 had come there, and I had just come there. So they brushed
for
27 me. It was a coordinator who told them they came together,
just
28 the soldiers. There was only one civilian who went in there,
two
29 of them, the person I was staying with,xxxxx.

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1 Q. Who is xxxxx.
2 A. This person Nancy I was staying, with her husband,xxxxx.
3 Q. And you said the coordinator did it; who is the
4 coordinator?
11:16:12 5 A. The coordinator was there, in charge of that hospital.
6 Whatever problems we had we would explain to him.
7 Q. And what would happen to the harvest of that farm that
the
8 soldiers were doing for you?
9 A. It was harvested and it was put in the barn and it was

11:16:33 10 there up to the end of the war.

11 Q. And who was it for, the harvest?

12 A. I, myself. It was for me. I would go up the barn and
put

13 some down. It was for nobody else; it was just for me.

14 Q. And how big was that farm, Witness?

11:16:50 15 THE INTERPRETER: Can learned friend counsel repeat the

16 question again?

17 MS ASHRAPH:

18 Q. How big was that farm?

19 A. It took three bushels they gave us per swamp.

11:17:01 20 Q. Who is "they," witness? Who gave you the swamp?

21 A. It was a man. One man gave that swamp.

22 Q. Was that man a civilian or a fighter?

23 A. A civilian. He was a civilian.

24 Q. When you were at the hospital, did anything happen while

11:17:28 25 you were at the hospital?

26 A. Yes.

27 Q. What happened when you were at the hospital?

28 A. While at the hospital, when a soldier brought his wife
that

29 we should train her.

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1 Q. Train her to be what?

2 A. To be traditional birth attendant.

3 Q. Do you know the name of that soldier?

4 A. His name is Alpha.

11:18:00 5 Q. Okay. And what happened next?

6 THE INTERPRETER: Your Honours, the witness is covering
the

7 microphone with her hands. Can she remove it so?

8 THE WITNESS: He said his wife should not go to work.

9 MS ASHRAPH:

11:18:19 10 Q. And what happened then?

11 A. Then he came and appealed to us that he had said that
his

12 wife should not work but now he has changed his mind; he wants

13 his wife to work, and we agreed.

14 Q. Okay. So his wife came back to work?

11:18:37 15 A. Yes.

16 Q. And then what happened?

17 A. We were there one day when he came again and said he
wanted

18 his wife but the wife was in the house and we were delivering
her

19 but he said he wanted his wife.

11:18:53 20 Q. The wife was delivering?

21 A. Somebody was giving birth to a child and he called me
and

22 they said they should call me out, but I said somebody was
giving

23 birth now to a child. I can't leave that person.

24 Q. Okay. And what happened?

11:19:12 25 A. So when the person gave birth --
26 THE INTERPRETER: Your Honours, can the witness take
that
27 again.
28 MS ASHRAPH:
29 Q. I will ask you a different question. How was Alpha

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1 behaving?
2 A. Alpha was grumbling and he was saying he would beat me
up
3 and he was saying I was an ordinary civilian. He said he had
4 called me and I said I was not coming out. He would deal with
11:19:40 5 me.

6 Q. And then what happened?
7 A. Then I said -- then I went and reported to the
coordinator
8 and he said we should go to the MP and we went explained to
him.

9 Q. And is the MP T Amara?
11:20:00 10 A. Yes.

11 Q. Okay. So did you to -- so you went to the MP?
12 A. Yes, I went to the MP. I was standing at my house
13 explaining to the MP and shedding tears.

MP? 14 Q. So you met the MP at your house; where did you meet the
11:20:20 15 A. Yes. Well, we met on the way, and I said I was going to
at 16 you and he said we should go to the house, so we went and sat
17 my house on the railing, and I was explaining to him, crying.
18 Q. And then what happened, Witness?
19 A. I was explaining when one person came and called him and
11:20:40 20 they said, "Amara, CO Issa has come there at the house" but
Amara 21 was -- Amara's house was at the junction of the road. That
was 22 where they had come from.
23 Q. Okay.
24 A. Then he said, "Wait for me, I'm coming."
11:20:53 25 Q. And did you know who CO Issa was?
26 A. No, I did not know him. Not a day did I know him.
27 Q. And then what happened? T Amara --
28 A. I was standing there when somebody -- when a boy came
and 29 called me that CO Sesay is calling me.

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1 Q. Do you know CO Issa's full name?

not
2 A. At that time when I was there I knew, but then I have
3 seen him. I used to hear them call him CO Issa.
4 Q. Okay. Do you know his full name? Do you know his --
11:21:44 5 A. They said Issa Sesay.
6 Q. Okay. So then what happened?
7 A. I was there when they said CO Issa was calling me. I
went
8 there. I was very frightened and I went there and I saw him.
He
9 really saw that I was frightened.
11:22:12 10 Q. Where did you go, Witness?
11 A. I went to CO Issa at Amara's house. That was where he
was
12 sitting down, when they called me that he was calling me.
13 Q. Okay. And you got to Amara's house?
14 A. Yes, I went there and met them sitting down in the
veranda.
11:22:22 15 Q. And then what happened?
16 A. Then I went and stood and I was frightened. He saw that
I
17 was frightened. Then he told the soldier who was sitting down
to
18 get up and I should sit down and I sat down.
19 Q. And what happened after you sat down, witness?
11:22:36 20 A. Then he said, "Stop crying. Explain to me. Stop
crying."
said
21 Then I explained and he said, "Okay, stop crying." And he
22 they should go and call the soldier and they called him and he
23 came.
24 Q. And is this -- which soldier did they call?
11:22:53 25 A. This Alpha that had misbehaved to me, they said they
should

26 call him. As soon as I started explaining and crying he said,
27 "Okay, wait. Let them go and call Alpha," and then went and
28 called him and he came.

29 Q. What happened after Alpha came?

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1 A. Then he said, "Stop crying. Don't cry. Don't cry.
Stop."

2 Then I explained everything, just as I had done, as to how I
and

3 Alpha had -- what Alpha had done, sorry.

4 Q. And what happened after you finished explaining what had
11:23:25 5 happened?

6 A. Then CO Issa asked this man. "Sir, what happened?" He
7 wanted to explain. "Did you tell her that she was a civilian?
8 Did you threaten her? You sent your wife there to go and
work.

9 Did you tell her that she was -- that she was a civilian." He
11:24:00 10 wanted to continue there, a woman put her up --

11 THE ENGLISH INTERPRETER:

12 Your Honours, the witness is speaking very fast.

13 MS ASHRAPH:

14 Q. Witness, you need to slow down. Okay?

11:24:01 15 A. Then she put her hand up. Then she gave -- she attested
to

16 that fact.

17 Q. I'm just going to take you back a little bit. Okay?

18 A. Okay.

19 Q. What did CO Issa say to Alfa?

11:24:33 20 A. When he asked Alfa, "Did you give your wife to be
trained?"

21 He said, "Yes." Then he asked him another question: "Did you
22 tell her that because she was a civilian you were going to
beat

23 her up?" He wanted to deny that. Then a woman put her hand
up.

24 And he said, "Then we've got a witness who will testify that
you

11:24:48 25 said that." And then he told him that --

26 Q. Witness, pause, please, Madam Witness. A woman put her
27 hand up.

28 A. One woman put up her hand up. When the man wanted to
deny

29 the woman was a civilian, she put her hand up. Then CO Issa

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1 said, "Okay." He said, CO Issa, that is what he said. He
said,

said, 2 "Have you heard that?" Then he said, "Yes, that was what I

3 but I'm sorry."

4 Q. Okay.

11:25:23 5 A. Can I continue.

6 PRESIDING JUDGE: Ms Ashraph, where is this crowd, you
7 know, coming from? Was it a tribunal or what? We know that
8 Amara -- Issa was not -- I'm not asking you madam. Issa was

in

9 Amara's house. And this woman was called, she came trembling,
11:25:46 10 maybe crying. And they called Alfa. And that was this -- so

11 this other woman who came has come from where?

12 MS ASHRAPH: Okay.

13 Q. Witness, the woman who put her hand up, where had she
come

14 from? When had she arrived at the house?

11:26:06 15 A. She too was at the clinic when this incident took place.

16 When they said that CO Issa had come, all of them came there.

17 But this woman was also a soldier. So she came and gave this
as

18 a witness that that was exactly what this man -- she said,
that

19 was exactly what this man told this woman.

11:26:25 20 Q. How many people came from the clinic to Amara MP's
house?

21 A. We were four in number, myself, Mama Foday and this
woman.

22 They followed us later to my house. They were there when they

23 said Issa had come. Then we went there together. They said
he

24 was calling me, then we went there together.

11:26:54 25 Q. Okay. The woman that put her hand up, she was a fighter
or

26 civilian?
27 A. Fighter. She was a fighter.
28 Q. And why was she at the hospital?
29 A. She had no gun. They took that pregnant woman to me

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1 because they were staying together at home.
2 Q. Okay. All right. And after the woman came forward,
what
3 happened?
4 A. When the women came, CO Issa told her that, "Do you know
11:27:38 5 what I'm going to tell you because I'm going to deal with you
6 because this woman is a civilian and she is a nurse. And you
7 have no right to threaten her."
8 Q. Okay. And what happened then?
9 A. He told him to take off his -- the shirt. And then he
11:28:00 10 told, he said -- he told him to take off his trousers and then
he
11 did that.
12 Q. Okay. And then what happened?
13 A. He said if the woman was your fellow soldier that would
14 have not been bad.

11:28:17 15 THE INTERPRETER: Your Honour, the witness is speaking
very

16 fast.

17 MS ASHRAPH:

you,

18 Q. Witness, I know this is an incident that happened to

19 but you need to speak very slowly because at the moment we are

11:28:28 20 not able to take down what you are saying. Okay?

21 A. Okay.

22 Q. So, if you say two or three sentences and then you pause

23 and then I can let you know when I have -- when we have all

24 finished writing.

11:28:40 25 A. Okay.

26 Q. So, Issa said if this woman was a soldier --

not

27 A. He said if it were your fellow soldier that would have

Nobody

28 been bad because that was the law, all of us made that.

29 should threaten a civilian. This woman is a woman as and

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threatened

1 secondly, she is a nurse. You have no right to have

her

2 her. We are going to beat you up, so you will not do that to

3 any -- again.

4 Q. Okay. And then what happened?

11:29:11 5 A. Then he was beaten up.

6 Q. Who was he beaten by, witness?

7 A. Hum?

8 Q. Who was he beaten by?

9 A. His fellow soldiers because I went to my house now. And
it
11:29:31 10 was advised -- he apologised to me so I went to my house.
There
11 he was now beaten up.

12 Q. Okay. And did this take place in the dry season or the
13 rainy season, can you remember?

14 A. It was in the dry season, I think, it was in the dry
11:29:51 15 season. Then he took him and apologised to me. From that
time
16 nobody ever threatened me.

17 Q. Okay. Witness, was there a school at Mende Buima?

18 A. Yes. There was a school in Mende Buima. Even this of
my
19 friend, Nancy, her son -- her child was going to that school.

11:30:21 20 Q. And was Nancy paying for her child to go to school?

21 A. No, I did not see her pay school fees for that child and
22 she did not tell me that she ever paid school fees for that
23 child.

24 Q. Okay. Now, witness, you said -- witness, you said you
are
11:30:48 25 a Muslim. Were you practicing your religion during the time
you
26 were in Mende Buima?

27 A. Yes. Yes, I used to pray. I was not alone. I was
praying
28 in group.

29 Q. And where would you go to pray when you were there?

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1 A. We used to pray in the mosque, there was an Imam, even
2 up -- even up to now he is still there.

3 Q. And did you pray inside the mosque the whole time you
were
4 in Mende Buima?

11:31:19 5 A. No, when the jets began to come we are not praying in
the
6 mosque now, except at night.

7 Q. What was the relationship like with the soldiers at that
8 time, the fighters?

9 A. When I was in Mende Buima?

11:31:56 10 Q. Yes.
11 A. When I was in Mende Buima I had no problem with the
12 fighters, nobody raped me, nobody forced me to work, nobody
beat

13 me up and nobody did anything bad to me, except when they were
14 giving me respect.

11:32:12 15 Q. And how did you see other civilians being treated?

16 A. The same way they were treating me that was the same way
17 they were treating the civilians because with the civilians
and

18 the soldiers there was a big difference between us.

19 Q. Witness, were people farming in Mende Buima at that
time?

11:32:53 20 A. Yes. There were a lot of rice there, enough.

21 Q. And where were they farming?

22 A. Everybody, some of them Mende Buima was their hometown.

23 They were born there. They have their bush there, even if you
24 are a stranger when you ask for a bush you would be given.

There

11:33:19 25 was enough rice and palm oil. Everything was there in
abundance.

26 Q. And were civilians farming on their private farms?

27 A. Civilians were working for them. They did not -- the
28 civilians were very proud, they were working for themselves.

29 Q. Okay. And where -- do you know of any -- have you ever

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1 heard of a community farm, witness?

2 A. Yes, the one that was in Giehun, the one that I saw.

3 Q. And who was working on the community farm?

4 A. In that community farm be you a soldier or a civilian
11:34:16 5 everybody was working on that community farm.

6 Q. And did you ever work there, witness?

7 A. No, I did not work there. They were not allowing us to
8 work. We were only doing the nurse work.

9 Q. Okay. Did you know anyone who was working there?

11:34:41 10 A. Yes, this Nancy that I was staying with who was the
chief
11 at Mende Buima, she was the head of that farm work.

12 Q. You said Nancy was the chief. What was Nancy the chief
of?
13 arrangement
14 A. She was the head of the civilians for whatever
15 they were going to undertake they would go to her.

11:35:04 15 Q. Was it all of the civilians she was the chief of?

16 A. Yes, the civilians who were in that town, the woman who
was
17 the head for the women, when there was work, when there was
18 community work then they would tell her to go and tell the
19 soldiers. Then they would go and tell the soldiers and then
they
20 would do the arrangement.

11:35:30 20 would do the arrangement.

21 Q. And do you know how she became chief of the women?

22 A. I met her as chief because she did not flee. When the
war
23 started I met her as chief. She was there until the end of
the
24 war.

11:35:52 25 Q. And did she say how she was treated when she worked on
the
26 farm?

27 A. Yes, why they were going to work they would first meet
at
28 his house -- at her house, made arrangements before they could
29 leave.

1 Q. What was the arrangement they were making?

2 A. They would be there, if they had brought salt for the
food
3 then he would tell them the food is here for the work. They
4 brought the food for the work. If they would ask her for --
for
11:36:28 5 the number of workers who were living in Mende Buima.
6 THE INTERPRETER: Your Honours, can the witness speak
7 slowly.
8 MS ASHRAPH:
9 Q. All right, Witness, you need to --
11:36:39 10 PRESIDING JUDGE: We have to get used to her, it is the
way
11 she speaks. But I think, Ms Ashraph needs to apply some
brakes
12 from time-to-time.
13 MS ASHRAPH: Yes, Your Honour.
14 Q. Witness, could you speak slowly and, again, two
sentences
11:36:57 15 and then a pause, okay. What we have is, you bring salt and
food
16 to her house.
17 A. He would -- she would tell her that there is food for
this
18 work, and then they would carry that food.

19 Q. Who would bring the food -- the salt and the food to the
11:37:12 20 house? Who was providing the salt and the food?
21 A. I don't know. But she was just -- said that they had
22 brought it, but I'm sure it was the soldiers who were bringing
23 the food.
24 Q. Why are you sure of that?
11:37:37 25 A. Yes, because she did not tell me that she had brought
the
26 food for that work, because she would just tell me that they
had
27 brought the food?
28 Q. Okay. And why did the civilians work on the farm?
29 A. Well, it was the arrangement that they should make a

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1 community farm because they were working on that farm happily.
2 Q. And how did Nancy say she was treated on the -- when she
3 worked on the farm?
4 A. She did not tell me any other thing. Whilst they were
11:38:28 5 coming from the farm they were singing even if the food that
we
6 would keep for her, when she came she would not eat it, she
would

Nancy, a
treating
11:38:55
they've
11:39:16
for,
11:39:38
the
the
11:40:01
civilian
about
29

7 say they have eaten enough on the farm. Even apart from
8 good number of the women used to tell me that they were
9 them nice. Nobody ever beat any of them up.
10 Q. Okay. And what happened to the harvest of the farm?
11 A. Well, after the harvest, the way she told me that
12 stored everything on the barns. They say it was a very good
13 harvest because whenever they went to harvest they would come
14 with rice.
15 Q. When they went to harvest who would come with rice?
16 A. All the women who were going to harvest, they will come
17 with their sheaves -- with sheaves.
18 Q. What would those sheaves be and who were those sheaves
19 that they brought back?
20 A. For themselves. If they went and Nancy brought hers we
21 would prepare it and then we would eat it.
22 Q. Okay. And what happened to the rice that was stored in
23 barns?
24 A. Well, we were not in the same town. When they stored
25 rice in the barns, when they harvested all the rice, the
26 chiefs came together. She told me that they've -- they have
27 stored the rice on the barns, three barns.
28 MS ASHRAPH: Your Honour, I see the time. I've got
29 15 minutes left.

12:42:42 20 PRESIDING JUDGE: Ms Ashraph, you may continue, please.
21 MS ASHRAPH: Thank you, Your Honour.
22 Q. Madam Witness, were there shops in Mende Buima at that
time
23 when you were there?
24 A. Shops were not there, but there were goods in the town.
12:43:05 25 Q. Was there trade going on?
26 A. Like what?
27 Q. Was there trade of goods going on?
28 A. No, there were no shops. There was just petty trading
in
29 their trades, in their houses, doing their trading.

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1 Q. Did anyone go to the border for any reason?
2 A. Yes, they used to go and do business there.
3 Q. And who used to go and do business at the border?
4 A. A lot of people. Civilians were going there, soldiers
too
12:43:53 5 were going there. A lot of people were going there.
6 Q. And did you hear about how they were treated at the
border?
7 A. Well, I was not there. I don't know how they were
treated.
8 Q. Could civilians go on their own to the border?

9 A. Yes, on their own. They used to take goods there. They
12:44:28 10 used to take their produce to the border, to go and sell it.

11 Q. Witness, did you stay in Mende Buima or was there a time
12 that you left Mende Buima?

13 A. I left Mende Buima. Then I went to Manowa again.

14 Q. How did you leave Mende Buima?

12:44:58 15 A. Well, they took me out of -- out there and sent me to
16 Manowa to go and work there. At that time the soldiers were
now
17 in Manowa.

18 Q. When you say "they took me to go there" who took you?
Who
19 sent you to Manowa?

12:45:16 20 A. Soldiers sent me to Manowa. They told me to go and work
21 there. Soldiers sent me there to go and work there.

22 Q. Was there a particular reason why you were needed to go
to
23 work at Manowa?

24 A. Yes.

12:45:32 25 Q. What was that reason?

26 A. When I went to Manowa, they used to say there was a
nurse
27 whoever
28 was working there, and was not in good terms with the
civilians,
29 they will tell the soldiers. Then you will be removed from
there

1 and another person would be sent there.

2 Q. And how was it decided that you would go to Manowa?

3 A. Well, we had our leader. He came and told us that they
4 wanted to send me to Manowa to go and see the place first.

Then

12:46:16 5 later I went there and then I started to work there.

6 Q. Who is the leader that you are talking about, witness?

to

7 A. This very man who was our head, the coordinator. He was
8 transfer us.

9 Q. Okay. And was he --

12:46:36 10 PRESIDING JUDGE: Who was this coordinator? Does she
know

11 the name?

12 MS ASHRAPH:

13 Q. What was the coordinator, witness?

14 A. He was called Brakei.

12:46:44 15 Q. And was he a civilian or a fighter?

16 A. That coordinator?

17 Q. Yes.

18 A. Well, I don't know, because I did not see him with a
19 soldier uniform.

12:46:57 20 Q. And where was he working?

But

21 A. He used to work at the hospital; he was a coordinator.

22 I believe he was a fighter, but I did not see him with gun.

23 Q. And so you went to Manowa and what -- where were you
24 working in Manowa?

12:47:29 25 A. I was working at the hospital. I met people there who
were
26 working there, so I was working at the hospital.

27 Q. And who was in charge of that hospital, if you can
28 remember?

29 A. He was called Dr Amara.

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1 Q. And what kind of treatment were they giving at that
2 hospital?

3 A. They used to give every kind of treatment to children,
4 adults, civilians and soldiers. Any type of sick that you had
12:48:04 5 they -- they -- you will get the treatment.

6 Q. And did people have to pay for that treatment at the
7 hospital in Manowa?

8 A. No, I did not see anybody give money.

9 Q. And where were you staying when you were in Manowa?

12:48:31 10 A. At the hospital there was a room. There was a room for
the
11 doctor and I had my -- and there was a labour room near the --
12 near my room.

13 Q. Okay. And would you get -- would you visit Mende Buima
14 while you were at Manowa?

12:49:07 15 A. Yes.

back 16 Q. And what -- did you have to do anything in order to go
17 to Mende Buima?

18 A. When I was going to Mende Buima I would just come and
cross 19 over to Mende Buima.

12:49:28 20 Q. Could you travel freely, witness?

21 A. Anywhere I wanted to go I was free to go there; they
were 22 not preventing me.

23 Q. Okay. Was there a school in Manowa?

24 A. Yes.

12:49:46 25 Q. And what kind of school was it?

26 A. Children used to go to that school. I used to see them
27 going to that school.

28 Q. And do you know if people had to pay to send their
children 29 to school?

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them 1 A. No, I did not hear that. I never heard that. I saw

2 going to school but I did not see people pay school fee.

3 Q. Okay. And the children that went, who were they the
4 children of?

12:50:23 5 A. Civilians' children were there, as well as fighters'
6 children; everybody.

and 7 Q. And what was the relationship like between the fighters
8 the civilians in Manowa?

9 A. I did not see them any -- there was no problem among
them.

12:50:45 10 You cannot even distinguish them because there was no problem
11 among them.

12 MS ASHRAPH: Excuse me a minute, Your Honour.

13 Q. Thank you, witness. That is all of the questions I have
14 for you but there are going to be some more questions, if you
12:51:21 15 just stay there.

16 PRESIDING JUDGE: Mr Ogeto.

17 MR OGETO: My Lords, we have no questions for this
witness.

18 PRESIDING JUDGE: No questions, right. Thank you. Yes,
19 Mr Cammegh.

12:52:06 20 MR CAMMEGH: No questions.

21 PRESIDING JUDGE: No questions. Thank you. Yes,
22 Mr Hardaway, let's start.

23 MR HARDAWAY: And see where we go again --

24 PRESIDING JUDGE: So we go against the lunch hour.

12:52:34 25 MR HARDAWAY: Yes, Your Honours.

26 CROSS-EXAMINED BY MR HARDAWAY:

27 Q. Madam Witness, good morning.

28 A. Good afternoon, sir. Good afternoon, sir.

29 Q. I have some questions for you, and I will try to be as

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1 brief as possible. I understand your situation, all right? I
2 want to take you back to Manowa the first time you were there;
3 all right?

4 A. Okay.

12:53:06 5 Q. Now, you said that the first time you were in Manowa you
6 were in the zoo bush, and people came to tell you to come out
of
7 the bush and go back into the town; is that correct?

8 A. When I left Guinea and came, I was not staying at
Manowa.

9 When I left Guinea and came, when I went to Segbwema, after
12:53:38 10 Segbwema, when I went back to Manowa, the person I was staying
11 staying
12 there. We were there when they came and told us that we
13 should
14 go to the town and then all of us went to the town.

15 Q. And by "they" who asked you to come back into the town,
12:53:54 15 that was the people's army; is that correct?

people's

16 A. Yes, they were people's army. When I came, I met

17 army, when they said they had brought the salt.

that

18 Q. So you came back into the town, you asked for salt and

19 Maggi and the people's army brought the salt and Maggi; is

12:54:21 20

correct?

21 A. Yes.

22 Q. Now, do you know where the salt and Maggi came from that

23 they brought you?

they

24 A. Well, I don't know where they brought the salt because

12:54:40 25
where

said they went and bought it but I don't know where they --

sure

26 they took the salt from, but it was a bag of salt. So I'm

27 they might have bought it.

army

28 Q. So when I put it to you, Madam Witness, that people's

29 got the salt and Maggi from raiding other towns and villages,

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would

1 would you have any knowledge of that? Would you agree or

2 you disagree?

3 A. That is not true, because salt, we have not in those

4 villages because, in fact, people were not in those area,
12:55:36 5 villages, it was only in Manowa that people were staying
there.

6 People hadn't a bag of salt in those villages and the bag of
salt
7 that they brought were not from those villages.

8 Q. Thank you, Madam Witness. Now, I want to take you now
to
9 the time when you said that your money and jewellery were
taken
12:56:05 10 from you; okay?

11 A. Okay.

12 Q. And that was also in Manowa; is that correct?

13 A. Yes.

14 Q. And at the time this was taken from you, the people's
army
12:56:16 15 was still in Manowa; isn't it -- wasn't -- isn't that correct?

16 A. The time they seized those things from me, the people's
17 army were not in Manowa. There was no people's army in
Manowa.
18 They used to come and go back. On that very day, they were
not
19 in town when those things were removed from me. We were only
12:56:39 20 living there with those other people because the people's
army,
21 whenever they used to come they used to come with guns, with
22 their red caps on their head, but that very day that the
things
23 were removed from me there was no people's army in that town.

24 Q. Now, when -- okay. So what would the people's army do
when
12:57:00 25 they were in Manowa?

26 A. The time they came and settled in Manowa; is that what
you

27 mean?

28 Q. You said that the people's army would come in and out of
29 Manowa. What I want to know, Madam Witness, is what would the

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1 people's army do when they were in Manowa?

2 A. The two days I spent at Manowa I did not see them do any
3 other thing except when they said people have left the -- have
4 come to settle in this town. After they fight, the people who
12:57:47 5 left the bush and come and stay in the town, I did not see
them

6 do anything bad.

7 Q. By "after the fight" Madam Witness, were the people's
army
8 fighting people in the area of Manowa while you were there?

9 THE INTERPRETER: Your Honours, can the counsel take
that

12:58:08 10 question again.

11 THE WITNESS: Please explain. I'm not hearing.

12 MR HARDAWAY:

13 Q. Okay. You had mentioned that there was fighting, just
now?

14 A. Yes, yes.

12:58:21 15 Q. What I want to know, before you were placed in the zinc

16 shed, did the people's army fight in and around Manowa?
17 A. When I came in that town, even if a fight has taken
place,
18 I didn't know. The time we were arrested on Saturday, it was
on
19 Sunday that the fight took place. It was then that people's
army
12:58:56 20 took me away. Even if they -- a fight had taken place I was
not
21 there. The time, I was not there.
22 Q. Now, you had mentioned that the night after your
property
23 was taken you went into the zoo bush; correct?
24 A. The day they removed the things from me, that very night
we
12:59:27 25 went to Joe Bush. The next morning, Friday, that was the day
they
26 they took the things from me. Saturday morning was the day
27 arrested me and put me in that zinc structure. On Sunday now,
28 they -- a fight broke out. Yes, a fight took place but it was
29 the people's army that I discovered that took me across the

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1 river.

2 Q. Madam Witness, I just want to talk about the night you

3 spent in the zoo bush right now; okay?

4 A. That is what I have told you. That Saturday evening
that

13:00:03 5 they removed the things from me, we slept in the Joe Bush
because

6 everybody went to the Joe Bush.

7 Q. All right. Now, you had mentioned that you had heard
8 singing while you were in the zoo bush; correct?

9 A. Yes, yes. Very well. Very well.

13:00:20 10 Q. And, according to you, they were singing about slitting
11 people's throats. That was part of what they were singing; is
12 that accurate?

13 A. That was the way they were singing. They did not say
they

14 were going to cut people's throat but they said: Tomorrow is
the

13:00:41 15 day of cutting people's throat but they were not referring to
16 anybody, but that was the song they continued to sing
throughout

17 the night. Then, on Sunday, then on the day of Sunday
morning,

18 that very day I will never forget it in my life.

19 Q. So it would be correct to say that when you heard this
13:01:00 20 singing about the next day people's throats getting cut that
you

21 were scared, weren't you?

22 A. Yes, I was scared, because I never heard such a song
like

23 that. All of the time I spent in Guinea that was my first day
I

24 heard such a song.

13:01:21 25 Q. And even though you were scared about the singing, the
next

26 day you went back into Manowa; is that correct?

27 A. It was not at dawn, it was in the morning. The morning
28 that they sent somebody to call me that I should come, on a
29 Saturday morning, they sent somebody to come and that morning

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one 1 that I came, that was the day they arrested me and kept me at
2 place. Then they sent to call me to come. Then, that was the
3 morning they arrested and kept me at one place. I was in that
--

4 I was under arrest when the fight took place. I did not just
13:02:05 5 leave the Joe Bush and came because I was scared very much.

correct 6 Q. Now, Madam Witness, during the singing, and please
7 me if I am wrong, there were other people in the zoo bush and
8 they left Manowa; is that correct?

people 9 A. Yes, we were there together with other people. The

13:02:33 10 I met in Manowa, who were in the zoo bush, it was because of
them
11 that we went into the Joe Bush.

the 12 Q. What I am asking, Madam Witness, is that -- did any of
and 13 people in the Joe Bush with you, did they leave the Joe Bush

14 go away from Manowa?

13:02:53 15 A. Well, I left them in the Joe Bush, when they called me
to

16 go. Then I went together with Yema. I did not go back to the

17 Joe Bush. They arrested me. They put me under arrest,
because I

18 did not go to the Joe Bush. I was there now when the fight
took

19 place on Sunday. I did not know where they went because I did
13:03:14 20 not see the direction where they went.

21 Q. So, just so that we are clear, all right, Madam Witness,
on

22 Friday, people in the court barri take your money, they take
your

23 jewellery, your ring and I believe watch; is that correct?

24 A. And my watch. Yes. Very well, very well.

13:03:35 25 Q. That night you go into the Joe Bush; correct?

26 A. That night, at dawn. The morning now, Saturday, by 2,
that

27 was the time we went into the Joe Bush. We remained in the
Joe

28 Bush when they called me. I did not go back to the Joe Bush.

29 Q. Now, in the Joe Bush, you hear singing about how the
next

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correct? 1 day people are going to get their throats cut; is that

cut 2 A. Yes. They used to sing. Say: Tomorrow is the day of
3 cutting people's throat. They did not say they are going to

4 people's throat. They only say tomorrow is the day of cutting
13:04:26 5 people's throats. They were really singing.

6 Q. And, as a result of that, you were scared; correct?

7 A. Yes, because I was not there, I met them there, because
8 they used to go to the Joe Bush. I was scared.

9 Q. So having your money stolen, going into the Joe Bush and
13:04:45 10 being scared because people are singing about people's throats
11 being cut, you went back into Manowa the next day; correct?

12 A. It was not the next day. I did not go to Manowa. The
13 night that they sang this song I was not in the bush. That
was

14 the night, in the morning, that they called me and they said
they

13:05:08 15 are calling me to the barri, to the court barri. It was there
16 that they put me into gaol. I was now under arrest. It was
17 people's army that they freed me, that they had crossed me
over.

18 I never went back to that Joe Bush.

19 Q. I'm not asking if you went to the Joe Bush. Please
listen

13:05:26 20 carefully to my question.

21 A. I'm listening to you very well.

22 Q. After you heard the singing, and became scared, you went
23 back into Manowa; is that correct?

24 A. No. That night I did not go to Manowa on my own. It
was

13:05:45 25 the next morning that they called me because I was scared.
How

26 could I have gone back to Manowa on my own?

27 Q. Madam Witness, I am asking, just very simply, after you
28 heard the singing and became scared --

29 A. Okay.

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correct? 1 Q. -- after that you went back into Manowa; is that

2 A. The next morning they called me. They called me to go
3 there.

4 Q. Okay.

13:06:11 5 A. I did not go there on my own. They called me. If they
had 6 not called me I wouldn't have gone there.

Madam 7 Q. And you went with -- who did you go with, in again,
8 Witness?

told 9 A. When they came and called me, say, they first came and

13:06:29 10 Mr xxxx that the stranger you brought we would want to see
this

was 11 thing. Myself, xxxx and her husband, we went to Manowa. I

12 there now when they sent for me and my belongings.

13 Q. And when you went in with xxxx, were you still scared?

14 A. Yes, I was still scared, because they have called me and

13:06:54 15 they are insisting on my going there and they've asked me to
take

16 me there. I was scared.

17 Q. All right. Thank you, Madam Witness. Your Honours, I'm

18 about to go into a new section and I do see the time. This
would

19 be an appropriate stop.

13:07:37 20 PRESIDING JUDGE: Well, learned counsel, we would recess

21 for lunch and resume the session at 2:30. But may we know
what

22 the position is? I imagine that we will be done with this

23 witness before the afternoon session. Are we taking on the

24 second witness, Mr Jordash?

13:08:02 25 MR JORDASH: There is no reason why we shouldn't. I
think

26 this next witness will be approximately the same length as
this

27 witness.

28 PRESIDING JUDGE: I see. So we are just seeing if we

29 can --

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1 MR JORDASH: The witness is ready.

2 PRESIDING JUDGE: That's right. Good. Thank you. We
will

3 rise and resume at 2:30. The Court rises.

4 MR HARDAWAY: Your Honours, just for clarification

13:08:18 5 purposes --

6 PRESIDING JUDGE: Just a minute, please.

7 MR HARDAWAY: I anticipate being finished before the

8 afternoon break; significantly beforehand. I don't believe I

9 have much more.

13:08:29 10 PRESIDING JUDGE: Yes. You have put Mr Jordash on
notice.

11 You heard that, Mr Jordash, so it helps us as to how we
proceed

12 in the afternoon. You wanted to say something?

13 MR JORDASH: No, no.

14 PRESIDING JUDGE: The Chamber will rise, please.

15:02:14 15 [Luncheon recess taken at 1.09 p.m.]

16 [RUF26NOV07C - JS]

17 [Upon resuming at 2.55pm]

18 PRESIDING JUDGE: Good afternoon, learned counsel.
Madam

19 witness, good afternoon, how are you this afternoon?

15:02:14 20 THE WITNESS: I'm good, sir.

21 PRESIDING JUDGE: Mr Hardaway, you may continue.

22 MR HARDAWAY: Thank you, Your Honour.

23 PRESIDING JUDGE: Please, yes.

24 MR HARDAWAY:

15:02:14 25 Q. Madam Witness, good afternoon, madam.

26 A. Good afternoon, sir, how are you?

27 Q. I'm fine, thank you. When you were in Manowa the first

28 time, Madam Witness, you had testified that the people's army
29 said they wanted to be one with the townspeople. Do you
remember

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1 that?
2 A. Yes.
3 Q. What did they mean by that?
4 A. To be in oneness?
15:02:49 5 Q. Yes, madam.
6 A. They said they should be in good terms with the
7 townspeople, but I cannot tell you any other meaning other
than
8 that, but I think they meant they wanted to be on good terms
with
9 the townspeople.
15:03:12 10 Q. Okay. Now, Madam Witness, the first time you were in
11 Manowa, were there schools there?
12 A. The first time I came when I was passing through Manowa,
I
13 did not see school at that time because at that time people
had
14 started arriving. I did not see school there.
15:03:36 15 Q. How about when you came in from the zoo bush into Manowa

schools

16 after the people's army were said to come in, were there

17 in Manowa then?

18 A. When the people's army arrested me, when they sent me to
19 Mende Buima, the school was there now at the time.

15:03:58 20
at

20 Q. I'm sorry, Madam Witness, I'm a bit confused. When you
21 were put in the zinc shed in Manowa, were there schools there

22 that time?

There

23 A. I did not see school there. Even if a school had been
24 there, I did not see school because there were buildings.

15:04:28 25
are

25 were school buildings there. The government school buildings

26 run, but I did not know whether schooling was existing.

27 Q. Were there hospitals in Manowa at that time?

28 A. There was hospital building. I know a person who was
29 treating people, the time I came there, there was a hospital

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you

1 building but people were not working in that hospital.

2 Q. Okay. Now, Madam Witness, your evidence is that after

3 were freed from the zinc shed, you went to Pendembu; is that

4 correct?

15:05:09 5 A. Yes, they took me to Pendembu.

6 Q. And by "they", you mean the people's army took you to
7 Pendembu, correct?

8 A. Yes, they were there.

9 Q. And they stated that they took you there for your own
15:05:23 10 safety; is that also correct?

11 A. Very well.

12 Q. And it would be correct to say that they took all of the
13 civilians to Pendembu for their own safety; is that correct?

14 A. All the civilians? I don't know whether they took all
the
15:05:46 15 civilians there, but those I met them there.

16 Q. All right. Do you know, Madam Witness, and if you don't
17 know, that's fine, do you know if any of the civilians refused
to
18 go to Pendembu with the people's army?

19 A. I did not see any civilian who refused that, that
15:06:19 20 particular soldier was not going. I did not see anybody. All
of
21 us that were put in the boot, I did not see anybody who
refused
22 to go.

23 Q. All right. Now, in Pendembu, Madam Witness, you had
said
24 you would help deliver a baby in Pendembu; is that correct?

15:06:35 25 A. Yes.

26 Q. And was that the only time you delivered a baby in
Pendembu
27 or did you work as a birth attendant the whole time you were
in
28 Pendembu?

there,

29 A. No, that was the time I deliver in Pendembu, a baby

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1 then later --

that

2 THE INTERPRETER: Your Honours, can the witness take

3 name again?

4 MR HARDAWAY:

15:07:00

5 Q. Madam Witness, as my friend from the other side asked,

6 please speak slowly so that it can be interpreted so that not

right?

7 only myself, but everyone in the courtroom can hear, all

8 A. Okay.

9 Q. Now, could you please repeat your last answer?

15:07:23

10 A. Like, which one?

11 Q. All right, I'll ask the question again.

12 A. Okay.

baby

13 Q. The baby you delivered in Pendembu, was that the only

14 you delivered in Pendembu or did you act -- or did you deliver

15:07:41

15 other babies while you were there?

16 A. That day I came to Pendembu, that was the only baby I

17 deliver. Then later I went to Mende Buima, it was Mende Buima

Mende 18 now I was doing the birth assistant work, but I was not in

19 Buima when I was doing -- I was delivering babies.

15:08:03 20 Q. All right. Now, at Pendembu there were drugs and
medicines

21 available at Pendembu for people; is that correct?

22 A. For everybody, there were medicine for everybody, even
some

23 of us who were going there for supply, there were medicines
for

24 us.

15:08:30 25 Q. Do you know where the drugs and medicines came from,
Madam

26 Witness?

27 A. If I know where the medicines were from, well, I don't
know

28 where the medicines were coming from, but they told us they
were

29 going to buy them and bring it, but I don't know where they
were

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1 bringing these medicines from.

2 Q. So when I put it to you that the medicines and drugs
came

3 from raids on other villages and towns, you would not know

4 anything about that; is that correct?

15:09:11 5 A. No, I cannot accept that because there were no medicines
in
cannot
6 those towns. There were no people in those towns, so you
7 take medicines from those towns and bring them. Those -- the
8 people who were in those towns were coming to collect
medicines
9 from Pendembu, and the way the medicines appear did not appear
to

15:09:33 10 be medicines that were raided from towns in those -- in those
11 villages.

12 Q. Now, how would you know all of this, Madam Witness?

13 A. That they were not raided from towns? Because they were
in
--
14 sealed cartons because at that time people used to go and buy

15 do tradings in Guinea, so I can conclude that they were not
16 medicines that were raided because it was not one, a single
kind
17 of medicine. There were different kinds of medicines in
18 cartons. It was not in short of supply. It was not just one
19 day, because if it were raided in those villages, it will have
20 got exhausted when everybody continued to supply us all the
15:10:28 time.

21 Q. How do you know it would have only lasted one day had it
22 been raided from a village or town, Madam Witness?

23 A. Those villagers who were coming for that treatment, no
one
24 of them ever said those things were raided in their villages.
So

15:10:54 25 they too were coming to come and collect, if -- if those
26 medicines were raided from those villages, they would have
said

27 that.

28 THE INTERPRETER: Your Honours, the witness is speaking
29 very fast.

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1 MR HARDAWAY:

2 Q. Madam Witness, please, again, slow down so that the
3 interpreter can translate, okay?

4 A. Okay.

15:11:19 5 Q. Can you repeat what you just said?

6 A. I do not believe if those medicines were raided because
7 those villages people were leaving from those villages coming
8 collect those medicines. Even some of us who were working in
9 environs, we used to come and collect those medicines.

Because

15:11:40 10 if they were raided medicines, the medicine would have
exhausted,

11 but up to the time I was working there the medicine never got
12 exhausted. If ever it had been a raided medicine, it would

have

13 been exhausted because the places where they were raiding this

from 14 medicine, it is -- when they have raided all the medicines
15:12:00 15 those villages, they would have not got any more from those
16 villages, but the medicine were there in continuous supply.
17 JUDGE BOUTET: But Prosecutor?
18 MR HARDAWAY: Yes, Your Honour.
19 JUDGE BOUTET: Because the witness has answered your
15:12:15 20 question about other villages, and obviously by her answer
she's
21 obviously understanding in the area as such.
22 MR HARDAWAY: I was going to expand upon that.
23 JUDGE BOUTET: But your last question and the one before
24 that was towns and villages.
15:12:25 25 MR HARDAWAY: Yes.
26 JUDGE BOUTET: When you say she's -- her answer is
27 explaining that it could not be from other villages because
28 citizens from these villages were coming to be treated and so
on.
29 MR HARDAWAY: Yes.

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1 JUDGE BOUTET: Your question appeared to me to be a bit
2 wider.
3 MR HARDAWAY: It was a bit wider, Your Honour, and I was

4 going to expand upon that.

15:12:46 5 THE WITNESS: Okay, I will go and -- I will go back to
6 explain. People used to live -- nurses were leaving from the
7 surrounding villages coming to take supplies from Pendembu.
8 People used to leave their villages to come to the clinic at
9 Pendembu. If they were raiding these medicines in those
villages

15:13:09 10 they would need to follow these medicines to come and collect
11 because they used to supply us continuously. As long as these
12 medicines were raided, if they -- they would have said that it
13 will one day get finished, but it was not raided. The one
that

14 we used to sign for it, the moment it gets exhausted then they
15:13:32 15 will give us another one. That is the reason I'm telling you
the
16 medicines were not raided.

17 Q. Madam witness, you would agree with me that it is
possible
18 that the medicines came from other villages that were raided
19 other than what you have just described?

15:13:49 20 MR JORDASH: Objection. It's inviting speculation. I
21 think the witness has gone as far as she can. She's given her
22 view as to why she considered it wasn't raided. My learned
23 friend this time is trying to take it one step further into
just
24 abject speculation. And my learned friend, secondly, my
learned

15:14:12 25 friend doesn't have a basis for these questions. There's
26 simply --

27 JUDGE BOUTET: Why would you need to have a basis to ask
28 these questions in cross-examination? I mean, you can test
the

means 29 credibility of a witness by any means as such provided this

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1 it is not improper. I don't see why there should be this
2 requirement, Mr Jordash.

is 3 MR JORDASH: Well, it's improper insofar as that there
4 no factual evidence which he is using to base a proposition.

15:14:39 5 It's simply the latest Prosecution plank to their case based
upon

isn't a 6 the previous witness's testimony which, in fact, actually
7 proper basis for this, but there's no evidence in the
Prosecution

8 case which is supporting this proposition, simply a
9 which the Prosecution have decided now to put to a witness.

15:15:06 10 JUDGE BOUTET: But as I say, I mean, it may be for
various

11 purposes. It may be for the purpose of trying to do this or
12 simply to test the credibility of the witness by this means.

13 Whether or not they are trying to use this to support the
14 proposition of theirs on this issue, I don't know, Mr Jordash.

15:15:24 15 But I'm saying to you it is not necessarily improper for them
to

16 ask that question. It depends what it is.

17 MR JORDASH: Well, the principal objection is that it is
18 speculation. In my submission, my learned friend cannot keep
19 saying to a witness, "It's a possibility that." It's --

15:15:40 20 everything's a possibility. It's a possibility that a penguin
21 would walk into this courtroom, but it's not likely, and I

22 is be speculating to say whether it will or it won't. The point
is

23 that this witness cannot be asked to guess at what might have
24 been the case. She said what she thinks was the case and

that,

15:16:00 25 in my submission, was already one step too far. This is going
26 further than that.

27 evidence PRESIDING JUDGE: Mr Jordash, she was basing her

28 on surrounding villages which came to Pendembu, you know, for
29 supplies.

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1 MR JORDASH: Yes.

2 further, PRESIDING JUDGE: Now, you know, she's been taken

3 you know, to other places, you know, where the medicines may

4 have -- may have come from.

15:16:37 5 MR JORDASH: But she doesn't know. The witness has said
6 she doesn't know.

7 PRESIDING JUDGE: Why doesn't she say she doesn't know?

8 MR JORDASH: Well, she has said that.

9 PRESIDING JUDGE: I don't think she's provided an answer
to
15:16:44 10 that.

11 MR JORDASH: She said -- they said that they were going
to
12 buy them.

13 PRESIDING JUDGE: Yes, they said they were going -- they
14 were going to buy them. Yes, that's what they said, that they
15:16:51 15 were in cartons, in new cartons, and that she believes that
they
16 were buying them, you know, because they were not getting
17 exhausted, and that because of the trade, you know, across the
18 border, you know, there was a possibility that they were
buying

19 them. So it's a question of now confronting her --

15:17:12 20 MR JORDASH: Yes, but that's her knowledge.

21 PRESIDING JUDGE: Yes, it's her knowledge.

22 MR JORDASH: And now the Prosecution is saying, "Is it
23 possible it could have been." Well, it is of course possible.
24 Of course it's possible; anything is possible. But the
witness

15:17:22 25 doesn't know and she said she doesn't know.

26 PRESIDING JUDGE: Did you -- was that the thrust of your
27 question?

28 MR HARDAWAY: I may have used that language, Your
Honour,

29 but I can clearly rephrase. I can rephrase the question.

1 PRESIDING JUDGE: Well, you'd better do it because --

2 MR HARDAWAY: Very well.

3 PRESIDING JUDGE: Yes.

4 MR HARDAWAY:

15:17:39 5 Q. Madam Witness, I put it to you that the medicines you
6 received in Pendembu were gotten from raids on towns and
villages

7 outside the area of Pendembu; do you agree, disagree or do you
8 not know?

9 A. No, I do not agree. I was working there for a long
time.

15:18:09 10 I know they were buying -- they were buying it. As long as it
is

11 a stolen property it would have got exhausted. But continuous
12 supply of medicine I do not believe whether they were raided
13 because those villages were coming for the supply, I am sure.
14 They were not --

15:18:26 15 PRESIDING JUDGE: But it's not the villages -- it's not
the

16 villages, madam. You know, it is not limited to those
villages

17 around you. Towns and villages; that's the question.

18 THE WITNESS: The time we were getting the supplies, the
19 ECOMOGs were at the boundary towards Daru. Daru was the only
big
15:18:50 20 town. People's army were not going to Daru, but we were
getting
21 supplies, medicines, across the river. It was not a raided
22 property because there was no way you could have crossed over
to
23 that place.

24 MR HARDAWAY:

15:19:06 25 Q. Now, when you went to Mende Buima, Madam Witness, after
26 Nancy signed for you, you said you received items: Pots,
salt,
27 Maggi and a sponge, I believe; is that correct?

28 A. Yes, they gave them to me.

29 Q. Do you know where they got these items from that they
gave

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1 to you?

2 A. Well, they used to buy and bring them. They used to buy
3 them from Guinea part, the things that they gave to me. They
4 counted up to 100 and gave them to me.

15:19:52 5 Q. I put it to you, Madam Witness, that the items you
received

and

6 were gotten as a result of people's army's raids on villages

7 towns throughout Kailahun District; how do you respond?

8 A. No, I do not agree that. This is a long time that a war
9 had broken out. The war had broken out for quite a long time.

15:20:17 10 They could have not kept those things for quite a long time in

11 Kailahun District, where they can easily go and raid and bring

12 them. You cannot keep something up to a week, so I do not
agree.

13 Q. Okay. Now, it was in Mende Buima that you served as a
14 birth attendant; is that correct?

15:20:44 15 A. Yes.

16 Q. And that was the only work you did in Mende Buima was
17 serving as a birth attendant; is that correct?

18 A. Yes, that was the only work I was doing at Mende Buima.

19 Q. And it was your evidence that you took care of a lot of
15:21:01 20 pregnant women in Mende Buima; is that also correct?

21 A. Yes.

22 Q. Some of these women were very young, weren't they, who
you
23 took care of?

24 A. Yes.

15:21:17 25 Q. And some of these young women, the young women you took
26 care of, were they married?

27 A. All of them were married; they had their husbands.

28 Q. And these young women, they were mostly married to
29 fighters, weren't they?

1 A. Some of them were married to fighters, others were
married
2 to civilians, because it was on both sides, there were
civilians
3 as well as fighters.

4 Q. Now, the women who were married to fighters, did they
ever
15:22:20 5 tell you they were captured and forced to be with those
fighters?

6 A. No. Some of them used to say that they were married
before
7 the war, but nobody ever told me that they were forced to get
8 married to them.

9 Q. So when I put it to you that young women were forced to
15:22:25 10 marry fighters and have children by them, you would not know
11 anything about that; is that correct?

12 A. I would know something about that because I was there
13 working with a woman. I am telling you that everybody at
14 Kailahun Town, where there was war, there was no woman who was
15:22:46 15 forced or raped. They got married willingly. They were
moving
16 peacefully.

17 PRESIDING JUDGE: It was your evidence that -- say what
you
18 are saying again, Madam, please.

19 THE WITNESS: What I said, what you say, go back to it;
15:23:02 20 then I will understand.

21 PRESIDING JUDGE: Yes, go back to it. What were you
22 saying? Repeat what you've just said, Madam, that in the
whole
23 of Kailahun there was no forced marriage or rape. Is that
what I
24 heard you say?

15:23:25 25 THE WITNESS: The one I was living with, never, nobody
ever
26 told me that they were forced to get married. Some of them
told
27 me that they got married before the war. Some said they got
28 married during the war and they were even jealous of them
because
29 I have sworn to the Koran, so I will say the truth. They
never

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1 told me that they were forced to get married to them.
2 MR JORDASH: Sorry, could I just seek clarification?
3 There's something about the word "jealous" which it didn't
quite
4 make sense. I don't know whether it was a translation
difficulty
15:24:01 5 or something the witness said. It seemed to come from nowhere
6 but wasn't in the context of the sentence.

if 7 JUDGE BOUTET: It would make sense to me, that context,
be 8 they were forced to get married, that could be why would a man
It's 9 jealous if they were forced? I mean, this kind of thing.
15:24:19 10 not out of the context, but whether or not this is what the
11 witness said, I don't know. I'm just saying to you, it could.
12 MR HARDAWAY:
13 Q. Madam Witness, the clinic --
14 A. Yes, sir.
15:24:38 15 Q. -- the clinic in Mende Buima also had plenty of drugs
and 16 medicines; is that correct?
17 A. The headquarter was at Pendembu; Mende Buima was a
branch.
18 We used to collect medicines from Pendembu. We used to
collect 19 medicines from Pendembu to Mende Buima. Having exhausted,
they 20 would go there again for more.
15:25:04 21 Q. So when I put it to you that the medicines that were
used 22 in Mende Buima were obtained through raids on towns and
villages 23 throughout Kailahun District, you would disagree with me; is
that 24 correct?
15:25:21 25 A. I would not accept that at all, that those medicines
were 26 raided in Kailahun District, no. The war had broke up to
quite a 27 long time before I came to that town because the medicines
they 28 were bringing were not raided because there was no one with
the

29 expired date.

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entire

1 Q. Now, Madam Witness, during the time -- during your
2 time with the people's army, did you ever --

medicines

3 PRESIDING JUDGE: Madam, you said there were no
4 there with an expired date?

15:25:55
would

5 THE WITNESS: No. When they brought them all, they
6 look for the expiry date because they would buy them. All of
7 them were new. From the time they used to bring them I did
8 see anyone with an expired date because we used to open it.

not

When

15:26:15

9 they supplied it, we were the first to open it. You will go
10 there to look for the medicines that you want.

11 MR HARDAWAY:

ever

12 Q. Now, Madam Witness, during the entire time you were with
13 the people's army, Manowa, Pendembu, back to Manowa, did you
14 receive any training?

15:26:44
trained;

15 A. The people's army, when I went? No, I was already

not
16 I was qualified. I was doing birth attendant work, so I did
17 receive any other training. They did not give me any other
18 training.
avoid
19 Q. You received no training in defensive manoeuvres to
15:27:04 20 attack; is that correct?
were
21 A. No, they did not give me such type of training. They
They
22 not capturing people to be trained to be taken to the base.
not
23 were not capturing people, as long as you a woman. They were
I
24 giving me any training, I was just there. That was the reason
15:27:26 25 did not disarm at the end of the war because I was not a
soldier.
whether
26 PRESIDING JUDGE: Madam, answer the question as to
did
27 they were capturing people and taking them to the base. He
28 not ask you that question.
29 THE WITNESS: No, I did not talk of capture.

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taking 1 PRESIDING JUDGE: They were not capturing people and
2 them for training at the base. Nobody put that to you. The
3 question is, did you receive any training?

4 THE WITNESS: I said I was not trained. They did not
15:27:55 5 capture and train me, no. They did not train me. They did
not 6 train me with anything.

7 PRESIDING JUDGE: The question was very open-ended
really. 8 You said training, you know, so you understood it to mean
9 professional training because you were already trained. That
is 10 the answer you gave. Then he came back and said were you
15:28:07 11 trained

11 in --

12 MR HARDAWAY: Defensive.

13 PRESIDING JUDGE: -- defensive manoeuvres and so on and
so 14 forth. He did not ask you a question relating to whether
people 15 were captured and taken for training.

16 THE WITNESS: No. They did not train me with any other
17 type of training. That's what I have accepted. They did not
18 train me with any other training, apart from that nurse work.

19 MR HARDAWAY:

15:28:40 20 Q. Madam Witness, did you ever hear of a group called the
WACs

21 W-A-Cs?

22 A. The WACs?

23 Q. Yes.

24 A. The time I came I did not see any group called WACs. I
did

15:29:07 25 not see any group together calling them WACs.
26 Q. Did you ever hear of any group called WACs?
27 A. No. The time I went there I did not see -- I didn't
know
28 anything about WACs. I did not know anything about that.
29 Q. And that would be your entire time with the people's
army;

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1 is that correct?
2 A. No. That there is a group called WACs, there is such a
3 group together, no, I did not hear such a name. Let me not
lie.
4 Q. Now, Madam Witness, you had mentioned that there had
been
15:29:53 5 trading taking place at the border; is that correct?
6 A. Yes.
7 Q. And you had also testified that the people who were
8 trading, you do not know how they were treated; is that
correct?
9 A. Those who were going to do the trading, how they were
15:30:19 10 treating them?
11 Q. Right. You said you did not know; correct?
12 A. Like what treatment? I have not understood that
properly.

13 I have not understood that properly.

14 Q. In answer to a question from Ms Ashraph, you were asked
how

15:30:36 15 the people trading were treated; do you remember that
question?

16 A. Yes. If those who were trading, how they were treated?

17 Q. Right, and you said you did not know how they were
treated;

18 is that correct?

19 A. No, I did not see them being treated badly because even
if

15:31:02 20 you are not there, if they had been treated badly, one would
have

21 told you that the way -- this was the way -- this had been the

22 way they have treated us but I did not hear anything like -- I

23 never heard anything like that.

24 Q. But, Madam Witness, in answer to the question from

15:31:19 25 Ms Ashraph, did you not say you do not know how they were

26 treated?

27 A. Yes. I told you that I did not know whether they were

28 badly treated because if they have been badly treated one
among

29 them would have told you that, "Yes, we have been badly
treated."

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told 1 Bad thing we never heard. Even if you were not there, I've
I 2 you: I did not hear that. Every -- that's what I told you.
have 3 told you I did not hear that. Never, nobody ever said, "We
there 4 been raided." Nobody. People used to take their produce
15:31:56 5 to sell, palm oil to sell and come back.

My 6 Q. Witness, I didn't ask you about if people were raided.
they 7 question was very simple: Did you say you did not know how
8 were treated? It's a very simple question.

treated 9 A. No, I did not know anything, whether they have been
15:32:20 10 badly. I don't know that.

border, 11 Q. Thank you, Madam Witness. Now, the trading on the
12 this is on the border with Guinea; is that correct?

13 A. Yes.

into 14 Q. And during this time did you ever attempt to go back
15:32:33 15 Guinea?

16 A. No.

17 Q. All right.

18 A. No.

one 19 MR HARDAWAY: If I may have the Court's indulgence for
15:32:47 20 moment, please?

21 PRESIDING JUDGE: Yes, please, you may.

go 22 THE WITNESS: If I attempted to cross over the river to
23 back when I was there, no.

24 MR HARDAWAY: Thank you, Your Honours.

15:33:26 25 Q. Now, Madam Witness, from -- I want to make sure I have
the

26 town right, excuse me. From Mende Buima you went back to
Manowa;

27 is that correct?

28 A. Yes.

29 Q. And you were instructed to go back to Manowa; is that
also

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1 correct?

2 A. Yes.

3 Q. Now, could -- listen to the question very, very
carefully.

4 A. Okay.

15:34:04 5 Q. If you wanted to refuse to go back to Manowa, could you?

6 A. Yes.

7 Q. Okay. I put it to you, Madam Witness, that had you
refused

8 to go back to Manowa, you would have been punished by the

9 people's army; do you agree, disagree or don't you know?

15:34:47 10 A. They would not do anything to me if I said I was not
going

11 to Manowa; they would not do anything to me. I was in Manowa
12 when they asked me to go and work at the Pendembu. I said no.
13 But they did not do anything to me because I accepted to go to
14 Manowa because it was a busy place; I would have been able to
do
15:35:03 15 my business. They would not do anything bad to me.

Giehun;
16 Q. Now, I want to talk about the community farm near
17 all right?

18 A. Okay.

19 Q. Now, you said it was Nancy who was the chief of that
15:35:27 20 community farm; is that correct?

21 A. She was the chief at Mende Buima for women, not for
22 community farm; for the women at Mende Buima.

23 Q. I stand corrected. Who was in charge of the community
farm
24 at Giehun?

15:35:47 25 A. I was not going to the farm. I cannot explain that. I
26 used to see women in group coming to see those who were going
27 happily. They went to the farm, dancing. They came back
28 dancing. But when they went to the farm, who was in charge of
29 the farm, I cannot tell you that because I was not going
there.

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1 Nancy was the chief of Mende Buima for the women. She too was
2 going there.

3 Q. So was Nancy in charge of getting people to go to the
4 community farm?

15:36:25 5 A. No. Nancy was the chief for the women in Mende Buima.
But

6 when they were going there they will come to her house because
7 she too was going there; they used to go there dancing and
coming
8 back dancing. I don't know the chief in charge of the
farming.

9 Anything that we are doing there must be a head. So that's
why I

15:36:45 10 cannot tell you.

11 Q. So it would be correct to say that you do not know how
they
12 got people to work on the community farm; correct?

13 A. They used to get people from Mende Buima. They used to
14 give them by towns. If three people were to come from Mende
15 Buima then they will send the three people to go and work for
the

16 whole day on the farm. Then the evening they will return.
Then

17 they used to go there singing and coming back with singing.
It's

18 a community farm.

19 Q. I did not ask if they were singing. Again, please just
15:37:25 20 listen to my question; all right?

21 A. Okay.

22 Q. Could a town refuse to send people to work on the
community

23 farm? A very simple question.

24 A. If a town could refuse?
15:38:08 25 Q. Yes.
26 A. The towns, they have come together and decided that they
27 were making community farms, so how can you refuse when you
have
28 decided?
29 Q. That's not the question. The question is: Could they

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1 refuse? Could a town decide: No, we will not send anybody to
2 the community farm in Giehun?
3 A. No. The town that they were not prepared already to
send
4 people, they will say so. The town that they were not going,
if
15:38:21 5 the -- even the town where we were staying there were people
who
6 were not going to work.
7 Q. I'm not asking --
8 PRESIDING JUDGE: So your answer is that people could
9 refuse to go to work?
15:38:33 10 THE WITNESS: Everybody could not go and work. The
whole
11 town cannot go and work. Not everybody was going. There were

people

12 people who were not going, and they were not forced, but

13 were not going, and not everybody was going.

14 MR HARDAWAY:

15:39:17 15 Q. Could a person refuse to work on the community farm?

16 A. If you don't want to work on that farm, you will refuse.

17 Q. If a person refused to work on the community farm, they

18 would be punished by the people's army, wouldn't they?

are

19 A. No, they will not do anything with you if you say you

15:39:18 20 not going there; they will not do anything for you because the

21 farming was not for them, because it was for civilians. They

did

22 said community farm. Even myself, I did not go there. They

23 not do anything to me.

24 Q. Well, we'll get to why you did not work on the farm in a

15:39:35 25 minute, Madam Witness. Now, was the community farm guarded?

26 A. Like what?

27 Q. Were there armed men standing around the community farm?

They

28 A. I did not hear that. Nobody came and told me that.

29 used to go and work there. After, at the end of the day, they

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1 will come back.

2 Q. So when I put it to you that there were armed gunmen at
the
3 community farm, you heard nothing about that; is that correct?

4 A. No, I am telling him that that did not happen. A bad
thing
15:40:25 5 do not hide. That never happened. A single day that never
6 happened that people were there with guns guarding that farm.

7 Q. Madam Witness, please listen to my question. The
question
8 simply was: When I put it to you that there were armed gunmen
at
9 the farm in Giehun that you did not hear about it; is that
15:40:50 10 correct?

11 A. The town at Giehun, for people to guard that farm with
12 guns, I am telling him that that never happened because I did
13 not--

14 Q. Thank you, again. The questions are very simple and can
be
15:41:07 15 answered very simply.

16 MR JORDASH: Objection; she's answered the question.
She
17 didn't --

18 THE WITNESS: That's the reason I'm answering.

19 MR JORDASH: She didn't hear.

15:41:14 20 THE WITNESS: Whatever question that come I will answer.

21 MR JORDASH: She didn't hear and she can presume it
didn't
22 happen because bad things you cannot hide. There's a very
23 complex and nuanced answer to actually a straightforward
24 question.

15:41:35 25 PRESIDING JUDGE: Instead of saying bad things cannot
hide,

things 26 she should say it did not happen, to her knowledge. Bad
I'm 27 do not hide. I mean, some bad things could hide, Mr Jordash,
28 sure you would agree with that. Some bad things could -- some
29 wrongs could be committed and they could go unnoticed.

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1 MR JORDASH: But I think --
2 PRESIDING JUDGE: It's possible, isn't it?
3 MR JORDASH: Not with a community farm. That's the
answer 4 I take from this witness's answer. That's the meaning I take
15:42:06 5 from this witness's answer. The community farm was of such a
6 central importance that this witness says she would have heard
if 7 bad things were happening there, and this witness knew people
who 8 worked on the community farm and she would have heard. This
is 9 the witness's way of answering a question, in my submission,
15:42:31 10 quite clearly.
11 PRESIDING JUDGE: Right. Thank you. Yes?
12 THE WITNESS: But I want to explain something.
13 PRESIDING JUDGE: Where do we move from bad things not

14 hiding, Mr Hardaway?

15:42:49 15 MR HARDAWAY: I'll move on, Your Honour. I'll move on.

16 Q. Now, witness --

17 A. Now, I have one or two word to talk.

18 PRESIDING JUDGE: Yes, Madam Witness, please explain.

19 THE WITNESS: That community farm, I am telling you that

15:43:08 20 all the civilians were happy to work on that farm because they

21 benefited from that farm. They harvest. Some of them, even
the

22 seed rice from that time, still have it. I am telling you
that

23 now. That it was civilians are in there. It was not a
community

24 farm.

15:43:28 25 MR HARDAWAY:

26 Q. Now, Madam Witness, you had testified that you had a
farm

27 yourself; correct?

28 A. Yes.

29 Q. And you had said that the MPs had asked soldiers to work
on

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1 your farm because you were working in the hospital; is that

2 correct?

3 A. Yes.

4 Q. Did soldiers work on the farms of any other civilians?

15:44:05 5 A. No.

6 Q. You were the only one?

7 A. Let me explain that. When you ask somebody allow that

8 person to explain. It was a swamp. The soldiers brushed that

9 swamp for one day, then we planted. Only two civilians worked

on

15:44:24 10 my farm, on my swamp, on the day of brushing. This woman who

I

11 was still with and his sibling. Those two people were not

sent.

12 They volunteered.

13 Q. Madam Witness, again, the question is this: Did the

14 soldiers work on any other civilians' farms?

15:44:49 15 A. Well, all of us who were doing the nurse work, three of

us,

16 they used to work for us because that's the food we used to --

17 that's the food that used to sustain us because that -- they

used

18 to do that farm work for us.

19 Q. All right. Now, Madam Witness, before you came here to

15:45:10 20 testify, did you speak to people from the Special Court

21 concerning your evidence here today?

22 A. Those that went to me to give this statement?

23 Q. Yes.

24 A. Yes.

15:45:35 25 Q. How many times did you speak to people from the Special

26 Court concerning your evidence here today?

27 A. When they went and took the statement from me, the other

I

this

28 time I came, the Court did not hold. Then I went back. Then
29 came again. It did not hold. Then I came back. It is now

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1 time that the Court is now on that I have come to this Court.

2 Q. So how many times did you speak to people from the

3 Court concerning what you're testifying here today? Just how
4 many times?

15:46:26 5 A. When they went and took the statement from us, the Court
6 did not hold except now that I am talking to Special Court.

7 Q. Madam Witness, would it be five times that you spoke to
8 people from the Special Court before you came here today for
9 evidence? Six times, three times? How many times?

15:46:52 10 A. When I went and gave the statement, that was the time I
11 know that I have come to talk to people, except now that I
have

12 come to -- at this Special Court.

13 THE INTERPRETER: Your Honours, the witness is speaking
14 very fast.

15:47:07 15 MR HARDAWAY:

16 Q. Madam Witness, please slow down, please slow down and

17 repeat your answer for the translator.

18 A. When they went and took statement from me, when I came
to

19 the zoo [as interpreted] except now that I have come and sat
15:47:24 20 before this Court, they brought me but the Court did not hold
so

21 I did not sit down and explain this talk to anybody except now
22 that I am in this Court explaining.

23 Q. When did you give your statement? When did you give
your
24 statement?

15:47:39 25 A. I cannot remember now. I cannot remember. I could not
26 remember the date on which I gave that statement because I --
I
27 did not document it. I'm not educated, so I cannot recall
now.

28 Q. Do you know --

29 A. Except when I have come.

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1 Q. -- do you know if it was eight months ago, nine months
ago,
2 a year ago? Do you know?

3 A. Yes, it's over a year now because I came here once when
the

I 4 Court -- when the Court was open during the time of election.

15:48:17 5 have made this statement over one year. I was not there, in
6 fact. I went to Liberia to my children. From there that's --
7 when I left from Liberia, that was the time I came here. I'm
8 just ready to go back.

9 Q. After you gave your statement a year ago, when did you
next
15:48:40 10 speak to people from the Special Court?

11 A. I have not spoken to anybody that I can remember from
12 Special Court to come and sit down here and talk to people at
13 Special Court. I have not yet understood that. Because I am
14 just arriving, it's only two days ago that I have come to that
15:49:03 15 zulu. I have told them that I wanted to go back, but they
told
16 me to come to Court today. This my first time I'm explaining,
17 apart from that statement.

18 Q. Since you came two days ago as you said, did you speak
to
19 anyone from Special Court then?

15:49:18 20 A. No, I was lying down. I was not well.

21 Q. So from the time you arrived at Zulu until now, you did
not
22 speak to anybody from Special Court; is that correct?

23 A. Like what type of talk? To come and talk to people
here, I
24 talked to a lot of people because I was talking with people.
I'm
15:49:45 25 living there with people at Zulu, we used to sit together, so
I
26 talked to people there.

27 Q. Did you talk to anyone from Special Court concerning
what

28 you're testifying here to today?

29 A. I did not talk anything to anybody because I did not
know

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point 1 what I was coming to testify because I don't know at that

together 2 what could I have explained, because those that we came

was 3 we used to sit down together and talk. I don't know what I

4 coming to say, so what could I have explained to somebody?

15:50:28 5 Q. Madam Witness, when you gave your statement a year ago,
did

6 you tell the people taking your statement that the MPs asked
7 civilians to work on your private farm?

8 A. I did not tell anybody that, that the MPs were asking
9 civilians. I said soldiers cultivated my farm. They did not
ask

15:50:55 10 any civilian.

11 PRESIDING JUDGE: Yes, Ms Ashraph.

12 MS ASHRAPH: Yes, Your Honour, there's actually --
sorry,

13 the witness was interviewed in 2006 and in that interview the

14 summary contains [indiscernible] sentence the summary of 16
April

15:51:15 15 has "civilians" but the original statement actually has
16 "soldiers."
17 JUDGE BOUTET: Maybe before we hear more, we should ask
the
18 witness -- that this not be permitted to the witness so there
is
19 no confusion here.
15:51:28 20 MS ASHRAPH: If you can just take off your headphones.
21 JUDGE BOUTET: She can keep it, provided the translation
is
22 not done to her, so that's okay. Sorry, Ms Ashraph.
23 MS ASHRAPH: Yes. Apologies, Your Honour.
24 JUDGE BOUTET: Can you take this back for me?
15:51:39 25 MS ASHRAPH: Yes, Your Honour, I will. The witness was
26 interviewed in Pendembu in 2006 and, in that statement, she
says
27 the MPs arranged for soldiers to assist. When the summary was
28 done for 16 April that's when there was an error in that
summary
29 and the summary says civilians were asked to assist, and that
was

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1 corrected. I am even willing to disclose that small section
of

2 the investigator's notes to the Prosecution, if that would
3 assist.

this

4 MR HARDAWAY: Your Honour, the reason why I went into

15:52:12

5 type of question is that the summary that we have, and this is
6 was from March 5, 2007, it clearly states that it was asking
7 civilians to assist the witness on the private farm. And when

we

8 received additional information this morning, then it was

stated

9 that it was soldiers; that's why I'm going into this line. If

15:52:33 10
the

they say it was in April we need to check on that but that's

that

11 basis of my questioning. We were working on the presumption

to

12 the statement said that civilians -- the MPs asked civilians

13 help on the witness's farm.

--

14 PRESIDING JUDGE: Yes, Mr Hardaway; are you through with

15:53:00

15 MR HARDAWAY: I'm through with that.

16 PRESIDING JUDGE: Yes, with what you --

Ashraph,

17 MR HARDAWAY: As it related to the response to Ms

18 yes, I'm through.

19 PRESIDING JUDGE: Yes.

15:53:08 20
to

MR HARDAWAY: I'm waiting for guidance from the Court as

further.

21 proceed or if the Court wishes to expand upon the matter

assure

22 PRESIDING JUDGE: Yes, Mr Jordash. I just wanted to

23 myself that Mr Hardaway is through with what you have to say.

24 Yes, what is it?

15:53:26 25 MR JORDASH: I suppose, just to buttress what Ms Ashraph
26 said, which is that if it's our fault then we, in fairness to
the
27 witness, and in fairness to the Prosecution, ought to say it's
28 our fault and, in that respect, as Ms Ashraph said, we'd be
29 prepared to disclose that aspect of the investigator's notes,
so

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1 that the Prosecution can see there's no foul play or any
attempt
2 by us to protect a witness, by suggesting that it's our fault
3 rather than hers. It's simply to acknowledge a mistake and to
4 ensure that the witness's credibility isn't undermined when
it's
15:54:11 5 our mistake.

6 MR HARDAWAY: Your Honours, I would ask -- the
7 investigator's notes are fine but I would also ask to see the
8 statement.

9 MR JORDASH: This is the point I'm making. We have
15:54:22 10 investigator's notes which are, according to the jurisprudence
of
11 this Court, a statement. We have investigator's notes for
this
12 witness.

13 JUDGE BOUTET: Sorry, other than the notes that you
14 describe as being investigator's notes, there's no statement
per
15:54:41 15 se in a true form --

16 MR JORDASH: No, it's the investigator's notes with
17 internal memorandum covering -- or within them. But as I've
18 indicated, this is the statement we have, investigator's notes
19 and we would, of course, be prepared on this point, without
15:54:56 20 argument, to disclose that aspect so the Prosecution can see
that
21 we are not engaged in subterfuge.

22 JUDGE BOUTET: Mr Hardaway, you've heard the
23 representations made by Mr Jordash on the mistake that they
made
24 when they provided this information to you, and they are
15:56:01 25 proposing to disclose that part of that -- of the
investigator's
26 notes because, from my understanding of what they say, they
say
27 there is no statement per se in the true form. The statement
is
28 in the form of investigator's notes and presumably taken from
29 questioning this witness.

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relates
the
have
15:56:33

1 MR HARDAWAY: If that is all that they have, as it
2 to this issue, Your Honour, I would ask to -- I would accept
3 generosity of my learned friend just -- if that's all they
4 on that subject. What I'm asking for is everything on that
5 subject. If that's it, then so be it.

That's
a
15:56:50

6 JUDGE BOUTET: Well, that's -- Mr Jordash, you've
7 heard the -- is it all you have on this subject matter?
8 the question. If it is all you have, they would like to have
9 copy of that part of the investigator's notes. That's what it
10 is.

11 MR JORDASH: We are more than content.
12 JUDGE BOUTET: You are saying this is the only part of
13 investigator's notes that deal with this particular subject.
14 That's the other question.

15:57:05 15 MR JORDASH: It's a small section. It has --
16 JUDGE BOUTET: Whatever part or portion of the
17 investigator's notes that deals with that, please disclose
18 to them so they have the full picture, and then they will be
19 able
20 to make their own assessment based on that.

15:57:16 20 MR JORDASH: Certainly, Your Honour.
21 PRESIDING JUDGE: But I hope that, because one may be
22 looking at the contextual form, you know, or the contextual
23 extraction, you know, that will be made of those notes. We
agree

have 24 with you that, and it is our jurisprudence, that notes which
15:57:45 25 been taken by an investigator are considered as witness
26 statements. So I hope that what will be disclosed will fit
very 27 well in its environment, you know, and that we wouldn't need
to 28 look either forwards or backwards, you know, to be able to get
to 29 the meaning of what would have been said.

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1 MR JORDASH: We shall be very generous.
2 PRESIDING JUDGE: Right. We don't want to go further
than 3 that, anyway, for now.
4 JUDGE BOUTET: So, Mr Hardaway, you know what -- so you
15:58:20 5 have stated that you will be quite satisfied with this?
6 MR HARDAWAY: Yes, Your Honour.
7 JUDGE BOUTET: Now, do you want need to pursue your
8 cross-examination on this issue now or what --
9 MR HARDAWAY: I would like to peruse the information
15:58:32 10 provided by Mr Jordash to see if maybe -- I'm almost at the
end
11 of my cross, but, depending on what these notes say, I may
have a

12 little more on that. I would prefer to examine them first
before

13 I continue, just in case.

14 JUDGE BOUTET: I think it's -- it seems to be a
reasonable

15:58:53 15 application at this time, given the scenario that we have to
deal

16 with now. Mr Jordash, do you have a copy available for
17 Mr Hardaway sort of now?

18 PRESIDING JUDGE: Because we can stand the matter down
for

19 a short while and then we could ask Mr Hardaway to go on his
15:59:16 20 voyage of discovery.

21 MR JORDASH: It sounds like a frightening prospect. I
22 think if we had 15 minutes.

23 PRESIDING JUDGE: Fifteen, that's fine. That's fine.
The

24 Chamber will rise for 15 minutes.

15:59:56 25 [Break taken at 3.55 p.m.]

26 [RUF26NOV07D-d1]

27 [Upon resuming at 4.27 p.m.]

28 PRESIDING JUDGE: Yes, Mr Hardaway, you may.

29 MR HARDAWAY: Yes, Your Honour, I have received the

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1 information from Mr Jordash and I have reviewed it. And based
2 upon the review I do have a couple of additional questions on
3 this topic.

4 PRESIDING JUDGE: Yes. Just a minute please.

16:32:24 5 MR HARDAWAY: Yes, sir.

6 PRESIDING JUDGE: Yes. Yes, you said you wanted to
7 explore -- to ask a few questions.

8 MR HARDAWAY: Yes, Your Honour.

9 PRESIDING JUDGE: On this.

16:33:14 10 MR HARDAWAY:

11 Q. Madam Witness.

12 A. Yes, sir.

13 Q. You had earlier testified that it was the MPs who told
the
14 fighters to work on your swamp farm, is that correct?

16:33:37 15 A. I did not say the MPs told fighters to go and work on my
16 farm. I said to cultivate my swamp it was that idea
originated
17 from the --

18 THE INTERPRETER: Your Honours, can the witness speak
19 slowly.

16:33:54 20 MR HARDAWAY:

21 Q. Witness, please speak slowly. We still have to be able
to
22 hear the translation?

23 PRESIDING JUDGE: Mr Hardaway, follow the witness, just
24 follow the witness.

16:34:02 25 THE WITNESS: Okay.

26 PRESIDING JUDGE: The proceedings are interrupted in a

conduct. 27 manner, you know, that does not make for fluency in its

28 MR HARDAWAY:

Witness? 29 Q. Could you please repeat your answer again, Madam

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long 1 A. While we were working at the hospital there was a man in
2 charge of everything. When I was there he told people to work
3 for me. Then the MP told the soldiers, then the soldiers went
4 and brushed for me. I was not alone at the work force. As

16:34:38 5 as we were working in the hospital, soldiers would work for
you.

6 But that's -- but the swamp was two bushes. It was not a --
7 civilians who brushed the swamp. It was the soldiers.

8 Q. Who was the person who told the MPs?

the 9 A. The head of the hospital, Amara Bockarie, I've told you

16:35:12 10 coordinator Brakei, he told them to work for me because I had
11 gone there for the first time. And then they accepted. And

then 12 they came and told me that we are going to brush this swamp
for

13 you.

14 Q. Okay. Madam Witness, during the time you were with the
16:35:33 15 people's army from the beginning until now, did you ever learn
16 the ideology of the people's army, what they were fighting
for?

17 A. Yes, they use to explain to us.

18 Q. And what did they explain to you?

19 A. They used to tell us that we have ideology for your
people,

16:36:02 20 we feel sorry for them. We should protect -- they were
fighting

21 for the civilians so that changes could come to the country.

22 They used to tell us that.

23 Q. And did you support this ideology?

24 A. The time I entered there and what I saw, yes.

16:36:22 25 Q. How about today? Do you still believe in the ideology
of

26 the people's army?

27 A. Yes, because they're -- I benefitted from their ideology

28 because they saved my live. If it was not they, my live would

29 have not been saved. Probably, I wouldn't have witnessed this

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1 today.

2 Q. So it would be correct to say that you are still loyal
to

3 the people's army, is that correct?

4 A. Yes. Because somebody who saved you from the war, that
16:37:09 5 person is not bad person for you, because as for me the
6 people's army did not bad -- any bad thing to me because they
7 saved my life. And I was seeing them saving people's lives.

I

8 was the first person that I witnessed that.

9 Q. Thank you, Madam Witness. I have no more -- I have no
16:37:30 10 further questions of you.

11 MR HARDAWAY: Your Honours, this concludes my
12 cross-examination.

13 PRESIDING JUDGE: Thank you, Mr Hardaway. Yes, Ms
Ashraph.

14 MS ASHRAPH: Yes, Your Honours, there is no re-
examination

16:37:51 15 but we would like to exhibit the excerpts of interview. It
will

16 make sense in the transcript what the --

17 JUDGE BOUTET: I'm not sure what the Prosecution has to
say

18 about that, but --

19 MS ASHRAPH: Or have the Prosecution accept it.

16:38:12 20 MR HARDAWAY: The Prosecution has no objection, Your
21 Honour, to the -- to the excerpts that were just handed, no
22 objection.

23 JUDGE BOUTET: My difficulty is this is certainly not
the

24 procedure I am familiar with when you have a witness to
produce a

16:38:27 25 statement, unless to sustain the witness evidence in some
26 respect. This is your witness, and this is not necessarily a
27 statement produced by this witness, but now --

28 MS ASHRAPH: It would be sufficient, I think, for the
29 record if the Prosecution were to accept that there was an
error

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1 on the summary and not an error in the --
2 JUDGE BOUTET: Fine, if they're prepared to say that, I
3 don't have any problem. It would be quite different in
accepting
4 this particular document.

16:38:50 5 MR HARDAWAY: [Microphone not activated] -- for the
limited
6 purpose of -- well, if I may have a moment, Your Honour.

7 JUDGE BOUTET: Yeah, what they are asking simply is that
8 you accept that the information was a mistake by counsel for
the
9 first accused when they disclosed this information. That is
all.

16:39:09 10 MR HARDAWAY: Well, Your Honour, I don't know if I can
say
11 specifically in that language, but I would be willing to say
is
12 that --

13 JUDGE BOUTET: In your own words, if you don't want to
say
14 in that language, that's okay.

16:39:20 15 MR HARDAWAY: I would say that the -- I would not object
16 only in terms of the language, of the language submitted in
the
17 exhibit is different.

18 JUDGE BOUTET: No, no, they are not asking any more that
19 this be introduced as an exhibit. They are simply asking if
you
16:39:36 20 are prepared to accept that the information that they
disclosed
21 to you was an error on their part as to what they said,
simply.
22 And they are disregarding this document now.

23 MR HARDAWAY: If I may have a moment, Your Honour?

24 JUDGE BOUTET: Yes.

16:40:05 25 MR HARDAWAY: Your Honour, the Prosecution is not ready
to
26 accept that stipulation. But in terms of it wishing to be
27 exhibited and then the Court can make whatever comparison it
has
28 with the summary that it already has. That would be the
29 Prosecution's preferred position.

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1 JUDGE BOUTET: Yeah, but we have no summary in evidence,
2 that is why I say --

3 MR. HARDAWAY: Well --

4 JUDGE BOUTET: I don't know what you want to do with
this.

16:40:32 5 MR HARDAWAY: If that is the case, Your Honour then --

6 JUDGE BOUTET: Summary of dispose -- and we have this
part

7 of the Court record, but this is not in evidence. I mean, we
8 have no such documents in evidence.

9 MR HARDAWAY: I would -- I don't know if I can now since
I

16:40:49 10 have already rested.

11 JUDGE BOUTET: And, again, I wish to remind you
12 Mr Prosecutor that we agree and ask the -- Mr Jordash to
disclose

13 this excerpt --

14 MR. HARDAWAY: Yes.

16:41:16 15 JUDGE BOUTET: -- of the investigator's note, that being
16 part of the statement of this particular witness to you
because,

17 obviously, of the information that appeared to be different in
18 what the investigator's notes were containing and what was
19 disclosed in the summary. That was for that limited purpose.

16:41:34 20 MR HARDAWAY: Yes.

21 JUDGE BOUTET: What they are saying on this is that what
22 was disclosed in summary was inaccurate because it was a
mistake

23 on their part, that is what they are saying. Well, obviously,
24 you are not prepared to accept their word for that, so I
cannot

16:41:48 25 speak for you. So, this is what I'm just relating to you.

26 MR HARDAWAY: It may be, Your Honour, that I may need to

ask
there
27 take further instruction on that particular issue and would
28 if we can come back to that issue, possibly, tomorrow or if
29 is going to be another break then I can go speak with --

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1 PRESIDING JUDGE: No, there will be no other break.
2 We're --
3 MR HARDAWAY: I would ask, Your Honour, for this limited
4 purpose if that -- if we can address this issue tomorrow so I
can
16:42:18 5 take further instruction.
6 PRESIDING JUDGE: Well I think that, I mean, there must
be
7 a finality to these issues. And you had closed your cross and
8 that is it. And we -- we would allow the records to remain in
9 the state in which they are. We would make our findings on
what
16:43:46 10 we have on the records and, equally, you know, we are not
taking
11 this in as an exhibit because it doesn't -- it is not the true
12 picture of what exists in the overall jottings, you know, of
the
13 investigator. So I think that the position of the Chamber is
14 that we would allow the matter to rest and then --

16:44:10 15 MR HARDAWAY: Very well, Your Honour.
16 PRESIDING JUDGE: And that is it, yes.
17 JUDGE BOUTET: Mr Jordash, to reassure you, the record
is,
18 indeed, reflecting what you have stated, so this is the record
as
19 it is.
16:44:22 20 MR JORDASH: Thank you, Your Honour.
21 PRESIDING JUDGE: So, yes. Now, Madam Witness, we have
22 finished, we have come to the end of your testimony. And we
want
23 to thank you for coming to assist us with your testimony.
24 THE WITNESS: Okay.
16:44:51 25 PRESIDING JUDGE: And we wish you all the best. Have a
26 safe journey back to your place of abode. And we hope you are
27 still -- we hope you are still midwiving.
28 THE WITNESS: Yes, sir.
29 PRESIDING JUDGE: We wish you all of the best in that
very

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1 noble job that you are doing.

2 THE WITNESS: Amen.

your 3 PRESIDING JUDGE: We wish you a safe journey back to
4 place of abode. And we will see you some other time.

16:45:25 5 THE WITNESS: Amen.

6 PRESIDING JUDGE: Can the witness protection unit help
the
7 witness out please. Yes, Mr Jordash, you are looking forward
to
8 taking your next witness in the hope that we will be through
with
9 the witness by -- before midday tomorrow.

16:46:50 10 MR JORDASH: It's a -- the witness is approximately the
11 same size as this witness, but may be slightly longer. But I
am
12 in Your Honours' hands.

13 JUDGE BOUTET: We will finish by tomorrow?

14 MR JORDASH: We will finish by tomorrow, yes for sure.

16:47:08 15 PRESIDING JUDGE: That is the assurance we are receiving
16 from you, not just finishing by tomorrow but finishing by
midday.
17 That's it. So let's take the witness please on this
assurance.

18 MR JORDASH: DIS-128 will be our next witness and will
19 testify in Mende.

16:47:38 20 PRESIDING JUDGE: This is your 18th witness?

21 MR JORDASH: Your Honour, it is.

22 PRESIDING JUDGE: Mr Jordash, you say he will be
testifying
23 in Mende?

24 MR JORDASH: Your Honour, yes.

16:49:35 25 [The witness entered Court]

26 PRESIDING JUDGE: Can you swear him in, please.

27 WITNESS: DIS-128 [Sworn]

28 [The witness answered through interpreter]

29 MR JORDASH: Your Honour, I would like to apply for the

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1 first 15 minutes to be in a closed session. I have tried to
2 think of a way to do it without, but I'm afraid it is not
3 possible because the witness isn't able to read or write
English.

4 PRESIDING JUDGE: Let's go into a closed session.

16:50:40 5 [At this point in the proceedings, a portion of the
6 transcript, pages 102 to 115 was extracted and sealed under
7 separate cover, as the proceeding was heard in a closed
session]

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1 [Open session]

2 MR GEORGE: The Court is in open session now.

3 PRESIDING JUDGE: Yes. Well, this is the brief ruling
of

4 the Court on the understanding, of course, that we will no
longer

17:26:03 5 move into the closed session, Mr Jordash, I suppose so?

6 MR JORDASH: Certainly.

7 PRESIDING JUDGE: All right. Well, we will now resume
the

8 trial in public session. This is the ruling of the Chamber in
9 respect of the closed session application by learned counsel,
Mr
10 Jordash, for the first accused.
17:26:21

11 Consistent with the [indiscernible] requirements that
12 criminal proceedings are to be conducted in public, as
enjoined

13 by Rule 78 of the Rules of Procedure and Evidence of this
Court,

14 and taking into consideration Article 17(2) of the Statute of
the

15 Court, but exceptionally as authorised by Rule 79(A)(ii) of
17:26:45 the

16 said Rules and the need to protect witnesses, as provided for
in

17 Rule 75, this Chamber, on the application of learned counsel
18 Jordash for a certain portion of the testimony of Witness
number

19 DIS-128 to be held in closed session did, by way of an
17:27:17 20 exceptional procedure, grant the said application for reasons
21 advanced in support thereof.

22 We will now proceed with the session in public and,
23 Mr Jordash, you may continue with your examination-in-chief --

24 MR JORDASH: Thank you.

17:27:35 25 PRESIDING JUDGE: -- in public session now.

26 MR JORDASH:

27 Q. So we are in a public setting, so don't say anything
which

28 would reveal your identity. Don't say anything which would

29 indicate your role in the war; okay?

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1 A. Okay.

2 Q. Now, I want to just ask you about two or three things in
3 the very early years. When I say to you -- when I ask you do
you
remember
4 remember when the Gios left, do you know that? Can you

17:28:29 5 that time?

6 A. Yes. Well, I can think for a while. I think from 1993
to
7 '94 when they left us, I think so.

8 Q. And after that time do you remember a time -- well, let
me
9 ask this question: After that time where were you living?

17:29:33 10 A. When the Gios left?

11 Q. Yes; where were you living?

12 A. Well, when we retreated in '93, we went back in '94; we
13 were in the bushes. Up to '95 we were in bushes. We were not
14 coming to town, we were in the bushes.

17:29:45 15 Q. And in 1994, 1995, when you were in the bushes, was
there

16 plenty of food?

17 A. While we were in the bushes we used to dig bush yams.
18 Then, that exhausted, then we went to palm cabbage and then
palm
19 kernel; those were our foods.
17:30:38 20 Q. Palm what, did you say? Palm cabbage?
21 A. Palm cabbage and bush yam, and we used to harvest palm -
-
22 palm -- palm kernel and eat.
23 Q. Was there any salt at that time where you were living?
24 A. At that time I have told you we were in the bushes. We
did
17:30:44 25 not get food -- salt to eat, except when that man made us to
26 leave the bush, at that time now we used to get food and Maggi
to
27 eat.
28 Q. Which man made you get to leave the bush?
29 A. Let me show the name.

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1 Q. Yes, please.
2 A. The man who took us out of the bushes, let me show his
3 name? You've told me I should not show people's name, that's
why
4 I'm asking.

17:31:12 5 Q. You can show people's names in this Court, but just do
not
6 show your own name; okay?
7 A. Okay. But I should not show my own name. Well, let me
8 come to that point now. The man who took us out of the bush
in
9 '95, he was called Mr Issa. He took us out of the bushes.
17:31:45 10 Q. And where did you go?
11 A. We came to the town. Some people came and settle in
town.
12 Even myself, I settled in town.
13 Q. And why do you say it was Issa Sesay who took you out of
--
14 sorry, you said Issa. Why did you say it was Issa who took
you
17:32:09 15 out of the bushes?
16 A. The reason is, civilians, you don't -- you don't have
the
17 courage to come to the town. His bodyguards, he used to
instruct
18 them to go -- to go and collect people from the bushes. The
19 soldier's wife is a civilian. The civilian's husband is a
17:32:30 20 soldier. So if we are all staying together, it will be nice.
21 That was the reason he asked that we should be got out of the
22 bush and come to town.
23 Q. And when you came into the town, what did you do for a
24 living, Mr Witness? What did you do to get food?
17:33:03 25 A. Well, we came to the town. At that time, thank God at
that
26 time, at that time. We used to there -- we used to go and
27 harvest palm nut, prepare it and got some palm oil, took it to
28 the waterside and exchange it with salt, rice. That man was
able

and

29 to give us rice. He gave us seed rice. He gave it to the G5

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1 asked them to tell us to make farm, that Mr Issa; he made us
2 began to farm.

3 Q. And when did you start to farm? Can you remember which
4 year it was, Mr Witness?

17:33:49
in

5 A. At the end of the war, we began to farm in '97. It was
6 '97 I started to farm. In 1997, that was the time he gave me
7 seed rice to farm.

8 Q. Now, you've told us about a particular job you began in
9 1997, so I want to move to 1997. I don't want to -- you to
10 mention the job, but I want to ask you about 1997 onwards;

17:34:25
okay?

11 A. Okay.

12 Q. In 1997 --

I

13 PRESIDING JUDGE: And why should he not mention the job?

14 mean, he can mention the job and we could redact it because I
15 thought that we would have had the benefit of knowing his job

17:34:44
in

16 1997 during the closed session.

17 MR JORDASH: Yes. I just thought it better not to
mention

18 it now that we are in open session.

19 PRESIDING JUDGE: Well --

17:35:01 20 MR JORDASH: I don't think I need to anyway, Your
Honour.

21 I think we can --

22 PRESIDING JUDGE: An way, let's move on, please. Let's
23 move on.

24 MR JORDASH:

17:35:12 25 Q. You've told us you were Giema; what were you doing?

26 A. Yes, I was in Giema.

27 Q. And what were you doing to get food in 1997 to the end
of
28 the war?

29 A. In '97 we used to farm. We used to farm and eat the
food

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1 and then we used to harvest palm nut, prepared and took the
palm
2 oil to the riverside to exchange it for rice and Maggi.

3 Q. On which farm did you farm?

4 A. On which farm I was farming? My own very farm. My own
17:36:03 5 very farm.

6 Q. And who worked on your farm?

7 A. My own people, we used to work on that farm.

8 Q. Were your own people civilians or soldiers?

9 A. They were civilians. I am a civilian; they were
civilians
17:36:27 10 too.

11 Q. And what happened to the harvest from your farm?

12 A. Except to eat it; when we have our family members, a
13 stranger then we'll feed that stranger.

14 Q. Now, you have told us that you went to trade. How often
17:36:50 15 would you, in 1997, in 1998, and 1999 go to trade?

16 A. I was not going there frequently. We used to go there
once
17 in a week. We used to go there once in a week. You would be
18 provided with your pass. Then you would go to the riverside
so,
19 until that time you reached, you would not be allowed to go
17:37:17 20 there.

21 Q. What do you mean "that time reached you would not be
able
22 allowed to go there"? What does that mean?

23 A. At that time they got -- the war had not come to a end
24 completely. A civilian all by himself cannot work alone.
They
17:37:43 25 used to guard us to the waterside, after the trader would come
26 back.

27 Q. So who would go to the waterside in 1997, 1998 and 1999
to
28 trade?

29 A. Coming to us or which kind of people you will think; by

1 which part?

waterside

2 Q. Was it civilians or soldiers who would go to the

3 in these three years to trade?

civilian

4 A. All of us, whether a civilian or a soldier, if a

17:38:27
got

5 had got a palm oil, the civilian would take it. If a soldier

go

6 a palm oil, that soldier would take the palm oil. They will

7 and exchange it for what you want.

8 Q. Well, where would civilians get palm oil from to take to

9 the waterside?

17:38:46
the

10 A. We used to go into the bushes and there harvest the palm

11 tree. Then, after that, we would prepare it and take it to

12 waterside.

three

13 Q. Was there any restriction on civilians going into the

14 bushes to get palm oil to take to the waterside, in these

17:39:09

15 years?

16 A. Like what type of law?

doing

17 Q. Well, I'm asking you to explain to the Court because you

18 were there. Was there anything which prevented civilians

19 this trade?

17:39:22 20 A. No, no, there was no law. Wherever you want to --

21 whichever bush you want to enter, you would be allowed to

enter.

22 We were free.

23 Q. Was it safe to go into the bushes to get palm oil?

24 A. No. At that time we were free, we were free. We were

free

17:39:46 25 for a while at least.

26 Q. And when the civilians and yourself went with the palm

oil,

27 what would you trade at the waterside?

28 THE INTERPRETER: Your Honours, could the learned

counsel

29 take that question again?

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1 MR JORDASH:

2 Q. In 1997 and 1998 and 1999, when civilians took palm oil

to

3 the waterside, what would they trade for the palm oil?

4 A. Well, we used to carry the palm oil to the riverside?

We

17:40:34 5 needed salt and Maggi. That was what we were exchanging. If

6 somebody went, he would say: I wanted Maggi. If you wanted a

7 cigarette, it was a cigarette that would be given to you, when
8 you took your palm oil to the waterside, whatever you wanted
was
9 what it should be exchanged for.

17:41:01 10 Q. And who carried the palm oil that was the property of
the
11 civilians?

12 A. Civilian, if you harvested -- if you prepared your palm
oil
13 you will take that palm oil. If you have a big child, that
child
14 will carry it for you.

17:41:19 15 Q. And the soldiers who took the palm oil, who carried the
16 soldiers' palm oil?

17 A. They themselves were carrying it. If a soldier could
not
18 carry his own palm oil then that means he had a relative, a
child
19 who would take it for him, but I -- they themselves were
carrying

17:41:47 20 their palm oil to the riverside.

21 Q. And in 1997 and 1998 and 1999, was there anyone at the
22 waterside who you would meet?

23 A. To our own side?

24 Q. To your own side.

17:42:09 25 A. Yes. There were people. They used to lead us. When we
go
26 there there were contractors. There were contractors. Can I
27 show their names?

28 Q. Yes, please do.

29 A. One was called Saleem. They used to call him Mohamed

the
but

1 Saleem. A lot of people worked there, by rounds, but he was
2 last now. One older brother of mine, who was called Sengbe
3 he has now passed away, they were there.

arrived

4 Q. And in these three year what did Saleem do when you
17:42:53 5 there with these goods?

6 A. He used to do good.

7 Q. In what --

8 A. Because, at times, there was no food there. Why selling
9 the palm oil? As long as there is palm oil they would buy it.
17:43:15 10 He used to do good to us. He was not taking anything from us
so
11 thank God.

12 Q. Well, how was it it was good for you that he was there?
13 Could you explain a bit more, please?

were

14 A. There were benefits. They -- our belongings that we

17:43:37 15 taking there, we were benefiting out of it because he was not
16 taking anything away from me, because, as you took your
17 belongings there he would not take anything from it. He would
18 just give you back the same equivalent.

19 Q. Was Saleem the only contractor there?

17:44:37 20 JUDGE BOUTET: [Microphone not activated] make sense.
He

21 gave the name.

22 MR JORDASH:

23 Q. Who was the other one?

24 A. Well, there were many of them at the riverside, because
I

17:44:37 25 didn't know all of them, because the riverside, there were
many

26 riverside. That of my sibling who was working with me, who
has

27 now passed away, his name is Sengbe.

28 Q. And did the G5 have anything to do with this trade?

29 A. Even if they had hands in that trade I cannot tell you

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1 because the G5s were soldiers, because that of their
arrangement

2 was only done by them, so I cannot tell you.

3 Q. You mentioned a pass; who would you get a pass from?

4 A. Aha, aha. Well, there were different questions you are
17:45:14 5 asking. It is good to ask me one question, then I answer it.
G5

6 use to give us pass. You cannot go all by yourself. They
used

7 to give you pass before you go there.

8 Q. Was there any restriction on who could get a pass, from
9 what you observed?

17:45:36 10 A. Like what restriction?

11 Q. Were there any civilians who were not allowed to have a
12 pass?

13 A. No. Any civilian with a -- with something to carry you
14 would be given the pass to go. There was no restriction.

There

17:46:01 15 was no payment for that.

16 Q. Are you able to say how many civilians were farming in
17 Giema in these three years 1997, 1998 and 1999?

18 A. Those who were able to farm were farming. Probably more
19 than 30 people were farming. Everybody was able to farm could
17:46:47 20 farm.

at

21 Q. Was the civilians doing any other type of work in Giema
22 that time?

palm

23 A. Yes. Some of them were cultivating swamp, harvesting
24 tree.

17:47:06 25 Q. Was there any other kind of work that civilians were
doing

26 to make a living?

27 A. That is the work I have shown.

28 PRESIDING JUDGE: Are you nearly finished?

think

29 MR JORDASH: Actually, for me that is a good time. I

tomorrow

1 I can probably finish with the witness within one hour
2 morning, at the most.

resume

3 PRESIDING JUDGE: Learned counsel, we will rise and
4 the session tomorrow on the agenda that we know. Very well

and.

17:48:08
respected.

5 We hope that the agenda and the time frames would be
6 Thank you very much.

7 [Whereupon the hearing was adjourned at
8 5.42 p.m., to be reconvened on Tuesday, the
9 27th day of November 2007, at 9.30 a.m.]

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WITNESSES FOR THE DEFENCE:

WITNESS: DIS-187

2

EXAMINED BY MS ASHRAPH

2

CROSS-EXAMINED BY MR HARDAWAY

56

WITNESS: DIS-128

100

EXAMINED BY MR JORDASH

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