



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

THURSDAY, 19 AUGUST 2010
9.00 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

Justice Julia Sebutinde, Presiding
Justice Teresa Doherty
Justice El Hadji Malick Sow, Alternate

For Chambers:

Ms Erica Bussey

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

Mr Nicholas Koumjian
Mr Mohamed A Bangura
Ms Kathryn Howarth
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Silas Chekera
Ms Logan Hambri ck

1 Thursday, 19 August 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.06 a.m.]

09:06:49 5 PRESIDING JUDGE: Good morning. We will take appearances
6 first please.

7 MR KOUMJIAN: Good morning, Madam President. Good morning,
8 your Honours and counsel opposite. For the Prosecution, Mohamed
9 A Bangura, Kathryn Howarth, Maja Dimitrova, Lena Sokolic and
09:07:09 10 Nicholas Koumjian.

11 MR CHEKERA: Good morning, Madam President, your Honours
12 and counsel opposite. For the Defence, Silas Chekera, Logan
13 Hambrick and Hawi Alot.

14 PRESIDING JUDGE: Good morning, Mr Sesay. I remind you of
15 your oath to tell the truth, it's still binding on you today.

16 Mr Koumjian, please continue with cross-examination.

17 WITNESS: DCT-172 [On former oath]

18 CROSS-EXAMINATION BY MR KOUMJIAN: [Continued]

19 Q. Good morning, Mr Sesay.

09:07:40 20 A. Yes, good morning, sir.

21 Q. Yesterday when you were testifying you gave this answer at
22 page 46589. Perhaps I could just read it. The question was,
23 from me:

24 "Q. And let me make it clear to you I say you're lying
09:08:22 25 about that because more than 1,000 diamonds were taken from
26 Johnny Paul Koroma. What do you say about that?

27 A. God forbid. It was never up to that because even 371,
28 when he was testifying against me, he spoke about that
29 diamond and he confirmed that the only valuable diamond

1 among the diamonds was the 14 carat and the other ones were
2 smaller pieces."

3 And, Mr Sesay, you had told us yesterday that all that was
4 taken from Johnny Paul Koroma was one plastic, you drew the size
09:09:01 5 of it, the kind of plastic that's flat when empty that you put
6 medicine in and seal at the top, and denied, when I read you a
7 document that said nine plastics with 1,832 I believe diamonds
8 were taken from Johnny Paul.

9 Now you cited the testimony of 371 in your trial, so I want
09:09:26 10 to read to you - this is closed session so it should not be put
11 on the screen, but I will read to you from testimony of 371 in
12 your trial. And this is the transcript of 20 July 2006, page 74.

13 You said - for the benefit of counsel I am going to start
14 reading from the end of line 7. The witness said, the witness
09:10:02 15 that you cited said in your trial:

16 "And Sam Bockarie's security disarmed Johnny Paul Koroma's
17 security and Johnny Paul Koroma was asked to deliver the
18 diamonds, which he did. And those diamonds, as I mentioned
19 earlier, were in small plastics. Nine plastics were handed
09:10:25 20 over to Sam Bockarie.

21 Q. What happened next?

22 A. Sam Bockarie took possession of those diamonds and he
23 intimated also that he was going to Monrovia to ensure that
24 those products were handed over to Mr Taylor in order to
09:10:41 25 enable the RUF to make payment for more arms and
26 ammunition, and he did carry out that journey."

27 So, Mr Sesay, you misled this Court yesterday, didn't you,
28 when you said that 371 supported your story that only a few
29 diamonds were taken from Johnny Paul Koroma and those were the

1 diamonds you took to Monrovia?

2 A. Well, that is what I recalled, because the diamonds that we
3 took from Johnny Paul Koroma, it was when I was going to Monrovia
4 with the diamonds, that was when Sam Bockarie put them into the
09:11:24 5 plastic, and the diamonds were not many. And I do recall that
6 371 said that the only valuable diamond among them was a 14
7 carat. That was the only valuable one. So there were not nine
8 plastics, not at all.

9 Q. Mr Sesay, 371 never said that the only valuable diamond
09:11:47 10 among the diamonds taken from Johnny Paul Koroma was one 14
11 carat. He never said that, did he?

12 A. Well, I said that is what I could recall. But the diamonds
13 that we took from Johnny Paul, there were not nine plastics. The
14 diamonds were in a Ludo cup. And Bockarie did not go to
09:12:13 15 Monrovia. Bockarie sent me.

16 Q. So today, Mr Sesay, you are back to a Ludo cap. Yesterday
17 it was a flat plastic that's flat when empty. You want to switch
18 back today to a Ludo cup?

19 A. Well, I said it yesterday that that was a slip of tongue.
09:12:34 20 I said the time that I was going to Monrovia was when Bockarie
21 gave me the diamonds in a plastic, but the diamonds that we took
22 from Johnny Paul were in a Ludo cup.

23 Q. Mr Sesay, let's move on and talk about testimony about why
24 Sam Bockarie sent Superman to SAJ Musa.

09:12:57 25 Do you recall that yesterday I read your testimony in the
26 RUF, where you said Bockarie had instructed Superman to go to
27 Koinadugu? Do you recall that?

28 A. Yes, I do recall.

29 Q. And that's the truth, isn't it? Bockarie, Sam Bockarie,

1 sent Superman to Koinadugu?

2 A. Well, what I recall is that after Superman had carried out
3 the attack, Sam Bockarie called him to report to Buedu and
4 Superman refused to go, and Superman went to Koinadugu.

09:13:34 5 Q. Well, you have changed your testimony from the RUF. We
6 will come back to that in a moment. Let's read what another
7 witness said in this trial, TF1-275, on 22 February 2008, page
8 4525.

9 PRESIDING JUDGE: Mr Koumjian, we have that page.

09:14:31 10 MR KOUMJIAN: Thank you.

11 Q. Beginning at line 2, the witness said:

12 "A. Yes. After our arrival in Koinadugu, a meeting was
13 convened and was headed by Superman and SAJ Musa, and
14 during that meeting, Superman complained that Sam Bockarie
09:14:45 15 had accused him of not carrying out his duties in
16 Koinadugu, and in this particular meeting, we came to
17 understand that Superman was on a special mission in
18 Koinadugu, in order to kill SAJ Musa. Whilst in this
19 meeting, SAJ Musa got annoyed and he moved with his troops
09:15:08 20 out of the meeting, and immediately Superman decided to
21 move with his own troops, and Koinadugu was completely
22 upside down, based on the information that was revealed in
23 the meeting."

24 And then the witness was asked a few lines down:

09:15:27 25 "Q. Mr Witness, from your position at the signal unit in
26 Koinadugu, can you describe generally what you heard in
27 terms of the flow of communications that was occurring
28 between commanders in Sierra Leone, if any?

29 A. Yes. While I was in Koinadugu, Sam Bockarie used to

1 communicate with Superman, and Superman, in return, with
2 Sam Bockarie, and onward to Gullit at Rosos. Brigadier
3 Mani also had access to communication from Kurubonla.
4 General Bropleh was also in Koinadugu, and these were the
09:16:14 5 three main sources of communication in Koinadugu at that
6 particular time."

7 Mr Sesay, Sam Bockarie sent Superman to the north and he
8 told him to try to kill SAJ Musa; isn't that true?

9 A. I said I don't recall that. What I do recall is that after
09:16:38 10 the attack on Kono, Sam Bockarie said Superman should report in
11 Buedu, and he refused and he went to Koinadugu.

12 Q. Well, Mr Sesay, once again let me give you an opportunity
13 to explain the contradiction between your testimony here and in
14 the RUF trial. If we could have the transcript in the RUF trial,
09:17:00 15 16 May 2007, page 17.

16 MS IRURA: Your Honour, this is a closed session
17 transcript.

18 MR KOUMJIAN: Thank you. I will read it aloud. I am
19 reading from lines 10 and 11, I believe. Yes. Excuse me, 10
09:17:51 20 through 13. You were asked:

21 "Q. Did Sam Bockarie tell you what he had instructed
22 Superman to go to Koinadugu for?

23 A. He said he told Superman to go and open his own base,
24 his own jungle, in Koinadugu."

09:18:16 25 So, Mr Sesay, in your own trial you testified, and you
26 testified more than once, that Superman went to Koinadugu on the
27 orders of Sam Bockarie. Why have you changed your testimony in
28 the trial of Charles Taylor?

29 A. But, my Lord, I cannot recall everything that I said in my

1 own trial. What I can recall is what I will say. And what I do
2 recall is that after the failed Fitti-Fatta mission, Sam Bockarie
3 sent a message for Superman to report, and Superman refused to go
4 to Buedu. He said he would not go to Buedu, and so he went to
09:19:05 5 Koinadugu, and from then he did not take instructions from
6 Bockarie.

7 Q. Mr Witness, you see your answer is interesting because
8 honest witnesses don't worry about trying to recall what they
9 said before. They recall the events. You can't testify
09:19:23 10 consistently because you're not telling the truth, either in your
11 trial or here; isn't that true?

12 A. No. These are events that happened, and that is what I'm
13 saying. And what I am saying I believe it's the truth, because
14 from August of '98, Superman did not take orders from Bockarie up
09:19:46 15 to December.

16 Q. Mr Sesay, it was in the interests of the RUF for SAJ Musa
17 to die in 1998; isn't that true?

18 A. Well, it was not in the interests of the RUF because, as
19 far as I know, from February of '98, SAJ Musa operated
09:20:13 20 separately, on his own.

21 Q. And that, you're saying, hurt the RUF; isn't it true? You
22 were unable - you had a large group of SLAs, many of them trained
23 soldiers, that were not coordinating well with the RUF; isn't
24 that correct?

09:20:32 25 A. Yes. SAJ Musa's group did not coordinate with the RUF from
26 February up to his death, from February '98 to December. There
27 was no cooperation from them.

28 Q. And the problem with SAJ Musa, because he refused to take
29 instructions from Sam Bockarie, he refused to take instructions

1 from a rebel; isn't that true?

2 A. Well, yes. He did not take instructions from Bockarie, nor
3 from Johnny Paul, because from February he did not take
4 instructions from Johnny Paul, nor from Bockarie.

09:21:13 5 Q. Because all of the SLAs that you had in Kailahun District,
6 in Kono District, they were taking instructions from
7 Sam Bockarie; isn't that correct?

8 A. Yes. The SLAs who were in Kono from May '98, they took
9 instructions from Bockarie.

09:21:33 10 Q. The problem with SAJ Musa, the man that tried to arrest
11 you, who was only stopped by Johnny Paul Koroma, he was the
12 problem with causing the lack of coordination between the RUF and
13 the SLAs; isn't that right?

14 A. Please repeat the question, sir.

09:21:56 15 Q. The one person who was causing the problem between the
16 coordination between the RUF and the SLAs was SAJ Musa; isn't
17 that right?

18 A. Well, SAJ Musa and Brigadier Mani did not operate with the
19 RUF from February to December of '98, together with their
20 followers.

09:22:22 21 Q. You worked together with Mani in Makeni for many months,
22 correct, later?

23 A. That's why I said from February to December, I did not
24 operate with Mani. We met in Makeni and we worked in late
09:22:39 25 December, January, February to March, and the infight happened,
26 and I left him at Makeni, and from there I did not work with him
27 up to the end of the war.

28 Q. The only person who refused to cooperate at all with
29 Sam Bockarie and the RUF was SAJ Musa; isn't that true?

1 A. Yes. It was SAJ Musa and his officers, including Brigadier
2 Mani himself, because when he came to Makeni, I never saw him
3 send a message to Bockarie. Only the two of us used to speak to
4 each other. I used to go to him at his house, but he never
09:23:22 5 reported to Bockarie, but he was not under my command.

6 Q. And he used to report to Foday Sankoh, we saw that in some
7 radio messages; isn't that true?

8 A. Well, when Foday Sankoh went to Lome, he used to send
9 messages to him, and he too responded, but when Foday Sankoh told
09:23:43 10 him to go to Kailahun and to Lome, he refused.

11 Q. The SLAs needed the RUF because, in reality, they had
12 nowhere else to turn; isn't that true?

13 A. Well, they had nowhere to turn, but they fought from
14 Koinadugu right up to Freetown on their own.

09:24:18 15 Q. They had no outside support, correct?

16 A. But SAJ Musa's wife, who was in Koinadugu, she used to - he
17 used to send his wife to Guinea and they transacted business and
18 they got the ammunition. That's what I heard.

19 Q. The Guineans were one of the biggest opponents of the RUF
09:24:38 20 and the AFRC in Sierra Leone. They are the ones you fought
21 against at Port Loko in the north, in Koinadugu, in fact; isn't
22 that true?

23 A. Well, from 1991 to 1998, RUF and the Guineans, we did not
24 have problems at the borders, but the Guineans fought along the
09:25:08 25 Sierra Leone soldiers from the very start of the war.

26 Q. And what the SLA soldiers knew is that it wasn't, at that
27 time anyway, an option to go back to the government. They had
28 seen - or to try to run away, because they had seen what had
29 happened to Victor King and his group; isn't that true? Do you

1 know who I mean by Victor King?

2 A. Yes, I know Victor King, who escaped in a helicopter to
3 Monrovia, and when he was sent back from Monrovia to Freetown.

09:25:55

4 Q. And when he was sent back he was tried and executed by the
5 government, correct?

6 A. Yes. The government tried them, 24 of them. They were
7 tried but they were not allowed to appeal and they were executed.

09:26:22

8 Q. So these SLA officers were in rather a desperate situation
9 and the only real ally that they could turn to was the RUF; isn't
10 that true?

11 A. Well, what I understood, it was because of those killings
12 that the SLA planned with SAJ Musa to move from Koinadugu to come
13 down to around Port Loko District to attack Freetown and that's
14 why they attacked Freetown, because they said their colleagues
15 had been killed. That is why they caused those destructions in
16 his Freetown, because when they came to Freetown, they were
17 targeting the police because they say it was the police who
18 arrested them, their colleagues. That is what I understood.

09:26:42

19 Q. SAJ Musa was a proud and stubborn man, don't you agree?

09:27:03

20 A. Yes. SAJ Musa was a man who believed in himself. He was
21 proud and stubborn.

22 Q. Let's go back to a subject we started yesterday but I did
23 not get a chance to finish it before the time ran out. We had
24 talked about Foday Kallon, uncle of your wife, Elsie, correct?

09:27:28

25 A. Yes. He was Elsie's uncle.

26 Q. And you said he was sometimes referred to as Pa Foday or
27 Ndevuyama; correct?

28 A. Yes. He was called Ndevuyama.

29 Q. Now, we had talked about Daru being attacked, you talked

1 about Sam Bockarie having visited there to speak to the soldiers
2 before the attack, and that ECOMOG, in 1998, in about March, took
3 Daru Barracks. At that time many of the SLAs ran away to Liberia
4 from Daru; isn't that correct?

09:28:08 5 A. Yes.

6 Q. The RUF wanted those soldiers back to increase the strength
7 of your forces; correct?

8 A. Well, we had strength on our own before we joined the AFRC,
9 because before ECOMOG and Kamajors took the Daru, Sam Bockarie
09:28:35 10 went there and addressed them and said "many of you" - "any one
11 of you who don't want to fight, go to Liberia" and he gave them
12 72 hours notice --

13 THE INTERPRETER: Your Honours, can the witness kindly
14 repeat this part of his answer.

09:28:47 15 PRESIDING JUDGE: Mr Sesay, it is too early in the morning
16 to start running with your testimony. Slow down and repeat your
17 answer for the interpreter, please.

18 MR KOUMJIAN:

19 Q. Mr Sesay, perhaps I will repeat the question because you
09:28:59 20 are not answering it. The question wasn't about the strength of
21 the RUF before you joined the AFRC. The question was simply
22 this: The RUF wanted those soldiers back who had run away from
23 Daru to Liberia, in order to increase the strength of your
24 informers; correct?

09:29:20 25 A. Well, yes, in late '98, Sam Bockarie did that.

26 Q. He sent someone to Liberia in an attempt to get these SLAs
27 back to Sierra Leone; correct?

28 A. Yes. He sent Foday Kallon, because according to my
29 understanding, he said Sam Bockarie knew that the SLA were in

1 Kolahun, Foya and Vahun, so he sent for them to come, that
2 whoever wanted to come, they would come. They had said they
3 wanted to return, so Sam Bockarie sent Foday Kallon for them to
4 return if they wanted to.

09:30:03 5 PRESIDING JUDGE: And you, Mr Interpreter, you need to
6 speak clearly these locations, sometimes we don't hear what
7 you're saying. The witness said Sam Bockarie knew that the SLA
8 were in where?

9 THE INTERPRETER: Your Honour, he called Vahun, Kolahun and
09:30:21 10 Foya. Just some of them - he said he heard that some of them
11 wanted to return and he sent Foday Kallon to go and talk to the
12 ones who wanted to return so that they could return.

13 PRESIDING JUDGE: Look, the important thing is to get the
14 locations because we have different locations on the transcript.
09:30:39 15 It's Golahun?

16 THE INTERPRETER: Kolahun, Vahun and Foya, my Lord.

17 MR KOUMJIAN:

18 Q. So, Mr Sesay, these SLAs were in a foreign country,
19 actually in a member state of ECOWAS, and Sam Bockarie received
09:31:09 20 information that these SLAs wanted to return or would be willing
21 to return to Sierra Leone; is that right?

22 A. Yes.

23 Q. Who in Liberia sent him that information?

24 A. This was late in '98 and there was business transaction
09:31:35 25 between civilians at the borders and it was through that that
26 Sam Bockarie got the information. I don't know who particularly
27 sent the message to Bockarie but that is what I heard, and he
28 sent Foday Kallon.

29 Q. Now, Foday Kallon was a Sierra Leonean, correct?

1 A. Yes. Foday Kallon was a Sierra Leonean, yes.

2 Q. How was it - and was he successful in recruiting SLAs,
3 soldiers in Liberia to return to Sierra Leone?

09:32:22

4 A. Yes. Those who were in Vahun and the few who were in Foya,
5 he brought about 20 to 25 of them - no, around 15 to 20 of them.
6 They came through Vahun and they came to Pendembu where they met
7 me and then I informed Sam Bockarie.

8 Q. Actually, he did that two times, isn't that correct, Foday
9 Kallon went to Liberia and came back with SLA soldiers two times?

09:32:49

10 A. Well, the first time he went he brought some with him but
11 the second time he did not bring anybody. But the second time -
12 because the second time he came alone to Buedu and before he
13 came, Sam Bockarie sent a message to me through radio, he said if
14 Foday Kallon comes to Buedu I should arrest him and put him into
15 the guard room until his return.

09:33:12

16 Q. And the second time did he bring back any soldiers with
17 him?

18 A. I don't recall that he brought soldiers, because he met me
19 in Buedu.

09:33:39

20 Q. Now, how was it that Sam - that Foday Kallon was able to
21 get soldiers from Vahun and convince them to come back to
22 Sierra Leone, those who had already ran away from Sierra Leone?

23 A. Well, he went and pursued them and brought them. I did not
24 go.

09:34:04

25 Q. Did he give them the choice of being arrested by the
26 Liberian securities or coming with him?

27 A. No. I did not hear about Liberian securities arresting
28 them or arresting him.

29 Q. Did he go to Monrovia in order to find some of these SLAs?

1 A. Well, he was not sent to Monrovia, but I later heard from
2 Sam Bockarie, on his return, that Foday Kallon had gone to
3 Monrovia and that someone saw him at the Sierra Leone embassy.

09:35:00 4 Q. So soldiers that came back - the soldiers that Foday Kallon
5 brought back, what units did they join when they returned?

6 A. Well, on their - when they came back they met me in
7 Pendembu and then I sent a message to Bockarie and Bockarie
8 responded to me saying that the MP should escort them to the
9 training base for one or two weeks before they are being deployed
10 at the front lines.

11 Q. So they joined after the training, the front lines of the
12 offensive in 1998, late 1998; is that right?

13 A. Well, Kailahun was not on offensive at this time so after
14 the training they were in Baiima and Mobai. That is where they
09:35:44 15 were. And two of them came and stayed with me in Pendembu
16 because they were my personal friends.

17 Q. Who were those two?

18 A. Well, one was called Kantus, but I do not recall the name
19 of the other one, but that was Kantus's friend.

09:36:04 20 Q. How do you spell Kantus, is that one name or two?

21 A. Kantus is a single name.

22 Q. Is that a family name?

23 A. Well, that was the name that I knew for him, even before
24 the war in the 80s, he used to be my friend in Makeni.

09:36:29 25 Q. And do you want to try to spell the name?

26 A. I think it is K-A-N-T-U-S, Kantus.

27 Q. Now, you said you received a message from Sam Bockarie to
28 arrest Foday Kallon; is that right?

29 A. Yes, sir.

1 Q. The uncle of your wife, correct?

2 A. Yes, that is him.

3 Q. Did you place him under arrest?

4 A. Well, when Sam Bockarie sent the message saying that I
09:37:11 5 should arrest and put him in a guard room, I also invited him and
6 told him, I said, "Sam Bockarie said I should arrest you and put
7 you in the guard room." I said, "What happened?" He said he
8 didn't know, so I told him that Sam Bockarie said --

9 PRESIDING JUDGE: Mr Sesay, did I not ask you to speak
09:37:25 10 normally and slowly so that the interpreter can interpret what
11 you are saying and the transcriber can write what you're saying.
12 Please slow down. Now, start again.

13 THE WITNESS: Yes, my Lord.

14 MR KOUMJIAN:

09:37:42 15 Q. I had asked you if you put Foday Kallon under arrest.

16 A. Yes, sir. I said when Sam Bockarie sent the message to me,
17 I also invited Foday Kallon and I asked him, I told him, I said,
18 "Sam Bockarie said I should arrest you and put you in the guard
19 room." I said, "What have you done?" And Foday Kallon said he
09:38:06 20 did not know. And then I said, "I cannot put you in the
21 guard room because I have respect for you" I said, "but the only
22 thing that I would want you to do for me, you have to stay in
23 Buedu until Sam Bockarie's return." And then Foday Kallon stayed
24 in Buedu and was not under arrest until Sam Bockarie's return.

09:38:28 25 Q. I want to ask you a couple of questions about what you
26 said. First you said that when you got the message from Bockarie
27 you invited Foday Kallon. Was Foday Kallon in Buedu when you
28 invited him?

29 A. Foday Kallon came. When he came, he was in Buedu, when I

1 received the message.

2 Q. Did he come right from Liberia to Buedu?

3 A. Yes. He came from Foya, he came to Dawa and then he came
4 to Buedu.

09:39:12 5 Q. Now, you had received the message before Foday Kallon
6 arrived in Buedu? You had received the message from Sam Bockarie
7 to arrest him?

8 A. I received the message before he arrived in Buedu. I
9 received a message before he came to Buedu.

09:39:33 10 Q. When was it that you received a message from Sam Bockarie
11 to arrest Foday Kallon?

12 A. That was in - I think it was in early December.

13 Q. So it was during Sam Bockarie's trip to Burkina Faso that
14 you received a message from Sam Bockarie to arrest Foday Kallon?

09:40:05 15 A. Yes. That was when Sam Bockarie sent the message from
16 Monrovia to me in Buedu.

17 Q. And what you learned is that Sam Bockarie had found out -
18 or had received information that Foday Kallon was seen at
19 Sierra Leone - well, what was the information about Foday Kallon?

09:40:29 20 A. Well, when Sam Bockarie returned he was very angry and he
21 said the securities whom he went with, like Junior Vandi and one
22 of Bockarie's bodyguards, they said they saw Foday Kallon at the
23 Sierra Leone embassy. So that was the reason why he sent the
24 message that I should arrest Foday Kallon.

09:40:57 25 Q. Sam Bockarie would have been in Burkina Faso when Foday
26 Kallon allegedly was at the Sierra Leone embassy. Is that
27 correct?

28 A. Well, the message that I received from Sam Bockarie showed
29 that he was in Monrovia. That was before he travelled.

1 Q. Now, Peter Vandi and the other bodyguards of Sam Bockarie,
2 had no reason to go to the Sierra Leone embassy, did they?

3 A. Who?

4 Q. You said that Sam Bockarie's securities - excuse me, Junior
09:41:42 5 Vandi and one other saw Foday Kallon at the Sierra Leone embassy.
6 That's what you said, correct?

7 A. Yes, that was what I said.

8 Q. Junior Vandi and Sam Bockarie's securities had no reason to
9 be at the Sierra Leone embassy, they had every reason to try to
09:42:01 10 hide and not be seen near the Sierra Leone embassy; correct?

11 A. Well, they used to go there because if they did not know
12 them as RUF members and if they only knew him to be Sierra
13 Leoneans, then - and it was a Sierra Leone embassy.

14 Q. Why were they going to the embassy?

09:42:33 15 A. Well, I did not know. I did not ask. At the time
16 Sam Bockarie came and said those words I did not ask him, because
17 I wouldn't have asked him questions for the reason - asking for
18 reasons for which Junior Vandi and others went to the embassy. I
19 was not in position to ask him.

09:42:56 20 Q. Do you know of any reason why Junior Vandi or
21 Sam Bockarie's securities would go to the Sierra Leone embassy?
22 Can you think of any?

23 A. Well, what I would think of is that there were people who
24 were working at the embassy who were Sierra Leoneans and some
09:43:23 25 were Mendes, they were their tribesmen, so I did not actually
26 know the reasons why they went there.

27 Q. So what you're saying is that Sam Bockarie had information
28 that Foday Kallon had gone to the Sierra Leone embassy, just like
29 Junior Vandi and his other bodyguard had gone to the Sierra Leone

1 embassy. Is that right?

2 A. Well, that was what Sam Bockarie said. He said those were
3 the people who saw him at the embassy.

09:44:03

4 Q. Mr Sesay, Sam Bockarie got that information from Liberian
5 intelligence, isn't that true, about Foday Kallon being seen at
6 the Sierra Leone embassy?

7 A. No, my Lord, I did not hear that.

09:44:26

8 Q. What was Sam Bockarie's reaction to learning that Junior
9 Vandi, another one of his bodyguards and Foday Kallon were at the
10 Sierra Leone embassy? How did he react to that information?

11 A. Well, according to Sam Bockarie, when he returned to Buedu,
12 what I understood from him was that when his bodyguards told him
13 about this, he then sent a message that when Foday Kallon arrives
14 in Buedu I should arrest and detain him.

09:44:53

15 Q. And you did that, or you detained him, correct?

16 A. No. I did not detain him in a cell. I only told him to
17 stay in Buedu until Sam Bockarie's return, because I said I would
18 not want to lock him up. Although Sam Bockarie said I should
19 detain him, but I did not want to lock him up. But the only
20 thing I told him was that he should remain in Buedu until

09:45:14

21 Bockarie's return.

22 Q. What happened when Bockarie returned?

09:45:38

23 A. Well, when Bockarie returned, we were standing under the
24 mango tree discussing when Foday Kallon came to say hello to
25 Bockarie. And as soon as he came, when he said, "How are you,
26 sir", that was when Bockarie turned to me and said: Didn't I
27 send a message to you that you should detain this man? And this
28 man is now here. I now see him. And they said they saw him at
29 the Sierra Leone embassy. It was Junior Vandi and others who saw

1 they saw him at the embassy, so he is a traitor. Sam Bockarie
2 then brought out his pistol and shot the man.

3 Q. Where did he shoot him?

4 A. Well, he shot him in his chest; two shots in his chest.

09:46:14 5 Q. And what did he do to Junior Vandj, who was also at the
6 Sierra Leone embassy?

7 A. Well, he did not do anything to Junior Vandj. Junior Vandj
8 was Mr Sankoh's bodyguard who was with Sam Bockarie. And it was
9 together with one of Sam Bockarie's bodyguards, two of them saw
10 this man. He did not do anything to them because he said they
11 were the ones who gave him the information.

12 Q. He didn't do anything to them because the information came
13 from Liberian intelligence. Isn't that true?

14 A. No, he did not tell me that. What he told me was that it
09:46:57 15 was Junior and the other guy who went and saw the guy at the
16 embassy.

17 MR KOUMJIAN: Could we have the transcript briefly for, on
18 the RUF trial, 16 May 2007, page 36. I am going to read from the
19 bottom four lines.

09:47:59 20 Q. You said, just to read the full paragraph:

21 "Well, it was a radio message. I was unable to ask
22 questions. So, upon the arrival of Foday Kallon at Buedu he met
23 I and Mike Lamin sitting at the veranda. He came with about
24 seven soldiers."

09:48:22 25 Mr Sesay, today you told us he didn't bring anybody back
26 with him the second time, but when you testified in the RUF trial
27 you said Foday Kallon came back on the second occasion with seven
28 soldiers. Why the difference?

29 A. Well, I cannot recall everything that I have said before

1 verbatim. I have testified for over a month now, so all that I
2 have said you think I will be able to repeat all of those. I am
3 a human being you know.

09:49:02 4 Q. Mr Sesay, isn't the recollection of seeing your wife's
5 uncle executed - isn't that something pretty vivid in your
6 memory, the events of that day?

7 A. Yes. That should be - I should be able to think about
8 that, but the man who did it, I never had any control over him.

09:49:40 9 Q. Then going to the next page, you say down at - just before
10 where it says "audio file resumes", the last sentence before that
11 it:

12 "Then Foday Kallon came. He stood and saluted Bockarie.
13 Bockarie said, 'You are a betrayer.' He said, 'What did you -
14 why did you go to the Sierra Leone embassy in Monrovia?' Today
09:50:02 15 you are going to die.' The Sierra Leone embassy in Monrovia.
16 Bockarie took his pistol from his side. He shot at Fonti Kanu.
17 He gave him two shots in our presence."

18 Judge Itoe asked, "He shot at who?" You corrected yourself
19 and you said:

09:50:21 20 "He shot at, sorry, Foday Kallon. Sorry, my Lord. He
21 fired at Foday Kallon with two rounds with his pistol and then
22 Foday Kallon fell. This was how it happened."

23 Mr Sesay, it's easy to confuse Fonti Kanu and Foday Kallon
24 because they both were killed upon being brought back to
09:50:46 25 Sierra Leone based on information from Liberian security. Isn't
26 that true?

27 A. No, sir, because Fonti Kanu was arrested by the RUF at the
28 border and Foday Kallon came and Bockarie sent a message that on
29 his arrival in Buedu I should arrest him. And I did not execute

1 that, the side of the detention. He told me to detain him, but I
2 did not do that, but I told him to stay in Buedu.

3 Q. Why did you confuse Fonti Kanu and Foday Kallon?

09:51:30

4 A. Well, my Lord, I am a human being, I am liable to making
5 mistakes. I am not a perfect human being to say that whatsoever
6 I do I should be able to say everything hundred per cent correct.
7 I have to accept that sometimes I make mistakes.

8 Q. Was Bakarr with you when you attacked Kono and Makeni?

09:52:01

9 A. Bakarr, my Lord? The name Bakarr is a common name in
10 Sierra Leone, so which of the Bakarrs are you talking about?

11 Q. The SLA officer brought back by Foday Kallon.

12 A. Oh, okay, Captain Bakarr. I left him in Buedu and I went
13 to Kono.

14 Q. He was a well-known SLA officer. Isn't that true?

09:52:30

15 A. Yes, he was at the Daru Barracks throughout the war.

16 Q. And where did he go in 1998 and 1999? What areas was he
17 assigned to?

09:52:59

18 A. Well, I left him in Pendembu when I went to Kono. And on
19 my return from Makeni, at the time I escaped the attack in Makeni
20 in April, he was in Segbwema and from sometime in 1999 he left
21 and went to Freetown.

22 Q. Mr Sesay, do you know how Foday Kallon was able to go on
23 two successful missions to recruit trained soldiers in Liberia to
24 come back and join the rebel forces in Sierra Leone?

09:53:26

25 A. Well, I understood that the soldiers wanted to come, but
26 they wanted word of confidence and those were the words of
27 confidence that Foday Kallon took to them. Because, on their
28 return, even Kantus, I used to discuss with him. He said they
29 were in difficulties in Vahun. He said business was difficult.

1 Q. Foday Kallon was never arrested in Liberia, correct?

2 A. No, because he went there in late '98.

3 Q. Well, perhaps you might learn something about how he was so
4 successful in these missions. Let me read to you testimony from

09:54:14 5 24 April 2008, page 8504.

6 PRESIDING JUDGE: Please repeat the page number.

7 MR KOUMJIAN: 8504 from 24 April 2008. And I am going to
8 read from the bottom of the page.

9 Q. The witness testified - he was asked on line 21:

09:55:22 10 "Q. What happened after your group was introduced by

11 Johnny Paul to President Taylor?

12 A. Well, President Taylor said, 'Gentlemen, you are
13 welcome to Liberia. This issue which is on the floor now,
14 I am happy that you have come and we should solve this

09:55:39 15 issue once and for all.' He said, 'I have been giving
16 assistance to the movement. I have mobilised most of the
17 SLAs who came to Liberia. I mobilised them and sent them
18 to reinforce you there.'"

19 Then if we go to page 8509, the witness said, at the bottom
09:56:11 20 six or seven lines, thank you, line 24, the witness was asked:

21 "Q. You said that President Taylor told the group that he
22 provided assistance in the form of food, arms and
23 ammunition.

24 A. Yes, my Lord. That was not hidden. He did not hide
09:56:29 25 that from us. He said, 'I have been giving assistance.'
26 And even the SLAs who came from Guinea and surrendered, who
27 came to Liberia, he said, 'I gave them safe passage. They
28 came in and I reorganised them and sent them to Kailahun so
29 that they will go and join you to continue the fight.'

1 Q. Did he say where these SLAs would go to join you?

2 A. Yes, my Lord. He said they were to pass through. He
3 said he had sent them to General Mosquito so that they also
4 - they will also join the troops that were coming to
09:57:13 5 Freetown."

6 Now, Mr Sesay, this witness's testimony was also put to
7 Mr Taylor on 30 September 2009, page 30027, the last four lines.
8 Well, perhaps to make things in context, I will begin reading
9 from some of what was put to Mr Taylor. So beginning on line 16,
09:58:23 10 Defence counsel read from the answers of this witness, where the
11 witness said:

12 "Yes. He said to make sure that the SLPP government
13 headed by Tejan Kabbah should be - to make sure it was
14 overthrown, that it should be out of power. And I can also
09:58:42 15 recall he said, in fact, the visit that we paid, that there was
16 small pressure - some pressure - because in that area Mosquito
17 Spray's squad was there and that he had even ordered General
18 Mosquito to move and come to the Voinjama area to repel that
19 squad that had come from Guinea, because we were in Liberia, in
09:59:05 20 Monrovia, when Mosquito Spray's squad attacked that area."

21 Then the Defence counsel asked Mr Taylor:

22 "Q. Pause. Now, we have already dealt with you sending -
23 reorganising, rearming and sending this group of former
24 SLAs back to Sierra Leone, Mr Taylor, I'm not going to task
09:59:28 25 on you, but you see an added detail here, don't you?

26 A. Uh-huh.

27 Q. Now, in August 1999, whilst this Okra Hills delegation
28 was in Monrovia, was there not an incursion in that same
29 month from Guinea?

1 A. Yes, that's in Voijnama?

2 Q. Mmm.

3 A. Voijnama.

4 Q. So that part - and was that by Mosquito Spray?

09:59:59 5 A. No.

6 Q. Who was it by?

7 A. I don't know the - I am not sure they gave me a name.

8 Mosquito Spray in '98 in Foya, so the Foya axis, when they

9 first come in. But 1999 they don't give a name. We begin

10:00:15 10 later on to hear about LURD, but they don't give a name.

11 So they are two different years."

12 Mr Sesay, Mosquito Spray was in August 1999; isn't that

13 true?

14 A. Well, that was what we heard in Lofa. We heard on the

10:00:38 15 border.

16 Q. So you heard about that while Johnny Paul Koroma was in

17 Monrovia, correct?

18 A. Yes. At that time, because Johnny Paul - Johnny Paul went

19 in August, and it was around September that we heard about

10:01:03 20 fighting on the Lofa border with Guinea, around the Voijnama

21 area.

22 Q. Well, if you're unsure of the month, it might help to look

23 at P-389.

24 Mr Sesay, we see in this document, it's a news - from the

10:02:05 25 University of Pennsylvania African Studies Centre, a weekly round

26 up, and looking at line that begins, "West Africa, IRIN-WA,

27 weekly round up 32," covering the period 7-13 August 1999, the

28 first sentence of the text reads:

29 "Armed men this week seized five localities in northwest

1 Liberia, kidnapped aid workers, commandeered UNHCR vehicles and
2 battled with government soldiers reinforced by extra troops
3 rushed to the area, according to various sources."

4 And then just going down to the seventh paragraph, or six
10:02:57 5 paragraphs down, it explains:

6 "A rebel spokesman, who gave his name as Mosquito Spray,
7 confirmed to the BBC on Friday that dissidents were holding some
8 100 persons - around 50 aid workers and their families - whom
9 they intercepted as they were trying to cross over into Guinea.
10:03:21 10 Mosquito Spray said they were being held in protective custody."

11 So does this remind you, Mr Sesay, that Mosquito Spray was
12 in August of 1999?

13 A. Well, I don't recall, because I went to accompany Johnny
14 Paul in Foya and we went to Monrovia by helicopter in August, and
10:03:57 15 I think that the news that I got was around September. I
16 wouldn't know now the exact month.

17 Q. It was, as this document shows, in August 1999,
18 corroborating the testimony of the witness I read, and
19 contradicting President Charles Taylor when he testified that
10:04:22 20 Mosquito Spray was in 1998. Even you say it was in 1999,
21 correct?

22 A. That is when I heard the news, yes.

23 MR KOUMJIAN: Thank you. I have finished with that
24 document. If we could now put on the screen the testimony from
10:04:54 25 March 11 of this year, page 37129.

26 PRESIDING JUDGE: While that is being found, we have noted
27 that at page 30, line 12, the date given, it reads,
28 "contradicting President Charles Taylor that Mosquito Spray was -
29 Mosquito Spray was in 1998," not '88.

1 MS IRURA: Could counsel please repeat the page reference?

2 MR KOUMJIAN: What I have is 11 March 2010, page 37129. I
3 am going to read just lines 13 through 15.

10:06:33

4 Q. Mr Sesay, in March, Defence witness for Charles Taylor was
5 asked:

6 "Q. Sir, did the RUF intend at all times to get - after
7 the intervention, to get back to Freetown?

8 A. Yes."

10:06:50

9 Then if we look at the testimony of the same witness, the
10 next day, 12 March 2010, page 37204, at line 16, the witness was
11 asked:

12 "Q. The ultimate objective was, to really control the
13 country, you had to control Freetown. Is that what you are
14 saying?

10:07:54

15 A. Yes."

16 Mr Sesay, you would agree with that, wouldn't you, that at
17 all times the target of the war was Freetown?

10:08:28

18 A. Yes, because even before the AFRC overthrow, in 1995 the
19 RUF came right up to around Waterloo. So Freetown was the seat
20 of government, and RUF was fighting for that, for political
21 power.

22 Q. And Mr Sesay, before you headed out on the Kono attack, you
23 knew, didn't you, that SAJ Musa was heading for Freetown, that
24 that was his goal?

10:08:57

25 A. Well, at that time I did not know that. I only heard that
26 they attacked Lunsar because it was on the BBC, but I did not
27 know their plan at that time, because they did not explain their
28 plans to the RUF.

29 Q. Mr Sesay, before the offensive began in December 1998, were

1 you aware that ECOMOG, and particularly the Nigerians, were tired
2 of the war?

3 A. I did not know that ECOMOG were tired with the war because
4 every day they used their gunships and the Alpha Jets. Almost on
10:10:09 5 a daily basis they were attacking in Kailahun, they were
6 shelling, using heavy missiles.

7 Q. Were you aware, Mr Sesay, that after the death of Abacha
8 when Nigerian elections were scheduled, all of the presidential
9 candidates promised to withdraw from Sierra Leone?

10:10:35 10 A. I did not know about that.

11 Q. Were you aware that Nigeria was under severe financial
12 pressure at this time in late 1998 because of the fall of world
13 oil prices?

14 A. I did not know that, because during that time ECOMOG was
10:10:58 15 still carrying out the attacks that they started from '98.

16 Q. Well, let's look at something that refers to that. Can we
17 look behind tab 24, please. Now, this document is from a news
18 service bloomberg.com. It says: "OPEC failure foretells decline
19 ten years after \$10 oil." Looking at the second page, we see
10:13:05 20 it's last updated December 1st 2008, but there is just a couple
21 of sentences here that I am interested in reading.

22 If we go - the article is dated December 1, and if we go
23 down to the first full paragraph, this is in the second paragraph
24 after the photo, so the fourth paragraph down, the last sentence
10:13:30 25 before the title, "Demand suffers".

26 That's the wrong document, I believe. It should be behind
27 tab 24.

28 The first page in the fourth paragraph, the paragraph
29 begins, "They haven't done enough." Thank you, it is on the

1 screen. But I am just going to read the last sentence because
2 most of this article is dealing with 2008, but the last sentence
3 in that paragraph says:

4 "In December 1998," December 1998, "crude tumbled 61
10:14:28 5 per cent from its peak to as low as \$10.35 when OPEC failed to
6 eliminate a supply glut."

7 Then if we go down three more paragraphs, I am talking
8 about the events of 2008, it says:

9 "Oil fell as much as \$99.02 a barrel from its July record,
10:14:55 10 making the four months slump steeper than crude's drop from its
11 1996 peak to the low set in December 1998."

12 Thank you, I am finished with the document.

13 So, Mr Sesay, do you see that there was a severe slump in
14 oil prices in 1998 where prices went down 61 per cent? Did you
10:15:27 15 know that?

16 A. My Lord, these documents, I never had access to them. I
17 did not hear about them in 1998.

18 Q. And you weren't aware of the financial situation of Nigeria
19 and its dependence on oil revenue in 1998, were you?

10:15:49 20 A. I did not know anything about the financial activities of
21 the Nigerian government. I did not know.

22 Q. And you were not - and you and Sam Bockarie were not
23 following the Nigerian presidential elections and the promises of
24 the various candidates, were you?

10:16:12 25 A. I did not follow that up.

26 Q. But, Mr Sesay, based on your knowledge of Charles Taylor,
27 who at the time the of Liberia, he was a person who would have
28 been well aware of regional affairs and affairs particularly in
29 the largest country in the region, Nigeria, and he was

1 sophisticated in economic matters, he was an economist. Isn't
2 that all true?

3 A. My Lord, I don't know. I think it should be read, that
4 question to Mr Taylor.

10:16:57 5 Q. Well, when you talked to President Taylor, he knew more
6 about what was going on in the region than you did, don't you
7 agree?

8 A. Well, when I spoke to Mr Taylor for the first time in late
9 May of 2000, we did not discuss that. I did not ask him to tell
10:17:17 10 me what was happening in the region, no. During '98, I did not
11 speak with President Taylor in '99, we did not speak.

12 Q. Mr Sesay, a major offensive in Sierra Leone in December
13 1998 was perfectly timed because of the financial pressure and
14 the political pressure on Nigeria to get out of Sierra Leone,
10:17:46 15 were you aware of that?

16 A. No, my Lord, I did not know anything about what was
17 happening in Nigeria.

18 Q. Someone more sophisticated about international and economic
19 events would have been aware of that; correct?

10:18:06 20 A. Yes. People should have known, apart from me, who was in
21 the Kailahun District. Because we hadn't access to the internet,
22 except when we listened to the BBC once in a while; but I was not
23 following up the activities of what was going on in Nigeria.

24 Q. Well, you got access to the internet - let's come back to
10:18:34 25 that later.

26 Mr Sesay, in December 1998, when you set out on this
27 offensive and attacked Koidu, what was the objective of the
28 attack of the offensive?

29 A. The objective was to capture Kono at then initial stage

1 when we made the plan in Buedu. That was the instruction that
2 Bockarie gave to me because we too were not very sure that Koidu
3 could fall to the RUF, so the target was to attack Koidu, Kono.

10:19:15 4 MR KOUMJIAN: Your Honour, before I forget, could the
5 document behind tab 24, and I believe we need just the first two
6 pages, be marked for identification, the second page we need just
7 to understand the date of the article.

8 PRESIDING JUDGE: This is an article from a web page
9 entitled bloomberg.com. The article is "OPEC failure foretells
10:19:45 10 decline ten years after \$10 oil". That is marked MFI-24,
11 consisting of pages 1 and 2.

12 MR KOUMJIAN:

13 Q. Now, you said, Mr Sesay, the objective was to capture Kono.
14 Why? Why did you want to capture Kono?

10:20:14 15 A. Well, one ECOMOG was in Kono, ECOMOG and the Kamajors and,
16 two, Sam Bockarie said the Sandlines were the mercenaries who had
17 come to help President Kabbah to fight against the RUF who were
18 in Kono and they were doing mining, so we should capture Kono to
19 stop their activities.

10:20:40 20 Q. So you went to Kono to take the mining away from ECOMOG; is
21 that accurate?

22 A. Yes, to stop them from mining.

23 PRESIDING JUDGE: Did he say ECOMOG or Sandline?

24 MR KOUMJIAN: I thought he said Sandline was working with
10:21:07 25 ECOMOG. But maybe he said come to help Kabbah.

26 PRESIDING JUDGE: Yes, but where does ECOMOG come into
27 that? Please clarify from the witness.

28 MR KOUMJIAN:

29 Q. Mr Sesay, ECOMOG was doing mining in Kono; is that right?

1 A. Well, I came to know that when I went to Kono but first
2 Sam Bockarie said he was informed that the Sandlines - that Omrie
3 Golley had informed him that Sandlines were mining in Kono and
4 that the Sandlines were the mercenaries who were helping
10:21:45 5 President Kabbah alongside the ECOMOG.

6 Q. Where was Omrie Golley when he told Sam Bockarie that?

7 A. My Lord, Omrie Golley was in England.

8 Q. Now, when you got - when you took Kono, before you took
9 Kono, Sam Bockarie had already changed a mining commander and put
10:22:16 10 Kennedy in charge of the mining in the Kono District; correct?

11 A. Yes.

12 Q. But the best mining sites were still in areas not
13 controlled by the RUF, and that's why you attacked - part of why
14 you attack Koidu; correct?

10:22:43 15 A. No. It was to stop the Sandlines programme, the
16 mercenaries.

17 Q. And why, Mr Sesay, was it your goal to stop the Sandline
18 programme?

19 A. Well, they were mercenaries and they were supplying arms
10:23:08 20 and ammunition to the Sierra Leone government. They were issuing
21 out arms to the Kamajors and they were fighting against us.

22 Q. Did you capture any foreigners, other than ECOMOG nationals
23 when you attacked Kono, Koidu Town?

24 A. No, we did not capture foreign nationals except ECOMOG
10:23:34 25 because they flew with helicopters, they used helicopters.

26 Q. You said you captured 12 Nigerians; is that right?

27 A. Yes?

28 Q. Did you kill any foreigners, did you have corpses of any
29 foreigners from other countries, other than Sierra Leone or

1 ECOMOG countries?

2 A. No. I said the foreigners who were there, you know, like
3 the Sandlines, they pulled out with the helicopters when the
4 attack took place.

10:24:15 5 Q. Now, when you attacked Kono - well, let's first talk about
6 the ammunition you say Sam Bockarie brought back when he returned
7 from Liberia. How much ammunition did he bring back, according
8 to you?

9 A. I said the ammunition were about 40 boxes.

10:24:42 10 Q. Of what?

11 A. The AK rounds.

12 Q. Did he bring anything else, besides AK rounds?

13 A. Yes. He brought some boxes of G3 rounds and HMG rounds.

14 Q. Do you recall how many boxes of HMG rounds?

10:25:08 15 A. I don't recall now but it was not as much as the AK rounds.

16 Q. How many boxes of G3 rounds?

17 A. I said I don't recall the quantity but it was - the HMG and
18 the G3 were not as much as the AK rounds.

19 Q. Were there RPG rockets?

10:25:36 20 A. No, no. There were no RPG rockets.

21 PRESIDING JUDGE: May I inquire, these 40 boxes, was that
22 40 boxes in total, or just 40 boxes comprising the AK rounds?

23 THE WITNESS: My Lord, the 40 boxes were the AK rounds, and
24 there were some G3 rounds and HMG rounds, but they were not up to
10:26:08 25 the AK rounds, but I don't know the figure.

26 MR KOUMJIAN:

27 Q. In fact Sam Bockarie brought back hundreds of boxes of
28 ammunition and it came in trucks. Isn't that true?

29 A. No. It was not hundreds of boxes. It was not up to

1 hundreds. One of them had the ammunition and the other - one
2 truck had ammunition and some food and the other truck had some
3 condiment, foodstuff and medicine and clothing and diesel and
4 engine oil.

10:26:49 5 Q. Let's just look at what you said in the RUF trial where
6 again you didn't tell the truth about the hundreds of boxes, but
7 let's look at what you said on 17 May 2007, page 60. If we go to
8 the bottom of the page, about ten lines up, you were asked at
9 line 21 by your Defence counsel:

10:27:50 10 "Well, let's try to be as accurate as possible. What did
11 he come back with? How much ammunition did he come back with?"

12 And to just get the summary of your final answer, if we go
13 to the next page, at the top, page 61, you said.

14 "I said with - my Lords, I said 45 boxes of AK rounds, 20
10:28:16 15 boxes of HMG rounds, 20 boxes of G3 rounds and one box of RPG
16 rockets that contains six rockets."

17 So in your own trial you said he did come back with RPG
18 rockets. Is that right?

19 A. Six rockets.

10:28:41 20 Q. In your own trial you said it was 45 boxes of AK, and
21 another 40 boxes split between HMG and G3; correct?

22 A. Yes, that's what I said.

23 Q. So for a total of 95 boxes of ammunition. Is that right?

24 A. Yes. That's what I said.

10:29:05 25 Q. How much ammunition was issued by Sam Bockarie to you for
26 the Kono attack?

27 A. Sam Bockarie gave me 20 boxes of AK rounds and I think
28 about 10 boxes of G3 rounds and 10 boxes of HMG rounds.

29 JUDGE DOHERTY: Mr Koumjian, I'm sorry but I don't recall

1 how much or how many rounds are in each box. I know it has been
2 adduced before but could you remind me, please.

3 MR KOUMJIAN: Yes, and just for reference it was adduced in
4 the testimony of I believe 10 or 11 March from Isaac Mongor,
5 2008.

6 Q. But, Mr Sesay, each box of ammunition of AK contains - it
7 is a wooden box and it contains two sardine tins. Is that right?

8 A. Yes.

9 Q. Inside each tin is something like 32 different packages.

10:30:27 10 Is that right? 34? Something like that?

11 A. That is not the way it is in all the boxes, because it was
12 not - the boxes were not having identical contents. Some of them
13 would have 20 packets, some others would have 32 packets, but
14 some of them would only have 20 packets, and each packet contains
10:30:59 15 20 rounds.

16 Q. Thank you. Except for the number of packages I believe
17 that's consistent with the previous evidence.

18 Could we have the witness shown, please, P-63.

19 Mr Sesay, this document shows - it is entitled "Restricted"
10:32:14 20 and its subject is "Forum minute, 11 December 1998, 11 a.m. The
21 the chairman, Colonel Issa H Sesay, the battlefield commander."
22 You have seen this document many times before, correct?

23 A. I do not recall seeing this document before. I think I saw
24 this document during this trial here.

10:32:55 25 Q. Well, didn't you see this document during your own trial,
26 or you don't recall?

27 A. No, I don't recall.

28 Q. Do you recall the operation being called a do or die
29 mission?

1 A. No. They did not name the operation.

2 Q. Was the operation called Free the Leader?

3 A. No, before our attack the operation did not have any name.

4 It was after the successful attack when we captured Kono and then

10:33:39 5 the fighters started giving all types of names to the operation,

6 but before the attack I did not give any name to the operation.

7 MR KOUMJIAN: Excuse me. I think I have a little

8 logistical problem. If I could have a moment. I will come back

9 to this after the break because I have some - I am sure it's my

10:34:18 10 mistake, I believe I have some document mislabelled. I have a

11 different number. I think we are talking about two different

12 documents.

13 Q. Now, Mr Sesay, when you had the - you do acknowledge that

14 you had a meeting before the attack with the command - other

10:35:07 15 commanders who were assigned for the attack, correct?

16 A. No. The other commanders who were assigned on the attack

17 were in Kono. They were not in Buedu. Those of us who took part

18 in the attack, I was the only one present at that meeting because

19 even Morris Kallon was not at that meeting.

10:35:33 20 Q. Now you've confused me. Was there a meeting before the

21 attack that you had with commanders who were involved in the

22 attack on Koidu Town? I am not asking you where it happened. I

23 am asking you did you have such a meeting?

24 A. Do you mean Buedu or Kono?

10:35:59 25 Q. Let me try to help you. You had a meeting in Kono before

26 the attack on Koidu Town, correct?

27 A. Yes.

28 Q. At that meeting you spoke to the other commanders. Is that

29 right?

1 A. Yes.

2 Q. What did you tell them about the mission?

3 A. Well, I told them that Sam Bockarie sent me to join them in
4 Kono for us to attack Koidu Town, and that I needed their
10:36:30 5 cooperation so that we will be able to carry out the attack. And
6 I gave standing orders to govern the attack. And I appointed the
7 commanders who were supposed to take over various targets of the
8 attack.

9 Q. Did you tell them what the purpose of the attack was?

10:36:57 10 A. Well, I do not recall that. I told them what Bockarie told
11 me about the attack. I only told them that Bockarie sent me to
12 come and join them to attack Kono. Because before I came,
13 Bockarie had sent a message to the brigade commander and Peter
14 Vandi before my arrival for them to go and receive me at the Moa
10:37:23 15 River.

16 Q. Now, did you tell them anything about looting?

17 A. Yes. I spoke about looting. I spoke about killing of
18 civilians. I told them they were not allowed to kill even a
19 surrendered soldier - be it Kamajor, be it ECOMOG, they should
10:37:47 20 not kill them - and that they were not supposed to burn down
21 houses and that they shouldn't target civilians. Those were some
22 of the standing orders that I gave to them before the attack.

23 Q. And did you talk to them about amputations?

24 A. Yes. I told them that I will not be part of that and that
10:38:11 25 I would not want to see amputations happen. And from Kono up
26 until Makeni no amputations took place and no witness did not
27 speak about amputation. All the witnesses who were brought
28 against me during my trials did not speak to that effect.

29 Q. Perhaps before you finish, Mr Sesay, we will show you some

1 video of a witness who was amputated in Kono. Mr Sesay, you said
2 you talked about amputations. Why, before a military attack, did
3 you bring up, "I don't want to hear about amputations"? Was it
4 because you did know that amputations had been occurring in Kono
10:39:00 5 District?

6 A. Yes, I heard that whilst I was in Pendembu. I heard that
7 and it was on the news. That was said over the BBC.

8 Q. So it was even on the international news before the Kono
9 offensive that amputations were being carried out. Is that
10:39:21 10 correct?

11 A. Yes. In '98 it was on the news because at the time they
12 amputated people in Kono the more was in April to May of '98.

13 Q. So it happened even - it was on the international news
14 about these amputations even before the ammunition was received
10:39:44 15 from Liberia for this attack, correct?

16 A. I said it was on the news. Before Bockarie came and said
17 he bought those ammunition from Lofa it was on the news in '98.

18 PRESIDING JUDGE: Mr Koumjian, the witness said at page 44,
19 "Yes, in 1998 it was on the news because at the time they
10:40:10 20 amputated people in Kono" - something - "was in April to May."
21 What was that the interpreter said?

22 THE INTERPRETER: Your Honours, the interpreter does not
23 recall.

24 PRESIDING JUDGE: Mr Sesay, what did you say?

10:40:31 25 THE WITNESS: My Lord, I said in April and May I heard
26 about the people who were amputated in Kono, like at the Tombodu
27 axis, those who were amputated there. And it was Savage and
28 Staff Alhaji, who - they and their men who were carrying out
29 those amputations.

1 MR KOUMJIAN: Thank you. Hopefully when we - on the tape,
2 they will be able to hear the words that were said at that time.
3 I don't recall what he said was in April to May.

4 Q. So, Mr Sesay, did you give an instruction about looting?

10:41:22 5 A. I said yes, I gave instructions, because they told me that
6 - before the attack, the commander gave me a situation briefing,
7 and he told me that Koidu Town, it was ECOMOG and the Kamajors
8 who occupied there. So I gave orders that there should be no
9 looting, no burning of house, no killing of civilians, no
10:41:46 10 amputation, and that even when surrendered - soldiers
11 surrendered, they should not be killed.

12 PRESIDING JUDGE: Mr Interpreter keeps saying there should
13 be no burning of houses, but I keep seeing "bombing". It should
14 be "burning".

10:42:07 15 MR KOUMJIAN:

16 Q. Mr Sesay, you actually said no looting until the mission is
17 accomplished; isn't that true?

18 A. No. I said no looting.

19 Q. I would like to show you the testimony of 12 April 2010, it
10:42:29 20 is an open witness, page 38667, one of the Defence witnesses,
21 Charles Ngebeh. Beginning at line 3, the witness was asked:

22 "Q. Now, while you had this forum for this operation, you
23 were given some directives related to this operation; isn't
24 that correct?

10:43:26 25 A. Yes.

26 Q. And one of those directives you were given was that no
27 looting would take place until the mission was
28 accomplished; isn't that right ?

29 A. You are correct."

1 Mr Sesay, that's the directive you gave, that the soldiers,
2 your soldiers, should not start looting until they had defeated
3 ECOMOG and controlled the town; isn't that true?

4 A. Well, I don't recall that I gave such directives, but
10:44:06 5 looting took place because even with all the things that ECOMOG
6 had with them, we took everything from them. So looting took
7 place. And after the attack, looting took place. I don't deny
8 that fact.

9 Q. In the attack, the attack was a huge success, correct?

10:44:30 10 A. Yes. The ECOMOG ran away because we fought from morning to
11 evening and they ran away, and those who surrendered, surrendered
12 together with the ECOMOG, including the Kamajors.

13 Q. Now, the document that I meant to show to the witness, I
14 gave the wrong number, it is P-93, if that could be put on the
10:44:56 15 screen.

16 Going through this document, Mr Sesay, it is directed to
17 Major General Sam Bockarie. At the very top, it is listed as
18 restricted. It is from Brigadier Issa H Sesay, battlefield
19 commander, and it is dated - it appears to be 26 January 1999, so
10:46:04 20 this is after the Freetown invasion in late January. You have
21 seen this document before, correct?

22 A. Yes. They showed this to me during my trial.

23 Q. It says that: "On 6 December I left the defence
24 headquarters." And it says, "The below enumerated materials and
10:46:29 25 items were then handed over to me for said mission." And the
26 document indicates you received 30 boxes of AK rounds. That's
27 correct, isn't it, that for the mission you were given 30 boxes
28 of AK?

29 A. No, no, no. I told my lawyer that this document was not

1 prepared by me because this was not the quantity of ammunition
2 that I was given.

3 Q. Well, let's make one thing clear. You wouldn't prepare a
4 comprehensive report like this, as the battlefield commander of
10:47:09 5 the RUF; you would have someone like your adjutant do it for you.
6 Isn't that the way things would work?

7 A. Well, if it were a report for me to prepare, as this person
8 it alleging, it should have been the ammunition that we captured
9 from Kono. It was not the one that the commander gave me to come
10:47:34 10 with, because the commander already knew what he gave me. So it
11 is not something I should report on again to send to the
12 commander because he gave them to me. So, this is not a report
13 that I prepared, nor did my adjutant prepare it, because it was
14 the commander that gave me the ammunition. How would I, again,
10:47:50 15 make a report of that and send it to him? I might make report of
16 what we captured. And I'm fully aware that when we came to Kono,
17 what we captured, I sent a radio message, and went we got to
18 Masingbi, what happened there, I sent a message, up to the time
19 we got to Makeni. All that transpired there, I also sent a
10:48:12 20 message.

21 Q. And while it was your duty to report by radio, constantly
22 updating Sam Bockarie, the chief of defence staff, it was also a
23 responsibility and a practice in the RUF to send written reports,
24 particularly about ammunition capture, correct?

10:48:35 25 A. Yes, but at the time I was advancing from Kono, I was
26 sending reports on the radio about the amount of ammunition that
27 we had captured in Kono. And about the ECOMOG soldiers that
28 surrendered, the Kamajors, I also sent message. But I would not
29 send message about what had been handed to me by the commander

1 for the operation, because he had gave it to me and he had taken
2 details of those, so how could I have sent a report about that
3 again? Should I send any report, it should be on the attack and
4 the things that I captured.

10:49:06 5 Q. Which this report includes. Your adjutant, in January of
6 1999, was Samuel Jabba, correct?

7 A. Yes. Jabba was my adjutant throughout.

8 Q. And the document lists various ammunition and supplies that
9 you were given for various targets. Then if we go to the second
10:49:39 10 page, going down to the bottom, the second-to-last paragraph:

11 "December 9th, 1998, we arrived safely at Guinea Highway,
12 2nd Brigade headquarters."

13 PRESIDING JUDGE: It was December 7th.

14 MR KOUJIAN: I am reading the next line.

10:50:06 15 PRESIDING JUDGE: I beg your pardon, you are right.

16 MR KOUJIAN:

17 Q. "We were 100 per cent welcomed by the commander, Colonel
18 Boston Flomo, alias Rambo, including his adviser, Lieutenant
19 Colonel Peter B Vandi, and others. Materials and items as
10:50:22 20 mentioned above were turned over to the commander."

21 By the way, it is important, in any military organisation,
22 including the RUF, to account for materials, arms and ammunition,
23 that are issued to various units, correct?

24 A. Yes, the commander who goes on the mission, the ammunition
10:50:49 25 that you give to the commanders that are carrying out the
26 operations, you should take a record of that. But about these
27 documents, the date that it is referring to, that that was the
28 date we came to Kono, is not correct. And Samuel Jabba was my
29 Defence witness, and if he had this - we had this as exhibit,

1 when we put it before him, he did not testify to it, to say that
2 he was the one that prepared it.

3 Q. So it was never put before your Defence witness? Your
4 lawyers never put this document to him?

10:51:23 5 A. I told my lawyers that the document is not a true document,
6 but you are saying - you, the Prosecutor, you are saying it is a
7 true document, but when Samuel Jabba came, you did not put it
8 before him as a Defence witness, and you are alleging that he
9 prepared this.

10:51:41 10 Q. It has his signature. Turn to the back page. We have had
11 witnesses in this trial recognise his signature. This is Samuel
12 Jabba's signature as the adjutant BFC's office, isn't it?

13 A. No, this is not Jabba's signature, because he had - you had
14 the opportunity to prove that at the time Jabba came as Defence
10:52:09 15 witness. You should have put it before him, that he prepared the
16 document and that this is his signature, but you did not do that.
17 It is simply because it is not a true document.

18 Q. Mr Sesay, on the - several witnesses have identified this
19 signature in this trial. On December 11, it reads, going back to
10:52:28 20 the second page:

21 "The commander then call a general forum at his
22 headquarters. Battalion and unit commanders were then invited to
23 this forum. At 11 a.m. the forum commenced and mostly
24 centralised on the mission given to me by you, to attack and
10:52:54 25 capture Koidu, including Yengema and the airfield, for quick
26 transportation of our material by air."

27 Skipping down a few - two lines - excuse me, two
28 paragraphs:

29 "December 16th, 1998, the mission was carried out as

1 rescheduled by me. It was carried out successfully and there was
2 understanding among the officers and other ranks. On 17 December
3 1998, the town was under complete control."

4 Do you agree, Mr Sesay, that by 17 December 1998, all of
10:53:43 5 Koidu Town was under the control of the RUF and its allies?

6 A. Yes. We attacked on the 16th, and on 17 December Koidu was
7 under RUF control, but it was on the 12th that myself and those
8 who came from Kailahun arrived at - on Superman Ground. That was
9 on 12 December, around 12 to 13 December, because I recall that I
10:54:14 10 spent about three days, three days - three to four days before
11 the attack. So, it was not on the 7th that we arrived on
12 Superman Ground, no.

13 Q. I am done with this document for now.

14 Mr Sesay, how many tanks were captured in that attack on
10:54:57 15 Koidu Town?

16 A. Well, the tanks that were in operational order were two,
17 and the one that had problem, the ECOMOG left that one at
18 Kokuiima, and the one that we met at - that we got at Nimikoro was
19 also disturbed, and we captured one at Opera, and the other was
10:55:33 20 captured at the Tankoro Junction.

21 Q. So I am not clear if you have answered my question. Can
22 you give me a number? How many tanks were captured on the attack
23 on Koidu?

24 A. Well, those that were in working order were two and those
10:55:53 25 that were not in working order were two.

26 Q. I apologise - the court officer may need to go back to this
27 document. The document that we just looked at, and I can show it
28 to you, says three armoured tanks were captured. Is that true?

29 PRESIDING JUDGE: You are referring to P-99, are you?

1 MR KOUMJIAN: P-93, I believe is the correct number, P-93.

2 Thank you.

3 Q. And if we can look now at page 3, at the very bottom. At
4 the bottom there is a list from A-S, and just so we understand
10:56:49 5 what it is a list of, the sentence before Koidu Town says, "The
6 below listed items and materials were captured" and then going to
7 the very bottom, S, "three armoured tanks." Is that correct? Is
8 this report accurate?

9 A. Well, there were two functional armoured tanks and the
10:57:17 10 other two were not in working order.

11 MR KOUMJIAN: Could the transcript from the RUF trial be
12 put on, please, for 17 May 2007, page 90.

13 Q. Going to the very bottom of the page, the last line says:

14 "We captured tanks. We captured two functional tanks and
10:58:18 15 one was" - next page - "not functional."

16 So in the RUF trial you gave the exact same number as this
17 document, P-93 page 3, the last line, "Three tanks were
18 captured." Correct?

19 A. My Lord, I said the two tanks that were functioning were in
10:58:49 20 Koidu Town, and there was another one that we got at Kokui ma and
21 we got another one at Nimi koro. Those were not in functioning
22 order. So there were two that were working and the other two
23 were not in working order.

24 Q. So now you're saying there were two none working tanks
10:59:09 25 captured for a total of four, while in the RUF trial you said
26 there was only one non-functional tank for a total of three,
27 consistent with the document I just showed you; is that right?
28 You have contradicted yourself again?

29 A. Well, I don't believe that I have contradicted myself

1 because my lawyer asked me about the tanks that we captured in
2 Koidu Town. But I am understanding your question to be that how
3 many tanks we captured in Kono, and one at Nimikoro was not in
4 working order, and the other at Kokui ma was not in working order,
10:59:55 5 and the two were captured in Koidu Town and everybody saw those
6 tanks.

7 PRESIDING JUDGE: Mr Sesay, did you capture two? Did you
8 capture three or four tanks, which is it?

9 THE WITNESS: Four, my Lord. During the whole operation in
11:00:11 10 Kono we captured four tanks, my Lord.

11 PRESIDING JUDGE: And why in the RUF did you say three?

12 THE WITNESS: Well, in the RUF trial, when my lawyer asked
13 me, he asked me about just immediately after the attack on Koidu
14 Town, Koidu Town, and the attack on Koidu Town was three tanks;
11:00:38 15 but the question here now is asking about how many tanks we
16 captured in Kono. And the other tank was captured outside Koidu
17 Town and that was in Nimikoro. That is my understanding. And
18 the tank that was parked at Nimikoro, everybody saw it that it
19 was not in working order.

11:01:02 20 MR KOUMJIAN: I have another subject. Perhaps this is a
21 good time for a break.

22 PRESIDING JUDGE: Very well we will take the midmorning
23 break and reconvene at 11.30.

24 [Break taken at 11.02 a.m.]

11:23:09 25 [Upon resuming at 11.35 a.m.]

26 PRESIDING JUDGE: Mr Koumjian, please continue.

27 MR KOUMJIAN:

28 Q. Mr Sesay, when you made your plan for the attack in Kono
29 District, did you plan to cut off any reinforcements that could

1 have come to assist the defenders of Koidu Town?

2 A. Yes. It was Morris Kallon who went on that ambush to cut
3 the supply line.

11:35:41

4 Q. Where did he go to ambush the supply line, to cut the
5 supply line?

6 A. Around Gold Town.

7 Q. That was to cut supplies coming from where?

8 A. For the reinforcement that was to come from Makeni, to
9 fight the ECOMOG and the Kamajors in Koidu.

11:36:00

10 Q. So is it correct that that was a normal military strategy,
11 that in planning an attack, you would set ambushes to cut off
12 reinforcements from coming to assist those that you were
13 attacking? That was a standard tactic, correct?

11:36:34

14 MR CHEKERA: Sorry, maybe before we continue, I'm looking
15 at my LiveNote and it would appear that the reinforcement that
16 was being cut off was the reinforcement that was going to fight
17 the ECOMOG and the Kamajors. I'm not sure that that's reflective
18 of the evidence.

19 PRESIDING JUDGE: What line are you referring to?

11:36:51

20 MR CHEKERA: Page 53, line 24 on my LiveNote.

21 PRESIDING JUDGE: I can't remember what the witness said.

22 MR KOUMJIAN: Let me - perhaps, Madam President, I could
23 clarify with the witness.

11:37:17

24 Q. Mr Witness, I had asked you earlier "Where did Kallon go to
25 ambush the supply lines." You said, "Around the time. Around
26 town." And then I asked --

27 PRESIDING JUDGE: "Around Gold Town".

28 MR KOUMJIAN: "Gold Town", correct.

29 Q. And then I asked you: "That was to cut supplies coming

1 from where?" You said: "For the reinforcement that was to come
2 from Makeni to fight" - did you say "the ECOMOG and Kamajors that
3 were to come from Makeni to help fight in Koidu"?

4 A. Yes, to help their brothers who were in Koidu to fight
11:37:52 5 against us.

6 PRESIDING JUDGE: To fight with the ECOMOG and the
7 Kamajors; the reinforcement was coming from Makeni to fight
8 alongside ECOMOG and Kamajors?

9 THE WITNESS: Yes, my Lord.

11:38:13 10 MR KOUJIAN: Okay. Thank you.

11 Q. What I'd like to do now, Mr Sesay, is to give you a map of
12 Sierra Leone. This map is previously marked. Okay. It's not
13 marked. It's a map of Sierra Leone. And I would like you to
14 mark the map, take your time, in two different colours.

11:38:36 15 JUDGE DOHERTY: Mr Koumjian, before the map is marked. I
16 don't recall an answer to your previous question: "Was that a
17 standard tactic?"

18 MR KOUJIAN: Thank you, Justice.

19 Q. Mr Sesay, I'm sorry, we did not get an answer to my last
11:38:52 20 question. The question I asked you was: Was it a standard
21 tactic, in planning an attack, to prepare to ambush
22 reinforcements that could come to assist those who were
23 attacking?

24 A. Yes, that is a military tactic.

11:39:21 25 Q. Now, the map in front of you, for everyone's information,
26 is from map S1 in the map book, an unmarked version is P-5, is
27 document P-5.

28 What I would like you to do, Mr Sesay, is to mark in two
29 different colours; in one colour those positions in Sierra Leone

1 held by the RUF and, in the other colour, those positions held by
2 your enemies, the Kamajors, ECOMOG, and the Loyal SLA.

3 A. In the whole country?

4 Q. Yes, sir. Could you do that?

11:40:05 5 PRESIDING JUDGE: Over what time frame? What time frame
6 are we talking about?

7 MR KOUMJIAN: Thank you. That's very pertinent.

8 Q. Mr Sesay, I want you to mark the positions that were held
9 before you attacked Koidu. So before the 16th, let's say the
11:40:23 10 15th of December 1998, where was - first of all, why don't you
11 just mark, where was ECOMOG? Mark the positions held by ECOMOG
12 the 15th of December 1998.

13 A. That is in what district?

14 Q. Well, let's start with Kono District.

11:40:53 15 A. Okay. Well, ECOMOG was in Koidu Town while the RUF was in
16 the outskirts of the town because, like, RUF was in Kuyor and
17 that is almost part of Koidu Town.

18 PRESIDING JUDGE: The city was Kuyor, spelt K-U-Y-O-R?

19 THE WITNESS: Yes, my Lord, and that is part of Koidu Town.
11:41:37 20 RUF had their combat camp there while the ECOMOG was in Koidu.
21 But you could be standing at Kuyor Junction and see right into
22 Koidu Town. And, if you look at Yardu here, RUF was here before
23 the attack on Koidu. RUF was here, Yardu. But Kuyor is not on
24 this map. Kayima, RUF was here as well. Kurubonla, here, SAJ
11:42:28 25 Musa, Brigadier Mani and others were here. And Gandorhun - RUF
26 was here. Njaiama, ECOMOG was here. And Yengema, ECOMOG was
27 here. Njaiama-Sewafe was ECOMOG. Tefeya, RUF was here. Tefeya,
28 Yomandu, Kayima; that is Yomandu, Tefeya, all those were RUF.
29 Njaiama-Sewafe, Tongo, was ECOMOG and the Kamajors.

1 MR KOU MJIAN:

2 Q. And let's look, moving to the west, who
3 held, December 15th, before you attacked Koidu Town, who held
4 Masingbi?

11:43:49 5 A. Masingbi was the Kamajors and the ECOMOG.

6 Q. Can you mark that?

7 A. Yes, I've marked it.

8 Q. Thank you. And who held, and I know I don't pronounce it
9 correctly, Magburaka - Magburaka?

11:44:10 10 A. Well, before coming to Magburaka you pass through Matotoka,
11 it was the ECOMOG and the Kamajors that were in Matotoka; and
12 Magburaka, it was ECOMOG and the Kamajors that were there.

13 Q. Okay. Please mark Matotoka and Magburaka?

14 A. I've done that, sir.

11:44:30 15 Q. Thank you. Who held Makeni?

16 PRESIDING JUDGE: Mr Sesay, are you using different colours
17 to represent the different groups that held these positions?

18 THE WITNESS: Yes, my Lord. This one is for ECOMOG and the
19 Kamajors and this one is for the RUF. Yes, ma'am.

11:44:51 20 MR KOU MJIAN: And the witness indicated, Mr Sesay, correct
21 me if I'm wrong, he's using green for ECOMOG and orange for RUF -
22 is that correct?

23 Q. Green for ECOMOG and Kamajors, and orange for RUF, is that
24 correct?

11:45:08 25 A. Yes, my Lord, it's correct.

26 Q. Who held Lunsar?

27 A. Lunsar, it was ECOMOG and the Kamajors because the AFRC
28 attacked there, but from there they continued their movement
29 towards Masiaka, and ECOMOG went there as well and took the

1 place, together with the Kamajors.

2 Q. 15 December 1998, who held Port Loko?

3 A. ECOMOG and the Kapras, the Gbethis; so I can say ECOMOG and
4 the Civil Defence.

11:46:12 5 Q. So please mark that in green.

6 A. I've done that.

7 Q. Thank you. Who held Masiaka?

8 A. Before the 15th of December AFRC captured here, that is
9 Masiaka, and they continued their movement towards Waterloo. And

11:46:37 10 around the 15th ECOMOG and Kamajors re-took the place after they
11 had pushed out the AFRC, Masiaka.

12 Q. So you're saying that Masiaka, around the 15th of December,
13 was going back and forth between the AFRC and ECOMOG, is that
14 correct?

11:47:00 15 A. AFRC captured the place; what I learnt later when they were
16 advancing towards Freetown, that is Waterloo, they captured
17 Masiaka and ECOMOG attacked them and they withdrew and continued
18 their movement towards Waterloo, Masiaka.

19 Q. Okay. So you've indicated that after the 15th it was
11:47:29 20 controlled by ECOMOG, is that correct?

21 A. Yes, it's correct.

22 Q. Well, then, mark that with green and the record will
23 reflect your comments.

24 A. I've done that.

11:47:48 25 Q. The entire western peninsula at the 15th, Waterloo,
26 Hastings, York, Wellington, Freetown, all of that was held by
27 ECOMOG and its allies, correct?

28 A. Well, around this time the AFRC movement was around this
29 Waterloo Songo area, between Masiaka and Songo. There were AFRCs

1 there.

2 Q. Between Masiaka and Songo?

3 A. Yes, which is four mile - just four miles from Waterloo.

4 Q. Can you put, then, an orange circle in that area between
11:48:52 5 Songo and Masiaka where you believe these AFRC troops were.

6 A. Yes, sir.

7 Q. And is it correct then that from Songo to the west, all of
8 that area was controlled by ECOMOG and its allies?

9 A. Between what time and what time?

11:49:25 10 Q. 15th of December 1998, before you launched your attack on
11 Koidu, Songo, Waterloo, York, Hastings, Wellington and Freetown
12 were all in the control of ECOMOG and its allies, correct?

13 A. Yes, sir.

14 Q. Can you mark all of that area green.

11:49:52 15 A. I've done that.

16 Q. Lungi airport, who controlled Lungi at 15th
17 of December 1998?

18 A. It was the ECOMOG and the Civil Defence.

19 Q. Can you mark that, please.

11:50:13 20 A. Together with the Sandlines, because that is where their
21 helicopters were, the helicopter gunships, around that.

22 Q. Okay. Perhaps we could put the map in its current
23 condition on the projector, so that we can see what it looks
24 like.

11:50:42 25 A. Yes, sir, but it would be good - because you've told me to
26 mark Koidu, I've marked Koidu. I told you that at the outskirts
27 of the town, and that is part of the town, RUF was there. Can I
28 mark there with the orange? Or just locate the areas where the
29 RUF was before the attack, sir?

1 Q. Yes, please, make the map as complete as possible. Your
2 knowledge of where the ECOMOG and RUF - ECOMOG and its allies
3 were and RUF and its allies were on 15 December 1998. Take your
4 time.

11:51:21 5 A. Yes, sir.

6 PRESIDING JUDGE: Can we please see the map on the screen.

7 MR KOUMJIAN: It's now on the screen. Thank you. The map
8 is now on the screen.

9 Q. So, Mr Sesay, you have marked in orange, it appears on my
11:52:27 10 screen to be pink right now to me, where the RUF and its allies
11 were and in green where ECOMOG and its allies were, correct?

12 A. Yes, sir. In some towns in the Kono District and Tonkolili
13 coming town to Bombali and the Western Area.

14 Q. Before we mark this, can you also mark where the RUF was in
11:53:03 15 Kailahun District. And, Mr Sesay, for completeness, could you
16 mark what you know about who was in control of the southern
17 districts of the Bo and Kenema Districts.

18 A. My Lord, I don't think it's necessary to mark that, because
19 the whole of the southern province was controlled by the
11:54:49 20 government, that was the ECOMOG and the Kamajors, the whole of
21 the south.

22 Q. Well, that's clear. Perhaps you could just mark green
23 Kenema and Bo Towns and your remarks will be on the record,
24 noted.

11:55:08 25 A. I said that is just for the south, because some areas in
26 Kenema, there were RUF there.

27 Q. I see. Okay. Can you mark those areas in Kenema that were
28 held by RUF and those areas held by ECOMOG.

29 A. Well, the area where the RUF was from Nyama to almost Joru,

1 I've not seen it on the map.

2 Q. If you know approximately where that is you can mark the
3 area, even if the name of the town is not marked. Mr Sesay, if I
4 did not ask you before, can you also mark who controlled Makeni
11:56:53 5 on 15 December 1998.

6 A. I've made some mistake here. I had the orange in my hand,
7 that was what I first used, but I've used - I've overwritten it
8 with the green.

9 Q. Okay. Thank you. Was that at Makeni where you made that
11:57:27 10 small mistake or where?

11 A. Yes.

12 Q. Okay. But it's clear to --

13 A. But --

14 Q. It's clear to us now. Okay. Thank you.

11:57:44 15 A. But around the 15th of December the RUF, Superman, the
16 AFRC, Mani, their troops had moved from Koinadugu and they were
17 around this Bombali District, around this Binkolo axis.

18 Q. So can you put - they had not yet taken Binkolo on the 15th
19 of December, correct? That was attacked shortly before Makeni,
11:58:27 20 correct?

21 A. Yes, but they were on their way but they had not taken
22 Binkolo yet, right.

23 Q. So can you put an arrow coming from the north pointing
24 towards Binkolo in orange to show that they were coming towards
11:58:52 25 there.

26 A. Around this Alikalia, Kurubonla, Bendugu, Koinadugu, STF,
27 Brigadier Mani and Superman's troops were there throughout
28 from August when Superman went there.

29 Q. Okay. Can you mark that in orange then.

1 A. And these other towns within the Bombali District, these
2 were towns that the AFRC had been attacking during 1998 up to
3 this time when they came to this place like Karina, Pendembu,
4 Mateboi, Batkanu, Gbinti, Mange.

12:00:25 5 Q. Thank you, we understand that from the evidence, but right
6 now I only want you to mark where forces were occupying on the
7 15th of December. If you know that they were there on the 15th
8 of December, mark it, but if you don't, just leave it unmarked.

9 A. No, during December 15th they were not there. They were
12:00:46 10 where I had marked, around the Songo - between Masongo and
11 Masiaka.

12 Q. Okay. Thank you. So, Mr Sesay, are you ready for us to
13 look at what you've marked, or have you completed your work?

14 A. Yes, sir. Because the place which I said around the Kenema
12:01:22 15 District that we were, I told you that I did not see the towns'
16 names, so you told me to mark the areas that I knew. I've marked
17 the area, yes, sir.

18 Q. Very well. So let's take a quick look on the screen at
19 what you've marked. And it is as you've described. And we see
12:01:45 20 areas marked in orange, that RUF or AFRC held, and areas marked
21 in green, held by ECOMOG, Kamajors or government soldiers.
22 Mr Sesay, can you just write on the top of that, let's give it
23 back to you for now, and write "Military position
24 15 December 1998".

12:02:14 25 A. I don't understand, sir. Military position, like what?

26 Q. No. Just these words, just so when we look at this or when
27 the judges look at this months from now they understand what
28 you've done. So just along the top, the very top above the map,
29 if you could write "Military positions held, 15 December 1998".

1 A. Should I write on top of the map?

2 Q. Mr Sesay, where I'm showing you, just at the top above the
3 map, if you could write along the border.

4 A. Yes, military what, sir?

12:02:56 5 Q. "Military positions held, 15 December 1998". Thank you.
6 And if you could just sign it at the bottom and put today's date,
7 which is 19 August 2010.

8 PRESIDING JUDGE: Mr Koumjian, that's not enough. How will
9 we know which colour pertains to who?

12:03:39 10 MR KOUMJIAN: Certainly. Thank you.

11 Q. So, Mr Sesay, just so we can see how much space is left,
12 can we look quickly at the map after you've written that and I'll
13 tell you where to write the rest. Okay. On the top you've
14 written "Military positions", as I requested. You wrote,

12:04:01 15 "16th December 1998", that's fine. And now if you could put --

16 PRESIDING JUDGE: 15th. It was 15th.

17 MR KOUMJIAN: Thank you.

18 Q. And now if you can put, above that, Mr Sesay, take the
19 orange and write "ECOMOG and allies" in orange.

12:04:24 20 PRESIDING JUDGE: There's no need to write in orange. All
21 you need to do, Mr Sesay, is write a little dash in orange and
22 against it to write "RUF and allies". And you take the green
23 marker, make a little dash, and write "ECOMOG and allies".
24 A-L-L-I-E-S, allies.

12:05:29 25 THE WITNESS: No, my Lord, I just wrote "RUF/AFRC",
26 "ECOMOG/Kamajors".

27 PRESIDING JUDGE: Thank you. That's good enough.

28 MR KOUMJIAN:

29 Q. Thank you, Mr Sesay. And just so we can mark this exhibit,

1 can you just put today's date and sign this. And today's date is
2 19 August 2010. Thank you.

3 May this map, as marked by the witness, be marked for
4 identification, please.

12:06:45 5 PRESIDING JUDGE: Would you put it back on the screen,
6 please, for us to see? We need to see the map, not the
7 signature. I want to see the legend as well, the words at the
8 top. This is a map of Sierra Leone, as marked by the witness,
9 showing military positions as of 15 December 1998. That is
12:07:26 10 marked MFI -25.

11 MR KOUMJIAN: Thank you, Madam Court Officer.

12 Q. Now, Mr Sesay, you talked about Kallon receiving
13 instructions to set an ambush for reinforcement. What actually
14 occurred is that your victory over the ECOMOG was so complete,
12:07:58 15 the ambush that Kallon set, he ended up catching the ECOMOG
16 troops that were retreating. Rather than reinforcements coming
17 to Koidu, he was able to attack ECOMOG troops retreating from
18 Koidu, correct?

19 A. No. At first it was the reinforcement that was coming that
12:08:21 20 fell in the ambush, so they retreated, and Kallon and others were
21 able to capture a very good amount of RPG rockets and some
22 ammunition that they left behind, when they ran away and left the
23 pick-up, and they went back to Masingbi.

24 Q. What happened to the ECOMOG, the Kamajors that were in -
12:08:44 25 and the Loyal SLA that were in Koidu Town when you attacked Koidu
26 Town, 16 and 17 December '98?

27 A. Well, they withdrew from Koidu Town. They went to Bumpe,
28 and the larger group of them went through Njaiama Nimiroro, and
29 the other group retreated to Sewafe. So when they heard about

1 the ambush at Gold Town and we had also captured Bumpe, they then
2 left their vehicles and they crossed the Sewa River, yes, the
3 Sewa River, through a village called Pumudu - Punduru, Punduru,
4 and then - and then they went towards Bamakonta.

12:09:46 5 Q. Can you say the name of the river that they crossed again?

6 A. I said Sewa River.

7 Q. S-E-W-A, correct?

8 A. Yes.

9 Q. So the withdrawal of ECOMOG turned into a panic, and they
12:10:08 10 abandoned their weapons and ran; is that correct?

11 A. Yes, because when we captured Bumpe from them, they then
12 divided. A group went towards Nimi koro, and the other group went
13 to Sewafe, where they crossed the Sewa River.

14 Q. Following the capture of Koidu Town, you've previously
12:10:34 15 explained in your testimony, your forces, the forces under your
16 command, continued westward, correct?

17 A. Yes.

18 Q. And tell us where you sent forces after capturing Koidu
19 Town.

12:10:48 20 A. Well, when we captured Koidu Town, we knew, because we saw
21 them running away that evening, when they were pulling out with
22 some of their vehicles, we then understood later that they were
23 in Bumpe so we had to attack Bumpe. So when they saw us coming
24 towards Bumpe, they started withdrawing, so our troops attacked
12:11:22 25 Bumpe, and then they withdrew to Njaiama Nimi koro, one group of
26 them, and the other group went to Sewafe. And they continued to
27 stay in Njaiama Nimi koro until January of '89 when we were able
28 to push them out of there and they retreated to Tongo.

29 Q. Where did your forces go after you took Koidu Town?

1 A. Well, I reported to Sam Bockarie. I told him that we
2 captured Koidu Town and the ECOMOG ran away and that they were
3 going towards Makeni, Magburaka - I mean, they were going towards
4 Masingbi, and the others were at Njaiama Nimi koro. He then said,
12:12:04 5 "Well, Rambo" - he said, "Rambo should go and join Morris Kallon
6 at Gold Town and they should continue to push towards Masingbi
7 whilst Akim and others should go towards Njaiama Nimi koro to
8 attack the ECOMOG at Nimi koro.' But the ECOMOG resisted there
9 strongly until January '99, when we were able to push them out of
12:12:33 10 there.

11 Q. Now, you've told us that 24 December, you took Makeni,
12 correct?

13 A. Yes.

14 Q. What happened between 17 December and 24 December? Where
12:12:50 15 did your troops go?

16 A. Well, the troops were moving from Kono District, going
17 towards Masingbi, and from - and at Masingbi, they captured
18 Kamajors who surrendered with their guns, and the same thing
19 happened at Makali, and it continued on to Magburaka before they
12:13:15 20 arrived in Makeni.

21 Q. After taking Makeni, along with Superman's forces on 24
22 December, where did your forces go?

23 A. Well, my troops that moved from Kono, when we captured
24 Magburaka, we sent some towards the road going towards Bumbuna,
12:13:43 25 and the others went towards the road to Magbas, towards Mile 91,
26 and the others went to Makeni, and then they went and captured
27 Makeni, after which we decided to attack Bumbuna. Superman and
28 his troops went and attacked Kabala, but those two attacks were
29 not successful and we were not able to attack Bumbuna. We then

1 decided to set up a defensive at Magbontoh.

2 PRESIDING JUDGE: Mr Koumjian, there are so many names that
3 I have not heard of. This place Magbas or something like that.
4 Please pay attention to the place names. If this evidence is
12:14:37 5 useful, please pay attention to the place names and elicit
6 spellings.

7 Mr Interpreter, Magbas, how do you spell it?

8 THE INTERPRETER: M-A-G-B-A-S, your Honours.

9 PRESIDING JUDGE: Magbontoh?

12:14:57 10 THE INTERPRETER: Magbontoh is M-A-G-B-O-N-T-O-H, your
11 Honours.

12 MR KOUMJIAN: Thank you.

13 Q. Now, Mr Sesay, at some point the RUF launched an attack on
14 Port Loko after taking Makeni, correct?

12:15:14 15 A. Yes, in January of '99.

16 Q. When in January?

17 A. Well, I think it was around - I don't recall the exact date
18 now, but it was in January.

19 Q. Was it before or after the January 6 invasion of Freetown?

12:15:52 20 A. Well, the January 6 attack had gone on already in Freetown.
21 They were carrying out the attack in Freetown whilst the RUF
22 attacked Port Loko.

23 Q. The RUF also, you told us, went and attacked Waterloo,
24 trying to get to Freetown. When did that happen?

12:16:16 25 A. Well, that was after the RUF had been pushed out of Port
26 Loko because the RUF was not successful in capturing Port Loko.
27 So it was after that that Sam Bockarie said since Rambo and
28 others were not able to capture Port Loko, he said the troops
29 should move towards Waterloo. That was the time they attacked

1 Masiaka, they attacked Mile 38, and they then met the Guinean
2 troops at Waterloo, and they fought against them for some time
3 before they could capture Waterloo.

4 Q. Okay. I'd like now to just show a video going over some of
12:17:03 5 the terrain in the area you talked about where this December '98,
6 January 1999 attacks took place. So if we could show video 2,
7 please, which is December '98 attack sequence.

8 [Video played to the Court]

9 PRESIDING JUDGE: Mr Koumjian, what are we supposed to be
12:18:57 10 seeing?

11 MR KOUMJIAN: Now we are seeing - we started at Buedu and
12 then the - we saw the terrain at Koidu and a close-up of Koidu,
13 and then we went along the road to Makeni, we saw Makeni, and now
14 we're travelling along the road and we see Magburaka, the road -
12:19:18 15 we saw the road between Makeni and Magburaka. Again, we're
16 looking close in at Magburaka, and now going on the road back to
17 Makeni.

18 PRESIDING JUDGE: Is that how it happened?

19 MR KOUMJIAN: No, no one is giving this as the sequence of
12:19:50 20 the event - all the events.

21 PRESIDING JUDGE: That's why I asked you, what are we
22 looking at, I mean other than the place names and the terrain?
23 What is it that we're looking at?

24 MR KOUMJIAN: Well, we are looking at the terrain, and the
12:20:09 25 sequencing starts off in Buedu, goes to Koidu, goes to Makeni,
26 Magburaka, and then we went back to Makeni. And that was the
27 sequence that was shown in that video.

28 PRESIDING JUDGE: It's the sequence that was shown, but
29 what does it signify, Mr Koumjian? Is this in any way related to

1 the evidence of the witness? Are you going to put questions to
2 him arising out of that map?

3 MR KOUMJIAN: Yes.

4 Q. Sir, you started in Buedu and then you took Koidu; is that
12:20:47 5 correct?

6 A. Yes, sir.

7 Q. You took Koidu by 17 December 1998, correct?

8 A. Yes, you're correct.

9 Q. You then went on and your forces, on 24 December 1998, took
12:21:01 10 Makeni, correct?

11 A. Yes.

12 Q. You talked about attacking Magburaka. When did that occur?

13 A. Well, we captured Magburaka around the 20 - I think the
14 22nd, something like that.

12:21:25 15 Q. So just before you went to Makeni, you captured Magburaka,
16 correct?

17 A. Yes. We passed through Magburaka, myself and the troops.

18 Q. Thank you. Now, on 5 January 1998, before the attack on
19 Freetown, where were your troops?

12:21:58 20 JUDGE DOHERTY: Mr Koumjian, 1998?

21 MR KOUMJIAN: Thank you.

22 Q. January 5, 1999, Mr Sesay, where were your troops?

23 A. January 1990 what? Say the question again, please.

24 Q. Just before Gullit went into Freetown, where were your
12:22:25 25 troops?

26 A. Well, we were in Makeni because, like I said, we attacked
27 Binkolo and Superman went and attacked - Superman went and
28 attacked Kabala but those two attacks failed. But those who went
29 to Freetown, the map has not shown the route that they took and

1 where they were at that point in time for them to enter Freetown.

2 Q. Okay. We'll come back and we'll mark that in just a
3 moment. We'll have you point out where they were when they
4 entered Freetown. Let me first ask you: Where were you when you
12:23:10 5 heard about the death of SAJ Musa?

6 A. Well, I was in Makeni. I was in Makeni when I heard
7 in January - when I heard in January about the death of SAJ Musa,
8 because at the initial stage I did not know.

9 Q. Well, wasn't it, in fact, in December that you heard about
12:23:39 10 the death of SAJ Musa?

11 A. Well, no, I did not hear it because Sam Bockarie did not
12 tell me and I did not overhear it when Gullit told him, because
13 Bockarie too did not believe it initially. So I don't --

14 Q. My question was: Did you hear about it in December and
12:24:05 15 your answer is no, it wasn't until January?

16 A. It was around the time that he died, because I don't recall
17 now because I did not have direct communications with them except
18 if I got it from Sam Bockarie's station. But I do not recall now
19 the exact time that I heard about it.

12:24:29 20 Q. Where were you when you heard about it? In Makeni?

21 A. I was in Makeni.

22 Q. How many days approximately after you captured Makeni was
23 it that you heard that SAJ Musa died?

24 A. Well, I don't recall how many days it took. But I was in
12:24:52 25 Makeni when I heard that SAJ Musa had died and it was through
26 Bockarie's station because they informed Bockarie, but Bockarie
27 too did not believe.

28 Q. So did you get the information the same day that
29 Sam Bockarie got the information?

1 A. Well, the day we captured Makeni, I did not hear that
2 information on that very day.

3 Q. That's not what my question was. Mr Sesay, you were the
4 battle group commander of the RUF - excuse me, the battlefield
12:25:26 5 commander of the RUF at that time, correct?

6 A. Of course.

7 Q. And you were leading the troops that were on the offensive
8 in Makeni. You had just captured - you had captured Makeni and
9 you had troops engaged in battle with ECOMOG, correct?

12:25:42 10 A. Yes.

11 Q. It was important for you to know what the situation was in
12 the country. Isn't that true?

13 A. Well, it was important for me to know about the others who
14 were taking orders from me. But if people were not taking orders
12:26:05 15 from me and something happened from amongst them, it was then not
16 important to me because they were not directly reporting to me,
17 my Lord.

18 Q. It was not important to you - is that your testimony - that
19 SAJ Musa had died?

12:26:16 20 A. But the commanders who were operating with SAJ Musa were
21 not reporting to me because they were not under my instructions.

22 Q. So your answer is it was not important to you to hear that
23 SAJ Musa died?

24 A. No. The way you asked the question, I do not want you to
12:26:43 25 base your - your answers or questions on my response, my Lord,
26 because you are asking the question as though the troops were
27 under my command. And Gullit and SAJ Musa's troops were not
28 reporting to me, they were not sending messages to me.

29 Q. Mr Sesay, you can answer my question. My question was:

1 Was it important to you to hear that SAJ Musa died? Is your
2 answer no?

12:27:18 3 A. They were my fellow Sierra Leoneans. It was important for
4 me to hear that he died because he is my fellow human being and
5 he was a Sierra Leonean.

6 Q. It had no significance to you that SAJ Musa died as far as
7 the military situation was concerned? Are you saying it didn't
8 affect, as far as you were concerned at all, the military
9 situation?

12:27:36 10 A. Well, SAJ Musa and I were not on the same military
11 operation at this time. But my concern is when he died he is my
12 fellow Sierra Leonean, so I had sympathy for him. But we did not
13 share any common interest to say that the operation that was
14 going on, it was a joint operation with me. But I operated with
12:28:03 15 - I stopped seeing him in February of 1998. But we used to
16 discuss at that time. But besides that, we never had any further
17 business.

18 Q. Was it important to you - well, let's first set some
19 background. SAJ Musa was not communicating with Sam Bockarie and
12:28:23 20 the RUF, correct?

21 A. Yes, he was not communicating with the RUF. Sam Bockarie -
22 with Sam Bockarie. He was not communicating with me and so I did
23 not know whether he was communicating with Bockarie.

24 Q. The day that SAJ Musa was killed, you know that Gullit
12:28:46 25 began to communicate with Sam Bockarie, correct?

26 A. Well, on that very day I did not know, because I was also
27 on an attack trying to capture Makeni. So it was after that, the
28 following days that I heard from the operator that - my operator
29 that he heard - he got a message from Buedu that the operator in

1 Buedu was saying that Sam Bockarie said Gullit said SAJ Musa had
2 died. But the operator said Bockarie said he did not believe
3 what he heard. And later Bockarie also told me that he did not
4 believe what Gullit told him.

12:29:26 5 Q. Mr Sesay, ever since your trial you've tried desperately to
6 distance yourself from your friend Gullit. Isn't that true?

7 A. No, that is not it. What happened and what people knew -
8 he knew that and I also knew that. I am not trying to distance
9 myself from him, but since then I know that he and I did not have
10 any common purpose, so how can I just link myself with him?

12:29:55

11 Q. You used the word "common purpose". Did you get - are you
12 talking about the legal term "common purpose"?

13 A. Well, that is what they have in the indictment that we had
14 a common purpose for the attack on Freetown. But as far as I
15 know, I did not have any common purpose with them. And even at
16 that time they brought RUF who were present with them in the
17 attack on Freetown like King Perry as a witness, the Prosecution
18 brought them. They brought Gibril who was sprung out of Pademba
19 Road, they brought him as a witness.

12:30:17

20 Q. Mr Sesay, we have to try to finish your testimony so you
21 have to answer the question and the question was just: Are you
22 talking about the legal term "common purpose"? And I think you
23 answered yes, is that right? You understood that term from the
24 indictment, is that correct?

12:30:41

25 A. I am talking from my own knowledge that I did not have a
26 common plan with the man at this time.

27 Q. He was your friend, isn't that true, Gullit?

28 A. Yes, I came to know him when he was PLO-2 during the days
29 of the AFRC. That was the first time I met him in Freetown.

1 Q. Unlike SAJ Musa, who didn't want anything to do with the
2 RUF, Gullit was your friend, correct?

3 A. No, no. In that case you are talking about things that you
4 do not know about. Even before the looting of the Iranian
12:31:44 5 embassy SAJ Musa used to visit me on Sundays because we were all
6 staying at Hill Station. Sometimes he would visit us, Mike
7 Lamin, Kallon and I, he would invite us sometimes to go and meet
8 him at Cape Sierra, then we'd take lunch together. So all of
9 these men that I'm referring to, they were Mendes and SAJ Musa
12:32:06 10 too was a Mende. The only person that I know that he was not
11 pulling with was Sam Bockarie because I saw that they did not see
12 eye to eye. But all other people that I'm talking about, I think
13 they were all together up to the intervention.

14 Q. And Gullit was your friend, correct?

12:32:28 15 A. I said I met him in Freetown when they invited us, he
16 became my friend but I cannot say that he was a close friend of
17 mine that, like, for instance, he used to come to my house, no.
18 SAJ Musa visited me in my house frequently than Gullit at Hill
19 Station.

12:32:48 20 Q. Gullit visited your house, didn't he?

21 A. Well, I recall that Gullit visited my house once. By then
22 he and Jeff, because at that time his CSO Jeff was my wife's
23 cousin, so they visited my house one particular day. But like
24 for SAJ Musa, at the time he came, on most Sundays he used to
12:33:16 25 visit my house.

26 Q. I asked you about Gullit and now you're going on to SAJ
27 Musa. So I'm going to stop you because we'll go on forever if
28 you don't just answer the questions. Gullit also gave you a
29 pick-up truck, correct?

1 A. Yes, he gave me a pick-up when I went to Freetown. I did
2 not have a vehicle. Sam Bockarie told him, he gave me a pick-up.

3 Q. Gullit also was a friend of Sam Bockarie. When he
4 retreated from Kono he went to Kailahun and he stayed with

12:33:46 5 Bockarie, correct?

6 A. Yes, he was with Bockarie and Bockarie was friendly to him
7 because they were - they became friends from the time they
8 overthrew because Gullit was the number three man or the
9 number fourth man in the AFRC.

12:34:09 10 Q. And Gullit was a friend of Alfred Brown, the radio operator
11 that had been sent to SAJ Musa, correct?

12 A. Well, Gullit was a friend of Honourable Sullay. Honourable
13 Sullay was Alfred Brown's best friend in Freetown, not Gullit.

14 But because Gullit and Sullay were friendly to one another, so

12:34:38 15 Alfred Brown became friends with him also. But I know about his
16 friendship with Sullay.

17 Q. So the answer to my question is, yes, Gullit and Alfred
18 Brown were friends; correct?

19 A. Yes, they then became friends through Sullay before the
12:34:55 20 withdrawal from Freetown.

21 Q. Now, you were in detention with Gullit, Alex Tamba Brima;
22 correct?

23 A. Very well.

24 Q. And you've told us that you would talk about what Alex

12:35:09 25 Tamba Brima was going to testify about in his case. Isn't that
26 true?

27 A. Yes, I said he suggested it to me and I said no. I said he
28 should say what happened, but he should not link the RUF to what
29 RUF did not do or what RUF was not involved in.

1 Q. You and Alex Tamba Brima and others, you got together and
2 decided the best story would be "we had nothing to do with each
3 other". Isn't that true?

4 A. No, no, no. We did not have that common understanding.
12:35:51 5 Not at all.

6 Q. And you agreed, for example, to lie for Gullit when you
7 testified in your RUF case. Isn't that true?

8 A. No, no, no. We did not have that agreement. What happened
9 in Freetown was what I spoke about. And even the Prosecution
12:36:09 10 witnesses, what they said was what happened in Freetown about the
11 Freetown attack, that it was done by the AFRC. Some of the AFRC
12 like Junior Lion and others, what they said, and even what the
13 RUF insiders spoke.

14 Q. Now we know that you've denied any link to the mining in
12:36:32 15 Kono and we've seen the documents and the testimony that says
16 that the diamonds that you took to Monrovia, and didn't come back
17 with, were from the mining unit and you say that's not true.
18 Just like you, Gullit tried to deny any link with the mining in
19 Kono. And you helped him by lying and saying in your trial that
12:36:58 20 you took no diamonds from Gullit. Isn't that true?

21 A. Well, Gullit was not in Kono. When we greeted RUF/AFRC
22 when we went there, we did not meet Gullit there. And Gullit
23 came to Kono from Kailahun in mid-98 and he directly moved to
24 join SAJ Musa. So how would I have said that he was involved in
12:37:29 25 the mining?

26 Q. Well, because you told us here in court that you took
27 diamonds from him. Isn't that true? Johnny Paul Koroma sent you
28 to get diamonds from Gullit, and you've told us that you took
29 diamonds from him, correct?

1 A. Yes. Mike Lamin and I went there.

2 Q. You've repeated that three or four times in your testimony,
3 that you took diamonds from Gullit, right?

4 A. Yes.

12:38:00 5 Q. But you lied in the RUF case and you said you didn't take
6 any diamonds from him. If we could have your testimony shown to
7 you, 10 May 2007, page 41.

8 MS IRURA: Your Honour, this is a closed session
9 transcript.

12:38:43 10 MR KOUJIAN: I'm reading from line 14 - well, for context
11 I'll have to read a little earlier. Starting at line 2, the
12 sentence ends:

13 "A. Then I killed Gullit" - excuse me, "Then I called
14 Gullit. We moved out from the crowd. He was with about -
12:39:14 15 about five or six bodyguards were with him. I told him,
16 'Fellow, I have come to arrest you because I've been given
17 instructions and if you don't comply with the instructions,
18 I have been given orders to execute you.' He asked me,
19 'Who gave the orders?' I said, 'JPK, Mike Lamin and
12:39:40 20 Bockarie.' I told him - I told him to hand over his
21 pistol. He took his pistol from the side and handed it
22 over to me. Then I told him that the three people - 'JPK
23 gave orders to me that the diamonds you have in possession,
24 you should hand over to me. So if you fail to hand over
12:40:05 25 the diamonds to me, I should kill you.' He said, 'No,
26 Issa, I have no diamonds. You can check me and my boys.'
27 And indeed, I checked him and his boys, the five or six
28 boys, one after the other, and I did not see any diamond.
29 But he told me that he came with diamonds but the diamonds

1 he came with, he had handed over to Bockarie before JPK
2 arrived in Kailahun."

3 So, Mr Sesay, in your own trial, you lied and told the
4 judges that you didn't take any diamonds from Gullit. Why did
12:40:51 5 you lie in your own trial?

6 A. I cannot recall everything that I said during my trial, but
7 the diamonds that we took from Mike Lamin, that is Mike Lamin -
8 or from Gullit, that is Mike Lamin and I, they were small pieces
9 of diamonds. But all the things that I said were events that
12:41:16 10 occurred, but I cannot recall everything now.

11 Q. Well, this is what you said in 2007. You said, "He said,
12 'No, Issa, I have no diamonds. You can check me and my boys.'
13 And, indeed, I checked him and his boys, the five or six boys,
14 one after the other, and I did not see any diamond."

12:41:35 15 Those are details, Mr Sesay. You made those details up in
16 2007 to protect Gullit, just as he was protecting you by saying
17 RUF didn't have anything to do and didn't assist in the invasion
18 of Freetown; isn't that true?

19 A. No. The two of us did not have any arrangement to protect
12:41:58 20 each other. If the RUF had anything pertaining to the invasion
21 of Freetown when Gibriil came, he should have said so. He should
22 have said so. And like even people like Junior Lion, because he
23 testified in open session when he did, he told the Trial Chamber
24 that he was the task force commander for the attack on Freetown.
12:42:22 25 He spoke about how they carried out the attack.

26 Q. Now, Mr Sesay, a few moments ago you said that you first
27 learnt about the death of SAJ Musa in January. If we could have
28 the transcript of 18 May, page 77, please, put on the screen, in
29 the RUF trial. 18 May 2007, page 77.

1 MS IRURA: Your Honour, this is a closed session
2 transcript.

3 MR KOUMJIAN: Actually, just for logistics, I'd just ask if
4 it's permissible that my colleague could read it, Mr Bangura,
12:43:18 5 because I can't read that far. He has it on his screen.

6 PRESIDING JUDGE: Yes, Mr Bangura, please read the text,
7 slowly.

8 MR BANGURA: I'm reading from page 77, line 4:

9 "Q. So what was the next news you heard concerning the
12:43:40 10 whereabouts of this group?

11 A. Well, later I came to know, when we came to Makeni, my
12 operator told me that he received an information from Buedu
13 that SAJ Musa had died, that he died at Benguema.

14 Q. When was that? When was the news?

12:44:02 15 A. May, around the 26th or the 27th. That was the time my
16 operator told me in Makeni."

17 Then the judge intervenes: "What month? What's the month?
18 May, you say, 26th or 27th of?"

19 Then the witness answers: "No, my Lord. I said December.
12:44:30 20 December 26th, 27th, sir."

21 Then the judge says: "Thank you."

22 And the witness says: "Yes, sir."

23 And this is at page 77.

24 MR KOUMJIAN:

12:44:46 25 Q. Mr Sesay, the death of SAJ Musa and communication from
26 Gullit to Sam Bockarie, that was big news in the RUF. As
27 number two in the RUF, you would have heard about that the same
28 day. You did hear about it the same day, didn't you?

29 A. No, I did not hear it on the same day. I did not hear

1 about it on the same day. And I said even when Gullit told
2 Sam Bockarie, Sam Bockarie said he did not believe that. He said
3 maybe it was just a trick.

12:45:29 4 Q. Sam Bockarie believed it enough to immediately send a
5 mission to go reinforce Gullit, didn't he?

6 A. No. Because Sam Bockarie told Gullit to wait, that he
7 would send reinforcements to him, and Gullit did not wait and he
8 went ahead with the attack on Freetown.

12:45:55 9 Q. Sam Bockarie ordered Superman to go and attack Port Loko,
10 to move with these troops going to Freetown; isn't that true?

11 A. I don't understand the questions, sir.

12 Q. In order to - you've told us before that in planning an
13 attack, it's important to cut off the supplies, the
14 reinforcements, that would be coming to the defenders. Do you

12:46:20 15 remember telling us about that tactic?

16 A. Well, I said it's a military tactic, but it was not
17 compulsory for a commander to carry out that kind of thing. It's
18 up to the commander to know how to carry out or plan his attack.

12:46:44 19 Q. In order to attack Freetown, it was critical to try to take
20 Port Loko, to cut off any reinforcements; isn't that true?

21 A. Well, no, because they had attacked Freetown before we
22 carried out the attack on Port Loko.

23 Q. Port Loko was controlled, the supply routes, from either
24 Lungi airport or from Guinea; isn't that true? You could cut off
12:47:17 25 supplies coming from Guinea or from Lungi by holding Port Loko;
26 isn't that correct?

27 A. Well, there's a road leading from Port Loko to Lungi, and
28 there's a road leading by the Guinean border.

29 Q. The road from Conakry to Freetown would pass through Port

1 Loko, correct?

2 A. Yes, my Lord. Yes, sir.

3 Q. If we could look at the map at tab H - excuse me, 16, I
4 believe. Yes, 16H. We see from this map that in order to go

12:48:52 5 from Lungi by road, by major road, through Freetown - to
6 Freetown, the road goes through Port Loko, correct?

7 A. Yes.

8 Q. And we see, if you look at the very top left, Conakry, the
9 road from Conakry to Freetown passes through Port Loko, correct?

12:49:16 10 A. Yes, it passes through Port Loko.

11 Q. And, Mr Sesay, in an attack on Freetown, the only quick way
12 for ECOMOG to reinforce its forces would either be by air,
13 landing at Lungi, or by road from Guinea, forces that were also
14 in Guinea; isn't that true?

12:49:43 15 A. But the ECOMOG had a field where they landed in Hastings.

16 Q. And that was being attacked by the RUF in January 1999;
17 isn't that correct?

18 A. No. It was the AFRC, it was not the RUF fire.

19 Q. Well, that's true. Before the AFRC entered Freetown, they
12:50:05 20 attacked that airport and they burned it, didn't they? Airfield.
21 They burned planes and structures, correct?

22 A. That is what I saw later when I came to Freetown because I
23 wasn't there. But the men came to Hastings, and from Hastings
24 they moved and they met an ECOMOG base at Jui and that was

12:50:36 25 cleared, and they crossed over to Orugu Bridge. That is what
26 they explained to us when we met up. That is what I used to hear
27 from them. Even the Prosecution witnesses, like Junior Lion and
28 others, that is what they explained. They used the main road
29 from Hastings, marched using the main road across the Orugu

1 Bridge, and they came to town. They moved up to Wellington, and
2 they used the old road and the new road. That is Junior Lion's
3 testimony.

12:51:19 4 MR KOUMJIAN: Orugu Bridge, your Honours, is previously on
5 the record. I believe it's O-R-O-G-U [sic].

6 Q. Mr Sesay, that's also known as Jui Bridge, correct?

7 A. It is Orugu Bridge that I know.

8 Q. Mr Sesay, let's go back for a moment to - thank you, Madam
9 Court Officer, for the map - to talk about the death of SAJ Musa
12:51:47 10 and look at testimony from 6 October 2008, page 17976. At the
11 beginning of the page it says:

12 "Q. Was your brother E-boy killed? Was he killed in
13 battle or was he killed in another way?

14 A. During battle. They said when Koidu was attacked, that
12:52:51 15 was when he was killed."

16 But I'm more interested in going down the page where the
17 witness says at line 18:

18 "Well, at the time we were there we heard communication.

19 At the time we went to Brigadier Mani, I and Wallace went
12:53:13 20 there and we were there when a call was made that they
21 wanted reinforcements. They were there together with
22 Superman. They said they wanted reinforcement and that SAJ
23 Musa had been shot in Freetown.

24 Q. Okay. Where were you when you heard this
12:53:30 25 communication?

26 A. At Superman's house. That's where we were sitting
27 down.

28 Q. Was Superman present?

29 A. Yes, they were all sitting there outside.

1 Q. Now, you said that 'we were there when a call was made
2 that they wanted reinforcements'. Who made the call to
3 your group?

12:53:56

4 A. Well, it was Five-Five who called that they had shot
5 SAJ Musa and that they wanted reinforcements."

6 Mr Sesay, after SAJ Musa was killed, Gullit and Five-Five,
7 they called and they asked Bockarie to send reinforcements.
8 Isn't that true?

12:54:26

9 A. According to my operator, it was Gullit's name that was
10 mentioned to Bockarie's operator, that Gullit told Sam Bockarie
11 that Sam Bockarie had died.

12 THE INTERPRETER: Your Honours, can the witness kindly
13 repeat this part of his answer and slowly.

14 MR KOUMJIAN:

12:54:43

15 Q. Sir, Mr Sesay, the interpreter lost you. You have to speak
16 a little slower and clearer. What we got is you said, "According
17 to my operator, it was Gullit's name that was mentioned to
18 Bockarie's operator". Continue.

12:55:06

19 A. Yes. According to Bockarie's operator, what he told my
20 operator, he said Gullit told Sam Bockarie that SAJ Musa was
21 dead. So Gullit - sorry, Sam Bockarie told Gullit that if what
22 he was saying was true, then Gullit should wait where they were
23 around Benguema and he should send reinforcement. Sam Bockarie
24 said they should wait for reinforcement to come so they would go
25 and attack Freetown, but Gullit did not wait and Sam Bockarie did
26 not send instructions to me and I did not send any reinforcements
27 to Freetown.

12:55:31

28 Q. Well, you sent Rambo to Waterloo, didn't you?

29 A. Rambo came to Waterloo where they fought for about two

1 weeks before they could get ECOMOG. That was late February in
2 1999. Those men were then on the withdrawal before they could
3 occupy Waterloo.

12:56:07

4 PRESIDING JUDGE: Mr Sesay, excuse me. Mr Sesay, the
5 question asked you about half a page ago by counsel was: After
6 SAJ Musa was killed Gullit and Five-Five, they called and asked
7 Bockarie to send reinforcement, that's true? In other words, it
8 was Gullit and Five-Five's group that called and asked for
9 reinforcement from Bockarie. From your answer, the answer would
10 seem to be yes. Yes?

12:56:34

11 THE WITNESS: I said, my Lord, I heard Gullit's name. I
12 did not hear about Five-Five. I never heard that Five-Five
13 called Bockarie for reinforcement.

12:56:51

14 PRESIDING JUDGE: Yes. But the subject of the call was
15 that they were asking for reinforcement, weren't they? They were
16 asking Sam Bockarie for reinforcement, were they not?

12:57:15

17 THE WITNESS: No. The subject - what I understood is that
18 Gullit told Bockarie that SAJ Musa had died. He did not ask for
19 reinforcement at this stage. He only passed on the information
20 to Sam Bockarie that SAJ Musa had died and Bockarie said if SAJ
21 Musa has died, let Gullit wait so they would send him information
22 to Makeni so all of us would go and join them to attack Freetown.
23 That is what I heard, my Lord.

12:57:36

24 PRESIDING JUDGE: Are you saying that Bockarie offered
25 reinforcement which was never asked for? He asked them to stay
26 in Benguema and wait for reinforcement when they never asked him
27 for reinforcement? Is this your evidence?

28 THE WITNESS: I am only saying what I heard, my Lord.

29 PRESIDING JUDGE: Answer my question. Are you saying that

1 Bockarie volunteered reinforcement when he was never asked for
2 reinforcement?

3 THE WITNESS: Yes, ma'am, that is what my operator told me.
4 That is what my operator told me.

12:58:23

5 MR KOUMJIAN:

6 Q. Did Bockarie offer to send reinforcements?

7 A. Yes, based on the instructions that he gave to Gullit that
8 Gullit should wait so he could coordinate with us in Makeni to go
9 and attack Freetown. But Gullit did not wait and they went ahead
10 with the plan to go and attack Freetown.

12:58:44

11 Q. So Bockarie was willing and working to coordinate his
12 attack with Gullit, correct?

13 A. Yes, when Gullit told him, he was willing. But because
14 Gullit did not go by Bockarie's instructions - you know, Bockarie
15 told Gullit to wait and Gullit did not wait, so he did not go
16 ahead with what he was told.

12:59:05

17 PRESIDING JUDGE: I need an explanation from you, Mr Sesay.
18 Earlier on today, this morning, you said to us that when SAJ
19 Musa's group left the RUF and went off on their own towards
20 Freetown, they did this on their own; it had nothing to do with
21 the RUF. Isn't that what you told us this morning?

12:59:26

22 THE WITNESS: Yes, my Lord.

23 PRESIDING JUDGE: Now, explain this to me. I need to
24 understand why, all of a sudden, Bockarie is volunteering to send
25 reinforcement at Benguema. Why was he volunteering to send
26 reinforcement to this renegade group at Benguema? Why?

12:59:45

27 THE WITNESS: Yes, my Lord. My Lord, this group was
28 controlled by SAJ Musa. He was the commander. And he and
29 Bockarie had no business. So when Gullit has now told Bockarie

1 that SAJ Musa is dead, so Bockarie now saw that, because Gullit
2 was his friend, he was ready to work with him. And he said, "If
3 SAJ Musa is dead, so wait there, let me tell my men in Makeni so
4 all of you could meet up together to go and attack Freetown."

13:00:30 5 But Gullit did not wait and he went ahead to go and attack
6 Freetown, my Lord.

7 PRESIDING JUDGE: Okay. Thank you.

8 MR KOU MJIAN:

9 Q. I would like at this time to ask the witness some
13:00:53 10 questions. Did you hear about a radio broadcast and I'm just --

11 JUDGE DOHERTY: Mr Koumjian, just before you do.

12 Mr Sesay, counsel asked you a question, I'm referring here
13 to page 88, line 8. "You sent Rambo to Waterloo." And your
14 answer is, "Rambo came to Waterloo." Did you send him or did he
13:01:17 15 go on his own, a frolic of his own?

16 THE WITNESS: My Lord, after the failed attack on Port
17 Loko, at that time the AFRC were in Freetown. It was Bockarie
18 who gave the instructions that Rambo and others should go towards
19 Waterloo. And when Rambo and others went to Waterloo, they met
13:01:41 20 the ECOMOG there, the Guineans, and they fought for two weeks
21 before they could get Waterloo. And when they got Waterloo, it
22 was in February and when the AFRC was retreating from central
23 Freetown.

24 JUDGE DOHERTY: Mr Sesay, I'm asking about the order. Are
13:01:58 25 you saying now that you didn't order Rambo, but Sam Bockarie
26 ordered Rambo?

27 THE WITNESS: My Lord, the instructions came to me from
28 Sam Bockarie for Rambo to go to Waterloo.

29 PRESIDING JUDGE: And you, in turn, ordered Rambo to go,

1 yes?

2 THE WITNESS: Yes, my Lord, yes.

3 MR KOUMJIAN:

4 Q. And the instruction, Mr Sesay, was, "Go to Freetown. Take
13:02:31 5 Waterloo and go to Freetown." Correct?

6 A. Well, the instruction was, you know, if you could get
7 Waterloo then you could go to Freetown. But if you could not get
8 Waterloo you could not go to Freetown. And even when we got
9 Waterloo we could not go because ECOMOG was in Hastings and in
13:02:53 10 Jui, so they could not go further than that.

11 Q. The purpose of attacking Waterloo was to get to Freetown,
12 to seize the capital, the seat of power, correct?

13 A. Yes.

14 Q. And that was the order you gave to Rambo that came from
13:03:08 15 Sam Bockarie, correct?

16 A. Yes.

17 MR KOUMJIAN: Could we please play a radio clip, P-279, the
18 transcript is - that's 279A is the radio clip and B is the
19 transcript.

13:03:43 20 And while that's being done, we played a video,
21 December '98, and I'd ask that video be marked for
22 identification. Also we had a satellite photograph 16H, in tab
23 16H, where Port Loko and surroundings areas, Lungi and Conakry,
24 are depicted --

13:04:11 25 PRESIDING JUDGE: Mr Koumjian, first of all, in relation to
26 that video clip, we are not agreed as to what that video clip
27 depicts. I asked you and you still wouldn't tell me. So unless
28 and until I understand what it is we are admitting in evidence, I
29 can't admit it in evidence. What does that video clip depict?

1 Other than somebody moving with their camera, probably a
2 satellite camera, from location to location and back and forth?
3 What is it an evidence of?

13:04:52 4 MR KOUMJIAN: That's fine, your Honour. I'd ask then to
5 mark the photograph, the satellite photograph, 16H, for
6 identification.

7 PRESIDING JUDGE: Even the satellite photograph, what does
8 it depict, other than location names? What is it supposed to
9 depict?

13:05:07 10 MR KOUMJIAN: What it depicts of significance, is the
11 significance of Port Loko, that the roads from Lungi and from
12 Conakry to Freetown would pass through Port Loko. So it
13 demonstrates the significance of Port Loko to cutting off
14 reinforcements that could come to Freetown.

13:05:34 15 PRESIDING JUDGE: I don't see the roads there. I don't see
16 the roads on this particular map leading from Conakry to
17 Freetown. I don't.

18 MR KOUMJIAN: The road is marked in yellow. The testimony
19 is in, your Honour. I mean, the witness confirmed what I'm
13:06:20 20 saying so if your Honours do not want --

21 PRESIDING JUDGE: You see, Mr Koumjian, there is no legend
22 on these Google maps that you keep giving us, unlike ordinary
23 topographical maps that have legends to explain what is what. I
24 know you asked the witness and he could have told us that
13:06:40 25 testimony even without a map. So unless a map has value added to
26 the evidence, we are not just going to collect exhibits for the
27 sake of collecting exhibits. If you insist, I will take it, but,
28 frankly speaking, it adds no value to the witness's testimony.

29 MR KOUMJIAN: I do not insist. I was saying that the

1 witness, in fact, verbally reaffirmed everything I think I just
2 said. So I don't need the map marked.

3 PRESIDING JUDGE: Right. Let's proceed to the next exhibit
4 that you were drawing our attention to. I think it's already
13:07:18 5 exhibited, P something.

6 MR KOUMJIAN: P-279 is a video BBC broadcast and the
7 transcript is currently displayed, but I'd ask if that could be
8 played by the video booth. I think the Court Officer is
9 checking.

10 [Video played to the Court]

11 MR KOUMJIAN:

12 Q. Now, Mr Sesay, you recognise the voice of the person who
13 called Focus on Africa as being FAT Sesay, one of the SLAs,
14 correct?

13:17:46 15 A. Yes, Colonel FAT Sesay.

16 Q. And Gullit, his family was from Yaryah in Kono District,
17 isn't that true?

18 A. Yes, Yaryah.

19 Q. And he was the PLO-2 in the AFRC, correct?

13:18:12 20 A. Yes.

21 Q. When the State House was taken, did Gullit call you?

22 A. No. Gullit never called my station, nor did he call my
23 radio.

24 Q. Did your operators tell you that Gullit informed
13:18:35 25 Sam Bockarie about taking - entering Freetown and taking
26 State House?

27 A. Yes, I heard that from my operator.

28 Q. So when Gullit captured State House, he called
29 Sam Bockarie, correct?

1 A. Well, when they captured State House and the pressure was
2 mounting on them by then, he called Sam Bockarie and told them
3 that they were getting immense pressure from ECOMOG so he said
4 Sam Bockarie should help with reinforcement but Sam Bockarie too
13:19:17 5 did not cooperate at that time to do it. He said, "I had been
6 telling you that you should wait. You did not accept". So he
7 said they should try there on their own. That was what my
8 operator told me, that that was Bockarie's response to them.

9 Q. Bockarie ordered the attack on Port Loko immediately after
13:19:39 10 receiving that news, isn't that true?

11 A. Well, they had already attacked Freetown at the time
12 Bockarie ordered the attack on Port Loko.

13 Q. Let's read a little bit from testimony, 22 April 2008,
14 page 8287. And this is from AB Sesay, at about line 17,
13:20:47 15 approximately. Thank you. So line 18, the Prosecutor asked the
16 witness, she said:

17 "A. Just to go back a little bit, witness, you said that
18 after State House was captured the first thing that Gullit
19 did was to call Mosquito and other commanders. You've told
13:21:09 20 us about Mosquito. Who were the other commanders that
21 Gullit called and informed that he had already entered
22 Freetown and captured State House?

23 A. He called Issa Sesay and also Superman.

24 Q. Witness, on that date what are - witness, on what date
13:21:30 25 are these communications taking place?

26 A. This was the very day, 6 January, the early hours of
27 6 January, we had captured State House. That was the time.

28 Q. How do you know that Gullit called Issa Sesay?

29 A. As soon as the brigade arrived at State House, it was

1 in my presence that the set was mounted and he called and
2 he said he had now captured State House and he was awaiting
3 the reinforcement so that we would be able to capture the
4 other barracks.

13:22:09 5 Q. How do you know about the communication between Gullit
6 and Superman?

7 A. Well, like I said, after he had spoken to Mosquito he
8 also spoke with Issa and, in my presence also, he talked to
9 Superman and he informed them.

13:22:29 10 Q. Witness, you've told us about the radio announcement at
11 the State House that you heard by Mosquito. Did you hear
12 any other radio announcements?

13 A. Yes, my Lord.

14 Q. When?

13:22:42 15 A. That same day, Five-Five also went over the national
16 radio and he said the troop led by Gullit had overthrown
17 the SLPP and he said the troop is now in full control of
18 the city and that they were advising all citizens to comply
19 with the rules and regulations of whatever they will hear
20 from them later.

13:23:04 21 Q. Did you hear any other radio announcements on that day?

22 A. Well, that particular day we also heard FAT Sesay. He
23 went over the international media and confirmed that, yes,
24 he is now based in State House and he is speaking from
25 State House. He said that the commander that led the troop
26 to Freetown was Tamba Alex Brima and that State House was
27 under their full control and he was asking that all
28 military personnel should surrender."

29 What AB Sesay told this Court in April 2008 was correct,

1 wasn't it? It was FAT Sesay who went over the radio,
2 international radio, spoke to the BBC and told them that Gullit
3 was in charge, correct?

4 A. Well, those who were in Freetown confirmed it, because even
13:24:21 5 those who were there for the invasion said it; that it was FAT
6 Sesay who spoke about the radio. But what this witness said
7 about me, he was lying. Because even when Gullit called
8 Sam Bockarie from the State House, it was King Perry who was the
9 RUF operator that did the communication and they brought King
13:24:46 10 Perry as a Prosecution witness against me. But King Perry never
11 said that Gullit called me whilst they were in Freetown or that
12 Gullit spoke to me. He never said so, because that did not
13 happen.

14 Q. Mr Sesay, SAJ Musa died in late December. We saw that you
13:25:02 15 testified previously that you learned of his death, you said, the
16 26th or 27th of December. But he died in late December and
17 now January 6th, more than a week later, during that time had you
18 communicated with your friend Gullit?

19 A. No, I did not communicate with him.

13:25:30 20 Q. Why not?

21 A. Well, we were not on the same operation. He did not call
22 me and I did not call him. And even the operator who was there
23 with him served as a witness against me. You brought him to
24 court against me. That I never called Gullit and Gullit never
13:25:55 25 called me.

26 Q. Mr Sesay, when you heard that the - this radio
27 announcement, where it was announced by FAT Sesay that the
28 combined forces of the RUF and the AFRC had taken control of
29 Freetown, were you happy?

1 A. I knew that he was lying because by then the RUF was in
2 Makeni. The RUF was not part of the attack in Freetown. So they
3 were just like trying to create fear amongst the ECOMOG troops
4 and the Kamajors who were in Freetown to show off that their
13:26:35 5 strength was a larger strength, but I knew that he was lying.
6 And even people who were in Makeni knew that the RUF were in
7 Makeni.

8 Q. So hearing that your enemies ECOMOG had been defeated in
9 Freetown, that a forces that included Alfred Brown and King Perry
13:26:59 10 had taken control of State House and had announced to the world
11 that the new regime was the combined forces of the RUF and the
12 AFRC, that didn't please you in any way?

13 A. Well, I was not part of that operation, so that could not
14 have pleased me because I was not part of the planning, nor was I
13:27:25 15 part of the execution of the attack on Freetown. And I did not
16 contribute anything to the attack on Freetown. And those who
17 went to Freetown, when they got to Freetown they promoted
18 themselves to brigadiers, so I was not part of that.

19 Q. Mr Sesay, what was the reaction in Makeni among the RUF to
13:27:46 20 this radio announcement?

21 A. Well, we heard it over the BBC that they had entered
22 Freetown but that was an AFRC operation. It was an independent
23 operation that they carried out, so I did not get any different
24 reaction towards that.

13:28:12 25 Q. The RUF was jubilating at this news all over the country.
26 Isn't that true?

27 A. Well, I did not see the RUF jubilate for that because I did
28 not jubilate for that.

29 Q. Let's look at the testimony of some other Defence

1 witnesses. If we could have the transcript of 11 March 2010,
2 page 37144. Actually, 37145, I'll begin reading there. This is
3 line 4. The witness says:

4 "A. BBC.

13:29:11 5 Q. Do you remember the name of the programme?

6 A. Focus. Focus was one of the most informative at that
7 time. Anything that happens in Africa, they relay those
8 informations to --

9 Q. And what was the reaction where you were among the RUF
13:29:32 10 to the invasion? How did the soldiers react when they
11 heard?

12 A. There was jubilation."

13 And I'll read from another Defence witness. 26 March 2010.

14 MR CHEKERA: Sorry. Before you continue, does that
13:30:02 15 reference place the witness concerned in Makeni?

16 MR KOUMJIAN: I don't have that off the top of my head. I
17 don't believe that witness was in Makeni, but we can look it up,
18 as can the Defence. But I will be coming to someone who was in
19 Makeni. DCT-215, 26 March 2010, page 31314.

13:30:54 20 Q. So starting at line 4 with the answer:

21 "Some of the RUF authorities, because even me, I was in
22 Jojoima, all I thought - I thought it was a joint operation that
23 the RUF, SAJ Musa and others had captured Freetown. But it was
24 only later that I got to know that RUF did not enter Freetown.
13:31:20 25 So we were all jubilating when that particular invasion took
26 place."

27 And then if we could have the testimony from 27 January
28 2009. I don't know if I have time, your Honour, to read one
29 more. I think it's probably better to do it after the break.

1 PRESIDING JUDGE: Very well. We'll continue after the
2 luncheon break at 2.30. Court adjourns.

3 [Lunch break taken at 1.31 p.m.]

4 [Upon resuming at 2.34 p.m.]

14:35:05 5 PRESIDING JUDGE: Good afternoon.

6 Mr Koumjian, please continue.

7 MR KOUMJIAN: Thank you. Could the witness please be shown
8 the transcript from 8 September 2008, page 15719.

9 Q. Good afternoon, Mr Sesay.

14:35:29 10 A. Yes, sir, good afternoon, sir.

11 Q. I'm going to read to you from the transcript of a witness
12 who was in Buedu on January 6, 1999.

13 A. Okay, sir.

14 MS IRURA: Could counsel please repeat the page reference.

14:36:02 15 MR KOUMJIAN: 8 September 2008, page 15719. I may have
16 misspoken. Page 15719.

17 Q. Reading from line 4, I believe, or line 3 - line 4:

18 "Q. Do you recall whether anything happened? Was there
19 any reaction from Sam Bockarie after the troops entered
20 Freetown?"

14:36:49 21 A. Yes. He came on the media, he said he was a man of his
22 word. He had given three days, that his men would enter
23 Freetown and indeed they had entered Freetown.

24 Q. When you say he came on the media --

14:37:10 25 A. Sam Bockarie came up and spoke.

26 Q. What media?

27 A. I mean BBC. He came up again and spoke and said he was
28 a man of his words. He had said that within three days'
29 time his men would enter Freetown and indeed they had

1 entered Freetown.

2 Q. How do you know this?

3 A. Well, he put the satellite in the veranda, it was there
4 he said this happily, The place was full of people.

14:37:41 5 Everybody was dancing around."

6 That was a witness from Buedu. Now I'd like to read to you
7 from a witness from Makeni. If we could have the transcript from
8 27 January 2009, page 23706.

9 And going to about line 20, approximately, line 22; after
14:38:35 10 listening to the broadcast of the radio announcement by FAT Sesay
11 that we just listened to Mr Sesay, the witness, in January 2009
12 was asked - told us:

13 "A. We heard this broadcast and it was, as I said, it was
14 after this broadcast that there was jubilation in Makeni.

14:39:00 15 Q. Can you describe who was jubilating in Makeni?

16 A. Well, we were asked by the RUF to come and rejoice
17 because Freetown was captured and since they had removed
18 the ECOMOG from Makeni, and what they were telling us about
19 their might has come true, so they are now going to rule
14:39:20 20 the country, Sierra Leone, and we should come out - so we
21 were out there dancing.

22 Q. Did you yourself take part in this celebration?

23 A. Myself, I danced.

24 Q. Why?

14:39:42 25 A. Because everybody was dancing. And if you don't dance
26 you will be charged."

27 Mr Sesay, in Makeni, there was jubilation and the RUF
28 ordered the civilians to jubilate because the troops had entered
29 Freetown on January 6, isn't that true?

1 A. No, no. That was not to my knowledge. As far as I was
2 concerned, the time the AFRC entered Freetown, Makeni was
3 overcrowded with civilians, but I was not aware of people
4 dancing, because the AFRC had entered Freetown and I did not
14:40:25 5 order anybody to go out and dance, no.

6 Q. Sam Bockarie was so pleased with the fact that the troops
7 had entered Freetown, that he immediately reported it to his
8 Papay, didn't he?

9 A. No. I did not know of that.

14:40:45 10 Q. If we could have the transcript for 15 September 2008, page
11 16178, about line 8. Mr Santora asked:

12 "Q. Mr Witness, now I'm referring to this particular
13 instance where you say you were present when Sam Bockarie
14 made a satellite phone call. Do you know approximately
14:41:46 15 when this was?

16 A. The day that the communication occurred between Buedu
17 station and King Perry in Freetown, it was that very night
18 that the communication took place.

19 Q. Do you know what was discussed in this communication?

14:42:04 20 A. The one that I heard, Sam Bockarie tell Charles Taylor
21 was that our men had entered Freetown, they were advancing
22 and they had even captured State House.

23 Q. Did you learn anything else about what was discussed?

24 A. He was just laughing while they were talking. He will
14:42:26 25 say 'yes, sir', 'yes, sir'.

26 Q. Who was laughing?

27 A. Sam Bockarie, Sam Bockarie.

28 Q. Now, how do you know he was speaking with Charles
29 Taylor?

1 A. The communication for - even for them to talk came
2 directly from our station, Buedu. He said he wanted to
3 talk to Charles Taylor and when the response came, that was
4 why we even went to the MP to talk to Charles Taylor."

14:43:00 5 Mr Sesay, did you ever speak on the satellite phone to
6 Charles Taylor?

7 A. Never. I've never spoken to Charles Taylor on a satellite
8 phone.

9 Q. Did you speak to anyone outside of Sierra Leone on the
14:43:15 10 satellite phone?

11 A. Yes. Ibrahim Bah used to call me on my satellite phone.

12 Q. Now, how would Ibrahim Bah call you on the satellite phone?
13 Would it ring like a mobile telephone?

14 A. Yes, it would ring.

14:43:37 15 Q. That's not true, is it? Because you had to turn on the
16 satellite phone. It's not something you kept on 24 hours a day
17 because the power would run out. Isn't that true?

18 A. Well, you asked me if it could ring and I said yes. If you
19 install a satellite phone and you connect the antenna and you
14:44:01 20 link it up with a satellite, then it will come on and you put the
21 receiver down, so if a call comes in that time, can't it ring?

22 Q. Okay, you got me on that one, Mr Sesay. Once you turn it
23 on, it will ring, that's correct. Is that right? Is that what
24 you're saying?

14:44:19 25 A. Yes. When the phone is turned on, when you turn on the
26 phone, and someone calls you, the phone would ring but if it is
27 not turned on, if it is switched off, it wouldn't ring because it
28 is off.

29 Q. A satellite phone is not something you keep on. You would

1 turn the phone on when you got a radio message to turn the phone
2 on, correct?

3 A. If you're stationed at a particular place, in the morning
4 you install the station at a place and it would be on and in the
14:44:57 5 evening you would turn it off.

6 Q. You used to receive satellite - radio messages telling you
7 to turn on the phone and then the phone would be turned on,
8 correct?

9 A. For example, if Ibrahim Bah and I spoke in late 2000, 2001,
14:45:19 10 he would tell me that "I'll call you tomorrow", or even when
11 Mr Sankoh was in Freetown if he spoke to me, he will tell me that
12 "I'll call you tomorrow", and in the morning, I would - left the
13 phone to be put on and it would be switched on for the whole day.
14 If the battery is low it would be recharged.

14:45:40 15 Q. I'm diverting from my subject, so let me go back to
16 Freetown.

17 PRESIDING JUDGE: How would you recharge a satellite phone?
18 Using what?

19 THE WITNESS: You can recharge it from a generator power.

14:46:04 20 MR KOUMJIAN:

21 Q. Mr Sesay, I want to go back and ask you about the
22 instructions you received - or excuse me, I want to go back to
23 when Gullit first communicated to Sam Bockarie after SAJ Musa was
24 killed. You told us that Sam Bockarie told Gullit to wait at
14:46:36 25 Benguema for reinforcements, correct?

26 A. Yes.

27 Q. And what he told him is that he was sending you and
28 Superman to join him, to join Gullit, to attack Freetown,
29 correct?

1 A. Yes. He said he would coordinate with Makeni to join
2 Gullit for the attack on Freetown.

3 Q. So when he received a communication from Gullit that SAJ
4 Musa was killed, Sam Bockarie planned a joint operation where you
14:47:09 5 and Superman would join Gullit and invade Freetown, correct?

6 A. Yes. Sam Bockarie intended that one - he also wanted to
7 make sure that SAJ Musa was dead. That is why he said they
8 should wait to make sure that SAJ Musa was indeed dead because he
9 did not believe it. But Gullit did not wait, so it did not work.

14:47:38 10 Q. So the only thing that was holding Sam Bockarie back was
11 just to receive confirmation of SAJ Musa's death and then he
12 intended to work with Gullit and invade Freetown, correct?

13 A. Well, before SAJ Musa's death, Gullit did not call
14 Sam Bockarie. It was the death of SAJ Musa that made Gullit to
14:48:10 15 call Sam Bockarie but Sam Bockarie did not trust him that that
16 was the truth he had said.

17 Q. Let me repeat the question: So the only thing that was
18 holding Sam Bockarie back from sending you and Superman to
19 Freetown was he was just waiting to receive confirmation of SAJ
14:48:30 20 Musa's death; is that right?

21 A. Well, that was not Sam Bockarie's plan. It was Gullit who
22 called Sam Bockarie and informed him, so that was not
23 Sam Bockarie's intention, it was based on what Gullit told him.

24 PRESIDING JUDGE: Mr Sesay, you have not answered the
14:48:48 25 question, twice now. This is the question: So the only thing
26 that was holding Sam Bockarie back from sending you and Superman
27 to Freetown was that he was just waiting to receive confirmation
28 of SAJ Musa's death; is that right? Answer that question,
29 please.

1 THE WITNESS: No, my Lord. That is not it.

2 MR KOUMJIAN:

3 Q. Well, what was it that Sam Bockarie was waiting for?

14:49:33

4 A. Sam Bockarie and these people had not been coordinating any
5 operation. He was not talking to Gullit before the - the death
6 of SAJ Musa so you cannot say that was what the man planned.

7 PRESIDING JUDGE: But, Mr Sesay, we have gone beyond that.

8 We are at a stage where you just told the Court that after he
9 received - after Bockarie received a call from Gullit that

14:49:51

10 SAJ Musa had died, he told Gullit's troops to wait in Benguema
11 for reinforcement. Now, at that stage, was Sam Bockarie not
12 waiting for confirmation of SAJ Musa's death?

13 THE WITNESS: Well, Sam Bockarie - Gullit had told him and
14 he did not trust him, so he told Gullit to wait until he

14:50:27

15 contacted us in Makeni for us to meet with Gullit together, and
16 Gullit did not wait and he left. So how could Gullit have waited
17 for confirmation when Gullit didn't wait and he left with his
18 troops, my Lord?

19 PRESIDING JUDGE: I never said anything about Gullit

14:50:42

20 waiting for confirmation, but I think we can go on. We have
21 taken your answer as you've given it and we'll see what we make
22 of it. Please continue.

23 MR KOUMJIAN:

24 Q. Sam Bockarie told Gullit to wait at Benguema so that he
14:50:59 25 could instruct you and Superman to join Gullit at Benguema so
26 that together you could continue with the attack on Freetown.

27 Please give us a straight answer to that, yes or no, Mr Sesay?

28 A. How can I give a straight answer to this when Gullit did
29 not wait for anybody? As soon as he spoke with Sam Bockarie from

1 there he left to go and attack Freetown. This Freetown thing, I
2 don't know --

3 PRESIDING JUDGE: Mr Sesay, nobody asked you about Gullit.
4 We are asking you about Sam Bockarie. Nobody asked you about
14:51:40 5 what Gullit did or didn't do. They are asking you about
6 Sam Bockarie. We are trying to understand what is in
7 Sam Bockarie's mind at this stage.

8 The question is: Sam Bockarie told Gullit to wait at
9 Benguema so that he, Sam Bockarie, could instruct you,
14:51:58 10 Issa Sesay, and Superman to join Gullit at Benguema so that
11 together the three of you would continue with the attack to
12 Freetown. Is that a yes or no? Do you confirm that?

13 THE WITNESS: Well, yes, that was Bockarie's plan, my Lord.

14 MR KOUMJIAN:

14:52:20 15 Q. And when Sam Bockarie found out that the troops had invaded
16 Freetown, he ordered an attack on Port Loko, correct?

17 A. Yes. He ordered attack on Port Loko.

18 PRESIDING JUDGE: Could the witness explain to us why did
19 Sam Bockarie order an attack on Port Loko again, please? I think
14:52:54 20 you've told us something in the morning before but could you tell
21 us again, why, at this stage, Sam Bockarie ordered this attack on
22 Port Loko?

23 THE WITNESS: My Lord, I said - I said that after the
24 attack on Freetown had taken place in January '99, from there
14:53:22 25 Sam Bockarie ordered that the RUF, that is Superman and Rambo, to
26 attack Port Loko.

27 PRESIDING JUDGE: I asked you the reason why he ordered
28 that. Can you answer my question, please. What was the purpose
29 of such an attack?

1 THE WITNESS: My Lord, ECOMOG was in Port Loko. ECOMOG was
2 in Port Loko and Kamajors were there. It was to capture the
3 place.

4 PRESIDING JUDGE: So what? And capture it, so what? Why
14:54:00 5 was it necessary to capture Port Loko? I don't understand.
6 Explain to me why. Why was it necessary to fight the ECOMOG
7 there? Why?

8 THE WITNESS: My Lord, it's a district headquarters, just
9 like Magburaka and like Makeni. It's a town in Sierra Leone.

14:54:19 10 PRESIDING JUDGE: Yes, Mr Sesay, but why? Why Port Loko?
11 Why, at this stage? Why was the RUF interested in capturing
12 Port Loko?

13 THE WITNESS: My Lord, RUF had interest in capturing
14 Port Loko and to have control over it because there were enemy
14:54:42 15 troops there, ECOMOG and the Kamajors.

16 PRESIDING JUDGE: Is that all? Because there were enemy
17 troops there? Was that the only city with enemy troops, there?
18 You come all the way from Makeni to Port Loko just because there
19 is ECOMOG there? Was that the reason why?

14:55:04 20 THE WITNESS: My Lord, what's happening? Port Loko is a
21 district headquarters, it's a district headquarter town, and we
22 were fighting to control the land, to control towns in
23 Sierra Leone. So if Bockarie asked me to - if he told Superman
24 and Rambo and me to attack Port Loko for us to capture Port Loko,
14:55:24 25 at that time the AFRC had attacked Freetown. If you have Port
26 Loko, it means you had almost the entire north. At that time we
27 had Magburaka, Lunsar and Makeni. Because if we had Port Loko,
28 that means we had a main road to the airport and that is - that
29 means we would have had the upper hand in the country.

1 PRESIDING JUDGE: Mr Koumjian, continue.

2 MR KOUMJIAN:

3 Q. Sam Bockarie wanted Superman and Rambo to attack Port Loko
4 to cut any reinforcements from Guinea and then to move on and
14:56:09 5 attack Lungi, correct?

6 A. Did Sam Bockarie know --

7 THE INTERPRETER: Your Honours, can the witness kindly
8 repeat this part of his answer and clearly.

9 PRESIDING JUDGE: We didn't hear what you said, Mr Witness.
14:56:31 10 Repeat your answer, please, slowly.

11 THE WITNESS: I said if he knew that Sam Bockarie knew that
12 the reinforcement was coming from Guinea, because I didn't know
13 if reinforcement was coming from Guinea because the Guineans who
14 were there were based in Port Loko and they were in Waterloo.

14:56:51 15 That is what I knew. But all the other areas that we were
16 fighting, it was the Nigerians who were in the majority, not
17 Guineans.

18 MR KOUMJIAN:

19 Q. Reinforcement for the forces in Freetown, unless it was
14:57:06 20 coming by a slow boat from Nigeria, would either have to come to
21 the airport at Lungi or by road from Guinea; correct?

22 A. Well, when the ECOMOG attacked in February 1998, I did not
23 understand that they used Guinea to attack Port Loko. All we
24 knew was that they landed in Lungi and from Lungi they were
14:57:35 25 transported to Jui, and some others were transported to the
26 Kamajor zones in the other part of the country. I did not know
27 if they came from Guinea to attack Port Loko, to attack AFRC at
28 the time of the intervention.

29 Q. One critical strategic location for controlling Freetown,

1 and indeed for controlling the country, was the Lungi airport.

2 Would you agree with that?

3 A. Yes. If you controlled Lungi airport, then you can have
4 contact with the outside world because planes landed there. If

14:58:16 5 you controlled the airport, you can have reinforcements or
6 anything that you can get from outside of the country. That is
7 why the SLPP was the ECOMOG and the Kamajors - that is where they
8 were until they launched the attack on the intervention.

9 Q. So once Sam Bockarie heard that these troops under Gullit

14:58:39 10 had entered Freetown, he ordered Superman and he ordered you to
11 send Rambo to attack Port Loko and to go and take Lungi; correct?

12 A. Well, the mission was to attack Port Loko.

13 Q. Wasn't the mission to go to Lungi through Port Loko?

14 A. The mission was to attack Port Loko, but because the RUF

14:59:11 15 could not capture Port Loko, then - if it is - it is when you
16 captured Port Loko then you would have a plan to go elsewhere,
17 but if you failed then there would not be any other plan to go
18 further than where you had already failed to capture.

19 Q. Mr Sesay, let me read to you your testimony from 18 May

14:59:31 20 2007, page 79. And this is closed session, so I could just read
21 it.

22 PRESIDING JUDGE: Please go ahead.

23 MR KOUMJIAN:

24 Q. You were asked:

14:59:48 25 "Q. Let me finish. What did he say to you after speaking
26 to Gullit?"

27 The first question - let me start from the very top line:

28 "Q. Well, what did Bockarie say to you about --"

29 And then there was an interruption. The question began

1 again:

2 "Q. Let me finish. What did he say to you after speaking
3 to Gullit and after making the suggestion that he would
4 send some type of reinforcements to Benguema?

15:00:15 5 A. Well, at that time, Bockarie did not give instruction
6 yet because he did not - he himself did not believe the
7 information.

8 Q. Do you know what he did, if anything?

9 A. Well, it was after the men had - these men had attacked
15:00:33 10 Freetown and were fighting in Freetown. That was the time
11 Bockarie said Rambo and Superman should attack Port Loko.
12 He said if these men were going to Freetown, we too,
13 Superman and Rambo, should take the route by Port Loko to
14 Lungi."

15:00:56 15 So, Mr Sesay, when you testified in 2007 you testified that
16 the order from Bockarie was to go to Lungi through Port Loko.
17 Isn't that true?

18 A. Well, I cannot recall everything that I testified to in my
19 case. I said all of those things in my trial, Prosecution
15:01:23 20 witnesses came, AFRC insiders came, they brought victims, those
21 who suffered in the Freetown attack, everything happened like --

22 PRESIDING JUDGE: Mr Sesay, don't take us away from the
23 question. What has just been read is what you said in your
24 trial. Is it true, what you said in your trial? Is that how
15:01:44 25 things happened?

26 THE WITNESS: My Lord, I said I cannot recall everything
27 that I said during --

28 PRESIDING JUDGE: Mr Sesay, you don't need to recall. It's
29 just been read to you. Nobody is asking you to recall. Counsel

1 has just read to you a text of what you said in the RUF trial.
2 Now, my question quite simply is this: The things that you told
3 the Court in the RUF trial, as have been read by counsel, is that
4 what actually happened or not?

15:02:22 5 It's a very easy question. The answer is either yes or no.
6 The things that you've heard read, the things that you told the
7 RUF court, is that how things happened at the time, yes or no?

8 THE WITNESS: My Lord, let me be asked the question again.

9 PRESIDING JUDGE: No, no, no, no, no. You answer my
15:02:49 10 question now. My question. Counsel read to you the text
11 verbatim of what you stated to the Court in the RUF case. You
12 heard it and I'm not going to ask him to read it again. Is that
13 the version of things as they happened, or is it not the version
14 of things as it happened?

15:03:14 15 THE WITNESS: Well, my Lord, while the lawyer was reading
16 I was talking, so if I missed out some things I would like him to
17 read it again. My Lord, please, because you too would want to
18 know exactly what happened in the country.

19 PRESIDING JUDGE: Mr Sesay, I, if you're talking about me -
15:03:36 20 I would be very quick to tell the truth and to keep my mind
21 focused on what was being asked me. But, Mr Koumjian, the
22 witness has pleaded. Read the story again to him.

23 MR KOUMJIAN:

24 Q. Mr Sesay, what we are asking you, isn't it true that
15:03:51 25 Sam Bockarie gave an instruction that you, Superman and Rambo,
26 should attack Lungi, taking the route by Port Loko?

27 A. That was what I said. But we could not capture Port Loko.

28 Q. So the objective was Lungi. When you attacked Port Loko,
29 it was an attempt to get to Lungi. Correct?

1 A. Had we succeeded in capturing Port Loko, but when we could
2 not capture Port Loko, it did not work. But had we captured Port
3 Loko, yes.

4 Q. The same thing as when you were sent to Waterloo. You
15:04:40 5 weren't able to get past Waterloo, the objective was to go to
6 Freetown but you stopped in Waterloo because you were stopped
7 there by enemy forces; correct?

8 A. Yes, we could not capture Waterloo at the time - because
9 the Guineans were there, so they fought for up to two weeks. And
15:05:04 10 the ECOMOG also were at Jui.

11 Q. This attack on Port Loko, it was just after January 6th,
12 one or two days later; correct?

13 A. No, no. It was in January but it was not two days after
14 January 6. It was after they had attacked Freetown. It took
15:05:29 15 some days before the RUF attacked Port Loko.

16 Q. About how many days after the January 6th invasion of
17 Freetown was it - let me make it clear. How many days after the
18 January 6th invasion of Freetown did Bockarie order the attack on
19 Port Loko?

15:05:54 20 A. I think it was in the second week.

21 MR KOUMJIAN: Could we have the transcript for 18 May 2007,
22 that's the same day we were looking at before, but page 81. This
23 is of course from the RUF trial.

24 MS IRURA: Your Honour, this is a closed session
15:06:29 25 transcript.

26 MR KOUMJIAN: Correct. Thank you.

27 Q. Beginning from page 1 - line 1, page 81, you said:

28 "Well, it was - it was just after January 6th, one or two
29 days, he spoke with me. He said our men should attack Port Loko,

1 they should take the Lungi axis while these men have come over to
2 Freetown. So he gave that instruction to Superman" - excuse me,
3 I'm actually reading from the bottom of page 81, the last five
4 lines. And then on page 82: "Then he told me the same thing, in
15:07:09 5 order for me to send Rambo so as to join Superman in Lunsar."

6 So, Mr Sesay, in 2007, before the RUF trial, you said that
7 Bockarie gave this instruction to attack Port Loko one or two
8 days after January 6th. Is your recollection now refreshed? Is
9 that true? Bockarie gave the instruction to attack Port Loko one
15:07:37 10 or two days after January 6th?

11 A. Well, if that was what I said, yes.

12 Q. So my question is: Is that the truth or is what you said
13 today the truth? Did he order the attack on Port Loko one or two
14 days after January 6th or was it the second week?

15:08:08 15 A. If you are saying that was what I said, then I'm saying
16 okay.

17 PRESIDING JUDGE: Mr Sesay, there are two different
18 accounts before us of what you said. Both accounts are given by
19 you. So when you say that's okay, they both can't be true.
15:08:28 20 Which of the two accounts should this Court consider to be the
21 truth; the fact that the instruction was given one or two days
22 after 6 January, or that it was given two weeks after 6 January?
23 Which version should this Court believe as being the truth?

24 THE WITNESS: But, my Lord, a few minutes ago when I said
15:08:56 25 I did not recall, you said what they had read to me I should
26 recall it, so if the lawyer is talking --

27 PRESIDING JUDGE: Mr Sesay, answer my question, please.
28 Answer the question I just asked and summarised for you. You
29 know exactly what I'm asking. And it's not funny either. It's

1 not funny. Just answer the question I asked. Which of the two
2 versions should this Court, sitting here, believe?

3 THE WITNESS: My Lord, I said the one that the lawyer has
4 read is the truth, that I was given the instruction after the
15:09:38 5 attack on Freetown.

6 PRESIDING JUDGE: Thank you. Now, that wasn't very
7 difficult, was it?

8 MR KOUMJIAN:

9 Q. Mr Sesay, after Gullit entered Freetown, there was
15:09:55 10 communication between him and Sam Bockarie and there was
11 communication about the prisoners freed from Pademba Road;
12 correct?

13 A. Well, my operator told me that Gullit communicated with
14 Sam Bockarie when he was at State House. That was after they had
15:10:23 15 captured Freetown and whilst they were in State House. And I was
16 made to understand from my operator that even Gibril Massaquoi
17 spoke with Sam Bockarie, but I did not get any direct
18 communication with Gullit, because the operator who was
19 conducting some of these communication was a Prosecution witness
15:10:49 20 and he came and gave an account about what happened at State
21 House and in Freetown and whilst he was giving his testimony, he
22 told them that he never called me and that he never heard my
23 voice over a radio talking to anybody in Freetown, and that was
24 King Perry.

15:11:07 25 Q. What did - first of all, why didn't you speak to Gullit,
26 your friend Gullit, when he was in Freetown?

27 A. Well, Gullit and I did not - were not on the same
28 operation. That was why I did not talk to him.

29 Q. Mr Sesay, weren't you interested in what was going on in

1 Freetown in January 1999, when these troops entered and this
2 heavy battle occurred in the capital of Sierra Leone?

3 A. My Lord, I did not speak to Gullit and you were not there.
4 Had I spoken to Gullit, King Perry, who was operator for Gullit,
15:12:01 5 should have testified about it, it about that when he was
6 testi fyi ng.

7 Q. I'm going to interrupt you because that wasn't my question.
8 You've told us that already. My question was: Weren't you
9 interested in what was going on in Freetown in January 1999?

15:12:17 10 Were you interested or not interested?

11 A. Gullit and I were not on the same operation so I did not
12 have interest.

13 Q. Did you speak to anyone in Freetown about what was going
14 on?

15:12:39 15 A. No. I did not speak to anyone.

16 Q. Did you try to speak to the RUF radio operators who were
17 there, King Perry or Alfred Brown?

18 A. No.

19 Q. You were not interested in what was going on in Freetown?

15:13:01 20 A. Well, I knew that the operation in Freetown and my
21 operation were not the same, so I did not have any common plan
22 wi th them or any operation wi th them.

23 Q. Well, actually, the instruction you had gotten from
24 Sam Bockarie, which we just went over, was if these men have
15:13:25 25 attacked Freetown, you should take the Lungi axis and go through
26 Port Loko. So it was one operation, wasn't it?

27 A. Well, no. Those are two different operations. Lungi is in
28 the Port Loko District and Freetown is the capital city of
29 Sierra Leone. Freetown and Lungi are not one and the same thing.

1 Those were two different areas. Lungi is in the Port Loko
2 District.

3 Q. Attacking Lungi had nothing to do with Freetown?

15:14:09

4 A. Well, except for the airport that is located in Lungi, that
5 is the only important thing.

6 Q. Let's look at the testimony from 6 February 2008, page
7 3229. A witness testified in this case, King Perry, and he said
8 this, beginning on line 7 - 6, excuse me.

15:15:16

9 "A. Yes, as we entered Freetown we were based and settled.
10 The authorities got settled at State House. They were able
11 to communicate with Sam Bockarie about the situation.

12 Gullit told Sam Bockarie that 'You said we should not enter
13 but, however, we are now entered and thanks to God we were
14 able to get State House, Pademba Road and the National

15:15:36

15 Stadium. Our men are still advancing, we are still
16 fighting. We are still under fighting. And we were able
17 to release JS Momoh, Gibril Massaquoi, Hilton Fyle and some
18 other prominent authorities'. In response, Massaquoi, I'm
19 sorry, Mosquito, told Gibril Massaquoi, 'Do as a military
20 man'."

15:16:00

21 Then the witness was asked:

22 "Q. Who called Mosquito and who was he responding to?"

23 And he said, King Perry said:

15:16:15

24 "A. I'm sorry, Gullit called Mosquito and told him those
25 whom we had released from Pademba Road, in response,
26 Mosquito said Gullit should - Gullit and others should take
27 great care of those people and Gullit told him that they
28 were under safekeeping at State House. Mosquito said
29 Gullit should provide security and take great care of these

1 people until he tried by all possible means and dispatch
2 them to Kailahun, so whatever activities that was going on,
3 Gullit used to transmit the message to Mosquito."

4 One quick question on that Mr Sesay. Gibriil Massaquoi was
15:16:52 5 a strong RUF fighter, correct?

6 A. Yes.

7 Q. And he was brutal, he had carried out massacres, including
8 massacres of vanguards, correct?

9 A. Yes.

15:17:15 10 Q. And then if we could go to the same transcript, I believe,
11 page 3385, or perhaps if I could start at the last line, 3384.

12 MS IRURA: Your Honour, this is a transcript of 7 February
13 2008 and it's a private session transcript.

14 MR KOUMJIAN: Okay. I'll just read from 3385.

15:18:10 15 Perhaps I'll come back to that because I'm not sure if I'm
16 giving the correct line number until I get that up.

17 PRESIDING JUDGE: Is 3385 also private session?

18 MR KOUMJIAN: It is a private session. I see now it's
19 marked in my notes as "private session".

15:18:40 20 Q. Mr Sesay, when SAJ Musa was killed, the AFRC was at the
21 Benguema Barracks; is that correct?

22 A. Yes. They were there. That was what I heard.

23 Q. And you had told us previously that Benguema was just
24 outside Waterloo, correct?

15:19:09 25 A. Yes.

26 Q. Could the witness be shown the photograph in tab 16A that
27 has the label "Benguema"? Mr Sesay, do you recognise this as an
28 aerial photograph of Benguema Barracks?

29 A. Well, I just see the name "Benguema".

1 Q. Does the barracks look like this? Let me try something
2 else with you, Mr Sesay. If the witness could be shown 16l.
3 16l, this photograph which is now on the screen, do you see it
4 has "Waterloo" marked; and then, if you look at the road going
15:21:22 5 south from Waterloo, on the left-hand side of the road you'll see
6 this series of white buildings, white-roofed buildings, lined up
7 in the shape of a cane; in other words, the shape of an L upside
8 down. Do you see that on the left-hand side of the road?
9 Perhaps the Court Officer could point to it so it's clear - no,
15:22:05 10 going further south, going down to the bottom of the - okay.
11 Going towards the bottom; go up there, thank you.
12 Mr Sesay, do you see where the Court Officer just pointed?
13 If you could point again, please? This is Benguema Barracks,
14 isn't it, just outside Waterloo, if you're going from Waterloo to
15:22:28 15 Tombo, it would be on the right-hand side of the road, correct?
16 A. Yes, my Lord. But the picture is not that clear. When you
17 leave Waterloo, Benguema is on the right-hand side going towards
18 Tombo, but the picture is not that clear to me. But the way you
19 explained it, leaving Waterloo, going to Tombo on the right-hand
15:22:55 20 side, that is where Benguema is.
21 Q. Thank you. It's a series of buildings in a row, isn't that
22 right, it's a barracks?
23 A. Yes, because the buildings are in a line.
24 Q. Now, when you sent Rambo to attack Waterloo, where were
15:23:19 25 you?
26 A. Well, I was in Makeni.
27 Q. And Rambo was able to take Waterloo, correct?
28 A. Yes. They fought for about two weeks time against the
29 ECOMOG and the Guinean troops who were at Waterloo.

1 Q. There were heavy Guinean troops that they were fighting
2 against; there was a heavy force, correct?

3 A. Yes.

15:23:57

4 Q. And they were assisted by the Alpha Jets that would come
5 and attack the RUF positions, correct?

6 A. Yes. It was not just there, the Alpha Jets was coming to
7 Makeni also, and in fact around February to March it killed
8 children in Makeni and wounded so many that were bleeding, it was
9 attacking not just Waterloo but it was going up country.

15:24:21

10 Q. And it was attacking Freetown, Gullit and his troops in
11 Freetown, correct? The Alpha Jets were attacking Gullit's
12 troops, correct?

13 A. My Lord, when they were in Freetown, I did not know about
14 that. It was when they left Freetown that I came to know things.

15:24:43

15 Q. The troops that the Rambo was fighting against when he held
16 Waterloo, those troops, the Guineans, were at Hastings and Jui,
17 correct?

18 A. No, the Guineans were at Waterloo, but since inception,
19 even before the intervention, Nigerians were the ones based at
20 Jui.

15:25:11

21 Q. Okay. So the RUF, was it fighting against Nigerians and
22 Guineans who were based at Jui and Hastings, correct?

23 A. No. The RUF was fighting against the Guineans who were at
24 Waterloo, my Lord.

15:25:33

25 Q. Well, you said that the RUF took Waterloo. Is that right?
26 Rambo captured Waterloo?

27 A. Yes. Rambo and Superman were able to capture Waterloo, but
28 a heavy reinforcement came from Port Loko that came to reinforce
29 their Guinean brothers, so they bulldozed their way to Port Loko.

1 Q. And again this is why Port Loko was so important, because
2 if you had been able to take Port Loko those reinforcements never
3 would have been able to come, correct?

4 A. Well, yes, because the reinforcements that came to
15:26:15 5 reinforce Waterloo came from the Guineans who were based in Port
6 Loko.

7 MR KOUMJIAN: Could the witness be shown P-149.

8 Q. Mr Sesay, Rambo, RUF Rambo, Boston Flomo, in January 1999
9 he also liked to go by the name Van Damme, correct?

10 A. Well, even before January '99 that was the name they used
11 to call him.

12 Q. We are looking at this P-149, which is a report dated 21
13 January 1999, to BFC Brigadier IH Sesay from the overall
14 intelligent officer commander and Black Guard adjutant. It says,
15:27:54 15 in the first paragraph:

16 "Upon hearing the confirmed report that the strike force
17 commander Brigadier Goodial entered Freetown with his troops,
18 Colonel Boston Flomo, alias Vern Damme" - as spelt here - "was
19 instructed to meet with him with his troops, date 5 January '99."

15:28:20 20 Then going down to 7 January '99:

21 "We launched serious attack on their position at Peninsula
22 Secondary School, Waterloo."

23 Mr Sesay, is it correct that the Guineans were at the
24 secondary school in Waterloo?

15:28:44 25 A. Yes, that was where they were.

26 Q. And looking at the next paragraph:

27 "8 January '99. 1300 hours, we attacked them again in the
28 noon. 1500 hours, heavy and thick enemy convoy left from Port
29 Loko bombarding whilst the Alpha Jet was flying over as special

1 escort. 1545 hours, the convoy including the deployed enemies
2 that were at Waterloo evacuated Waterloo back towards Port Loko
3 axis."

15:29:34 4 It's correct, isn't it, that the Guineans who were trapped
5 at Hastings at one time offered to surrender - excuse me, they
6 offered to withdraw to Guinea if the RUF would just let them pass
7 by and leave with their weapons, correct?

8 A. Yes, I understood that after Rambo and Superman had gone to
9 Waterloo and whilst they were fighting the Guineans who were at
15:30:03 10 Waterloo and it was after a week that the Guineans wrote a letter
11 to them saying that they were asking them to give them passage to
12 pull out so that they would let - wash their hands of the war and
13 they will go.

14 Q. The RUF responded saying they could leave only if they left
15:30:22 15 their weapons behind, correct?

16 A. Well, that was what Rambo told me.

17 Q. The Guineans did not agree and they continued to fight,
18 correct?

19 A. Yes, the fighting continued until the reinforcements came
15:30:46 20 from Port Loko and they came and joined them and they bulldozed
21 their way out.

22 Q. 9 January, same document:

23 "We deployed at Hastings. We discovered enemies at Jui and
24 Kossoh Town. Earlier on their number were not much. From this
15:31:06 25 said date until now we every day attack the guys but the air raid
26 is desperate on and we attacked Jui and Kossoh Town. However,
27 the helicopter which landed every day at the point had reinforced
28 the enemies with both armament and manpower."

29 Now, Mr Sesay, I'm trying to understand what occurred in

1 the fighting around Waterloo and Hastings. You've talked about
2 how the Guineans, with assistance from Port Loko, were able to
3 bulldoze their way out and withdraw back to Port Loko; correct?

4 A. Yes.

15:31:53 5 Q. And these Guineans were at Waterloo, at the secondary
6 school; correct?

7 A. Yes, they were there.

8 Q. After the withdrawal of the Guineans, the enemy that you
9 faced were the Nigerians at Jui and Kossoh Town. Is that right?

15:32:14 10 A. Well, what I understood was that the Nigerians were in both
11 Hastings and Jui while the RUF was in Waterloo.

12 Q. And the RUF was seeking, as you've told us, to go to
13 Freetown to get the seat of power. What was it that blocked the
14 RUF from getting to Freetown?

15:32:37 15 A. It was the presence of the ECOMOG troops, it was heavy in
16 Jui and Hastings, so the RUF could not capture the area, and
17 therefore RUF stayed in Waterloo.

18 Q. The RUF was attempting to take the bridge that's at Jui and
19 you gave it - you called it the Orugu Bridge, isn't that correct?

15:33:13 20 A. I never heard that RUF got to Orugu Bridge because they
21 would have to go through Hastings and Jui before getting to the
22 bridge.

23 Q. So you were not able to reach the bridge to cross to
24 Freetown because of the troops at Hastings and Jui, correct?

15:33:31 25 A. Yes.

26 MR KOUMJIAN: It might be useful to look at the terrain in
27 that area in understanding this attack, so I'd ask if we could
28 play now video 5, please.

29 [Video played to the Court]

1 MR KOUMJIAN:

2 Q. Mr Sesay, do you recognise now we are looking at Benguema
3 Barracks. As we go out we can see the Waterloo area and now we
4 are travelling towards the northwest and we see Hastings. So we
15:35:11 5 are going back out so we can get the perspective of where
6 Hastings is on the peninsula. And now we are going to go and
7 take a look and do you see where we are right now, there is a
8 bridge crossing the river. That's the Orugu Bridge, isn't it,
9 that you were speaking of?

15:35:32 10 A. Yes, that is Orugu Bridge.

11 Q. Thank you.

12 A. But that is not what blocked the RUF, that is not it,
13 because RUF did not get there. ECOMOG was before the Orugu
14 Bridge, that is Jui. ECOMOG was there and they were also at
15:35:53 15 Hastings.

16 MR KOUMJIAN: Okay. Thank you. I think we've gone back to
17 Buedu now but - where the attack originated. But, your Honour,
18 may this video, which in the first 20 to 30 seconds shows the
19 Orugu Bridge, be marked for identification.

15:36:55 20 PRESIDING JUDGE: Mr Koumjian, I'm very hesitant. I don't
21 know. This video, I don't know if every time you play it this is
22 the way it goes from this point to the other point, et cetera.

23 The Orugu Bridge can be seen on any map, okay? The Orugu
24 Bridge can be seen on a map. We are now seeing a video whose
15:37:26 25 value added in the Court's opinion is questionable really. Are
26 we seeing the way the troops moved, or what are we seeing in this
27 video? Are we looking at this video simply to see the location
28 of Orugu Bridge?

29 MR KOUMJIAN: Yes, it's just to get a perspective of

1 various locations and their relationship with each other. But we
2 do have some maps we think of as some value added but I'm
3 satisfied without marking it, if that's what your Honour decides
4 - your Honours decide. And I do have a photograph I think that
15:38:07 5 might show the map - excuse me, that might show the bridge and
6 its relationship in a way that might be more useful to the Court
7 and perhaps I could show that to the witness, given his testimony
8 that he just explained the RUF did not reach the bridge.

9 PRESIDING JUDGE: Because you see, why I might be hesitant
15:38:29 10 to take these videos, these Google satellite videos, is because
11 there usually isn't a legend and you are saying now this is the
12 bridge and we are all looking at it, but the witness isn't even
13 marking anything on the map. And six months from now, we don't
14 know what we will be looking at. That's why we are hesitant to
15:38:50 15 take these exhibits in. And we would prefer a fixed map where
16 someone can say, yes, this is Orugu Bridge and even mark it.

17 MR KOUMJIAN: Thank you. If the witness could be shown
18 under tab 16, if we could bring out both the photographs B and D.
19 Q. While that's being brought up, Mr Sesay, Jui is just one or
15:39:22 20 two miles from the bridge, Orugu Bridge, correct? Would you
21 agree?

22 A. That Jui is one or two miles from Orugu Bridge?

23 Q. Yes.

24 A. No, no.

15:39:43 25 Q. How far do you say Jui is from Orugu Bridge?

26 A. From the junction to the bridge it's just about a stone's
27 throw. If you're a strong man, if you're standing at the
28 junction you can send a stone and it would get at the edge of the
29 bridge.

1 Q. So it's closer than one or two miles. Is that right?

2 A. That is not even a half mile distance.

3 Q. Okay. Thank you.

4 A. It's a very short distance.

15:40:23 5 Q. And just so we are clear we are talking about the same
6 bridge, this is the bridge if you're driving from Waterloo
7 through Hastings, going to Bai Bureh Road, you would cross this
8 bridge to get to Bai Bureh Road, correct?

9 A. I can only see across. I don't know - I can just see
15:40:47 10 across; I don't know if this area is Jui or this other area is
11 Jui. I don't know what --

12 Q. If the witness could be shown D, photograph D first, excuse
13 me. I don't know if you can read that from the screen, Mr Sesay;
14 if you can't, we will get a copy for you to look at at the same
15:41:11 15 time. You see in the centre of the photograph, the centre of
16 Hastings is marked. And then, if you go towards the top middle
17 of the photograph, you see Bai Bureh Road marked. That's the
18 road leading to Kissy Town, correct?

19 A. Yes. From the bridge now you get to Allen Town, and from
15:41:54 20 Allen Town you go to Calaba Town and from Calaba Town you will
21 continue. That is the Bai Bureh Road.

22 Q. Thank you. Now can you then mark this Orugu Bridge? Do
23 you see it on this photograph?

24 A. No. This photograph is not as clear as the other picture
15:42:13 25 to me. On the other picture, the Orugu Bridge is clearer there.

26 Q. Okay.

27 A. Because here you can see Hastings, but where is the Orugu
28 Bridge here in this photograph?

29 Q. Follow the road, follow the road, over the river, do you

1 see the thin line that's the bridge that goes to Bai Bureh Road,
2 as the road goes up to Bai Bureh Road? Do you see the one bridge
3 over the river that's just in the centre of the photograph? I
4 don't know if the Court Officer could help and point, if she sees
15:43:06 5 it or not. Do you see that, where the Court Officer is pointing,
6 Mr Sesay?

7 A. Yes, I see there.

8 Q. Is that where the Orugu Bridge is going between Hastings
9 and leading to Bai Bureh Road?

15:43:31 10 A. Between Hastings and leading to Bai Bureh Road, that is
11 where Orugu Bridge is, because that is the only road from Jui,
12 and you cross the Orugu Bridge to Allen Town on the main road.

13 Q. Looking now then at photograph B, do you recognise this as
14 the Orugu Bridge?

15:43:59 15 JUDGE DOHERTY: Mr Koumjian, I know I shouldn't interrupt,
16 but I'm looking at this to see if there is a scale; I see only a
17 longitude and latitude, and for me, anyway, a scale would be
18 helpful.

19 MR KOUMJIAN: Yes. I don't - I don't see a scale. I don't
15:44:21 20 believe we have a scale.

21 JUDGE DOHERTY: In that case, I can't pursue this.

22 MR KOUMJIAN:

23 Q. Looking at photograph B, is that the Orugu Bridge?

24 A. Yes. This is Orugu Bridge. It is across here that you
15:44:47 25 have Jui, towards me here, that is where Jui is, and when you
26 cross there is another small bridge, then you get on to Hastings.

27 Q. Thank you.

28 PRESIDING JUDGE: Why doesn't the witness put - point when
29 he says "towards me", I don't know what he's referring to, but,

1 Mr Sesay, if you could move over, we are all looking at the
2 photograph B, and then you could say what you said again,
3 pointing to whatever it is you're referring to.

4 THE WITNESS: My Lord, like I said, on this side, towards
15:45:27 5 me, here is Jui. That the barracks is pointed --

6 PRESIDING JUDGE: You're pointing at the map. We can't see
7 you.

8 THE WITNESS: My Lord, like, the Orugu Bridge is this one,
9 ma'am. Across here is the road that is leading to Freetown,
10 Allen Town. That is the Bai Bureh Road. On this side, this is
11 Jui. It is in here on the right, like I'm sitting here on the
12 right, here is Jui Barracks. ECOMOG was here. Then at the back
13 of this Jui, that is towards me, you would have to cross another
14 bridge before getting to Hastings, and there also ECOMOG was
15 based there.

16 MR KOUJIAN: When the witness was saying "towards me", he
17 was pointing to the bottom of the photograph.

18 THE WITNESS: Yes, because this is the road. This is the
19 road that leads to Hastings from Jui, Jui here; from here you
15:46:34 20 come to Hastings, and that's the same road that goes to Waterloo,
21 right up to the provinces.

22 Q. Mr Sesay, perhaps you could help us by, at the bottom of
23 the photograph, draw an arrow going down, and then write
24 "Hastings" to show that that's the direction of Hastings.

15:47:23 25 And I believe, sir, that you said at the top of the
26 photograph the road is going to Allen Town; is that right?

27 A. Yes. When you cross the bridge, that is Allen Town, and it
28 continues to Calaba Town and you would enter into Wellington,
29 that is Freetown.

1 Q. Can you --

2 PRESIDING JUDGE: Can we see Jui Barracks on this large
3 photograph, Mr Sesay? Can Jui Barracks be seen?

15:48:06

4 THE WITNESS: My Lord, Jui Barracks is in here, but before
5 the intervention, they were deployed in the barracks, in both
6 these areas, ECOMOG was here and here; before the intervention
7 they were here and they were here also. Because they were - they
8 had buildings on this side as well. Because, if you leave Jui,
9 that is the junction, you will take a curve, and by this small
10 hill there is a rock; after the curve, you approach the bridge.

15:48:35

11 And the other road on the left hand leads to Grafton and there
12 also there is a police barracks there but all of these areas were
13 occupied by ECOMOG.

14 MR KOUMJIAN:

15:48:58

15 Q. Mr Sesay, you pointed to two buildings, or a few buildings
16 that are at the bottom right-hand side of the photograph, and if
17 I understood you correctly, you said this is part of Jui
18 Barracks, correct?

15:49:18

19 A. Yes, because like this road, at the end of the photograph,
20 you can see here where this photograph ends there is a junction,
21 and there is a road entering into the barracks.

22 PRESIDING JUDGE: The witness is struggling to explain
23 something that is off of the camera.

24 MR KOUMJIAN:

15:49:35

25 Q. Mr Sesay, can you draw an arrow to where, or make a circle,
26 where you say the Jui Barracks is?

27 A. Jui Barracks is here, and Grafton Barracks, there is a road
28 leading here to Grafton. Let it just be here so I can explain
29 for you to see. Like the edge of this photograph, where

1 I started my marking with the pen, this junction is - it's a
2 cross road, four roads. The main road is going to Freetown and
3 the junction is - if you enter on the right you're going to the
4 barracks, like where I'm sitting, if you go to the right it is
15:50:29 5 Jui Barracks, if you go to the left you're going to Grafton, and
6 there is a police barracks there. So ECOMOG was deployed in the
7 two places before the intervention.

8 MR KOUMJIAN: I think it would be helpful, there is a
9 photograph that would depict that, and that would be C, if the
15:50:50 10 witness could be shown C.

11 Q. Mr Sesay, take your time to look at this picture. Do you
12 see Benguema - the Jui Barracks - Madam Court Officer, you can
13 put my copy on the screen, if you like?

14 Do you see that just below the bridge, on the photograph,
15:51:40 15 on the right-hand side of the road, there is a series of
16 buildings that are parallel, two rows; is that the Jui Barracks?

17 A. This is the bridge. Right? Yes, because at the junction
18 --

19 PRESIDING JUDGE: Point to the picture on the camera so we
15:52:05 20 can see.

21 THE WITNESS: Mr Lawyer, I first want to locate the bridge.
22 Is this the bridge?

23 MR KOUMJIAN: Yes.

24 PRESIDING JUDGE: Yes.

15:52:16 25 THE WITNESS: Okay. Well, if this is the bridge, then this
26 is the junction. This is the junction, that is Jui. And here is
27 the barracks, the Jui Barracks. And this road is leading to
28 Grafton and you will negotiate the curve here to go to Orugu
29 Bridge to go to Freetown.

1 MR KOUMJIAN:

2 Q. So the barracks, is it those series of buildings that are
3 parallel? Could the court officer point to them? Mr Sesay, do
4 you see these - no, down, just the beginning, right there - do
15:52:54 5 you see those buildings there?

6 A. Yes.

7 Q. In other words, if you're coming from Hastings, and you go
8 right at the junction, the barracks will be on your left; is that
9 right?

15:53:14 10 A. Are you saying this is the road from Hastings?

11 Q. No. The - below, off the picture below is Hastings.

12 A. Well, I think this is the road from Hastings, this
13 direction.

14 Q. Right.

15:53:28 15 A. Okay. So when you get to this junction, this is the Jui
16 Barracks, that is what - that's my feeling. I think this is the
17 barracks this way. Because it is the barracks that is located
18 here, because you have the river here, that is the Orugu Bridge,
19 here you can see water. But you can cross this water here, and
15:53:52 20 this other road here from Grafton, the other people who use this,
21 sorry, from Jui Junction through Grafton, and it will come out in
22 Hill Station.

23 Q. So can you just draw a circle where you believe the Jui
24 Barracks is?

15:54:37 25 A. I think this is Jui, and this is the barracks, right down
26 here.

27 Q. Okay. Could --

28 PRESIDING JUDGE: Mr Sesay, you drew three circles. Are
29 all those three circles representing Jui Barracks?

1 THE WITNESS: Yes, my Lord. Because the road from the
2 barracks goes down to the water, that is how the barracks is
3 built.

4 MR KOUMJIAN:

15:55:11 5 Q. Perhaps at the bottom of that photograph, you could write
6 "Jui Barracks". And this photograph, I would ask to be marked
7 for identification, before I forget. And it's the photograph
8 labelled "Jui Bridge area".

9 PRESIDING JUDGE: That is the photograph which the - on
15:56:03 10 which the witness circled Jui Barracks. That is MFI-26.

11 MR KOUMJIAN:

12 Q. I want to go back for a moment to P-149. Page 2, please.
13 We see on 15 January:

14 "It was agreed that the men in Freetown and the men at our
15:58:04 15 point were to do joint operation in Jui and Kossoh Town. The
16 Freetown men scheduled to attack Jui and we to attack Kossoh
17 Town. That night we attacked Kossoh Town, clear the enemies but
18 the Freetown men never show up. Therefore the enemies, with the
19 support of the Alpha Jet, drove us from Kossoh Town."

15:58:29 20 Mr Sesay, where is Kossoh Town?

21 A. I cannot locate - I think Kossoh Town is off Jui but I
22 don't know the main town.

23 Q. It's close to Jui, correct?

24 A. I don't know the exact place called Kossoh Town but I know
15:59:04 25 the road when you get to Jui that you can take to Grafton and
26 from Grafton then you can take that road, and you get out in
27 Hill Station but I don't know exactly where Kossoh Town is
28 located in that area.

29 Q. Looking at the next date, 18 January, 1999:

1 "The Guinean troops from Port Loko entered vehemently at
2 Waterloo with sporadic shelling and firing. In fact, two Alpha
3 Jets escorted the troops consisting of five war tanks, two
4 armoured car, one 40-barrel missile and series of AA one barrel
15:59:46 5 and twin barrels. They occupied Waterloo from that evening until
6 the morning around 3 a.m. "

7 Did that happen, Mr Sesay, that in late - mid to late
8 January, about the 18th, a large Guinean force with a lot of
9 armour attacked from Port Loko, attacked Waterloo?

16:00:15 10 A. Well, I understood that - you know, because this man whom
11 they said wrote this report was in Makeni but what I understood
12 is that Guinean troops came from Freetown and the others came
13 from Port Loko and they met in Waterloo and they dislodged our
14 men and from Waterloo, they used the road to Port Loko and during
16:00:38 15 that process, our men captured one 40 barrel from them, a 40
16 barrel missile.

17 Q. After the Guineans came and attacked Waterloo, they went
18 back to Port Loko, correct?

19 A. Yes. But another contingent of Guineans came from Freetown
16:01:02 20 to went to Port Loko when they joined there. That is what
21 I understood.

22 Q. Because the RUF continued to occupy Waterloo and you were
23 in Waterloo when Gullit and Bazzy and those troops from Freetown
24 came and based in Benguema, correct?

16:01:20 25 A. Yes. RUF was in Waterloo when these troops, they withdrew
26 through the hills and they came to - because they said they
27 withdrew to Calaba Town and from Calaba Town they took the hills
28 to Benguema and when they came they were based in Benguema,
29 Gullit was in Benguema and Bazzy had his troops in Hastings,

1 behind Hastings, he was based there. Because ECOMOG was in
2 Hastings so he withdrew to behind Hastings towards Rokel, he was
3 there with his men.

16:02:11 4 Q. The RUF camp and the AFRC - or the Gullit camp at Benguema,
5 it was just a ten-minute walk in between, correct?

6 A. Where the RUF was in relation to where Gullit was is more
7 than a ten-minute walk. Benguema and the area in Waterloo where
8 they were, like where Rambo was, it was long - it could be around
9 30 minutes, around that, over 30 minutes' walk because Superman
16:02:43 10 too was across the street in Waterloo, in the town, so it was a
11 bit far, it's about a 30-minute walk.

12 Q. Before we leave this document, I just want to briefly touch
13 on something you said. You said someone was based in Makeni.
14 You're talking about Major Mannah, he was based in Makeni,
16:03:06 15 correct?

16 A. Yes. It's Major Mannah, the late Major Mannah.

17 Q. But we see in this report, this is a report approved by
18 Major Mannah and it's signed by Lieutenant Raymond Kartewu, do
19 you see that?

16:03:26 20 A. Yes, I've seen it.

21 Q. Just as you would approve a report by Rambo but you were
22 based in Makeni, correct?

23 A. Well, yes, I could approve report for Rambo when I was in
24 Makeni but the Raymond that I knew as a Black Guard was assigned
16:03:51 25 with Kennedy, he was with the mining unit. He did not come to
26 Makeni during the fighting. He was part of the mining, with
27 Kennedy in Kono.

28 Q. When the - Rambo and Superman fought for two weeks against
29 these ECOMOG troops in the Waterloo/Hastings area, they were

1 trying to get to Freetown. That was the mission given Rambo and
2 Superman, correct?

3 A. Yes. That was the purpose of the mission, but they could
4 not gain control over Hastings. Hastings remained in the hands
16:04:35 5 of ECOMOG, including Jui, until the time the AFRC attackers
6 withdrew from Freetown.

7 Q. Now, one group did get through to Freetown, that was with
8 the Rambo and Superman forces, and that was a group of men under
9 the command of Rambo Red Goat, correct?

16:05:01 10 A. Well, I did not know about that, because I did not send
11 anyone.

12 Q. Did you know that Rambo Red Goat reached Freetown with some
13 troops?

14 PRESIDING JUDGE: You mean Rambo Red Goat?

16:05:21 15 MR KOUMJIAN: I thought I said Rambo Red Goat.

16 Q. Rambo Red Goat. Did you know that Rambo Red Goat
17 commanding some soldiers reached Freetown?

18 A. Well, at that time, I did not know. It was only during my
19 trial that one of the AFRC junior commanders who were in Freetown
16:05:51 20 said that during the time they retreated from Congo Cross Bridge
21 to Calaba Town and to Allen Town, that was the time Rambo Red
22 Goat met them in Calaba Town, so all of them joined troops to
23 leave Freetown but during the time they came there, they entered
24 there, I didn't know, at the time they came and met the AFRC at
16:06:22 25 Allen Town because that was almost out of Freetown. He said that
26 was where they met them.

27 Q. Well, this Rambo Red Goat was one of those responsible for
28 some of the worst atrocities in Freetown. You heard that, didn't
29 you?

1 A. Well, I did not hear it. I did not hear that. And even
2 the witness who said that Rambo Red Goat went to Freetown, that
3 was Alabama, he said Rambo Red Goat, by the time they went there
4 they had already been pushed up to Allen Town so they were now on
16:07:04 5 their retreat up to Allen Town.

6 Q. It was during the retreat that some of the worst
7 atrocities, the amputations and burnings, took place, correct?

8 A. Well, I heard that the time they started retreating from
9 Circular Road, they started burning down houses up to Kissy Road,
16:07:32 10 Fourah Bay Road, they started amputating people. So looking at
11 that area up to Allen Town, it's a very long distance and when
12 you get to Allen Town, no sooner you cross Orugu Bridge, that
13 area is Allen Town.

14 Q. Sam Bockarie gave orders to Gullit over the radio to "burn
16:07:52 15 the fucking place"; isn't that true?

16 A. Please, sir, the time he gave that order, I did not know.
17 It was in the courtroom that I heard it, but it was not
18 Sam Bockarie who promoted Gullit to a brigadier, so it was
19 doubtful to me, because they had started committing those crimes
16:08:23 20 even before they entered Freetown, so I don't know how

21 Sam Bockarie would have given him orders to destroy Freetown when
22 he was born in Freetown, he went to school in Freetown, he joined
23 the army in Freetown, he was well known in Freetown, so how could
24 he have destroyed Freetown whilst that man was based, as far as
16:08:46 25 Buedu. Sam Bockarie did not give me such an order to burn down
26 Makeni or to destroy people in Makeni. Look at Makeni. Not even
27 a single house was burned down there.

28 Q. Mr Sesay, I'm trying to understand your evidence. And
29 you're arguing that this - Sam Bockarie could not have given an

1 order to burn down Freetown - excuse me, let me take that back.

2 You said, "At the time he gave that order, I did not know."

3 That's what you said. But then you said something about he was
4 born in Freetown, he joined - went to school in Freetown, he

16:09:23 5 joined the army in Freetown. Who were you talking about then?

6 A. My Lord, I'm talking about Gullit.

7 Q. So are you saying Gullit didn't destroy Freetown, someone
8 else did?

9 A. I am saying the man was born in Freetown, so if he went and
16:09:45 10 burned down Freetown, he was burning Freetown, he went to school
11 in Freetown, he joined the army in Freetown, and if he carried
12 out such destructions in Freetown, I would not want to believe
13 the fact that it was Sam Bockarie because Sam Bockarie was not on
14 the attack in Freetown.

16:10:02 15 Q. Sam Bockarie was not born in Freetown, he didn't live in
16 Freetown, he didn't join the army in Freetown, he didn't even
17 want to stay in Freetown during the junta, correct?

18 A. Yes, he did not want to stay there, because he said his
19 life was not safe in Freetown.

16:10:25 20 Q. And you've told us how wicked Sam Bockarie was in some of
21 the crimes that he ordered. It wouldn't be inconsistent at all
22 with what you know of Sam Bockarie for Sam Bockarie to order the
23 AFRC on the retreat, Gullit and his troops, to burn Freetown.
24 That's consistent with the wicked man he was, isn't that true?

16:10:55 25 A. Please, sir, Sam Bockarie was a bad man, he was wicked but,
26 honestly speaking, the destruction of Freetown, that was done by
27 Gullit and his followers. Because when Gullit and others
28 retreated from Freetown, even at the time they retreated from
29 Freetown they were not taking orders from Freetown [sic]. And

1 their coming to Freetown, the attack was not planned by
2 Sam Bockarie. And when they got to Freetown, even with their
3 promotions it was not Sam Bockarie who gave out promotions to
4 them.

16:11:26 5 MR CHEKERA: Sorry, Mr Koumjian, sorry to interrupt late in
6 the day. Maybe just before you continue with your questions, I'm
7 really sorry to interrupt, there seemed to be something that was
8 lost in translation on the record. Madam President, I'm looking
9 at page 145, line 5, "Even at the time they retreated, they were
16:11:53 10 not taking orders from Freetown." I thought I heard something
11 different and I just want that to be cleared before we proceed.

12 PRESIDING JUDGE: What did you hear?

13 MR CHEKERA: I thought instead of "Freetown", it was "not
14 taking orders from Sam Bockarie", but I'm hesitant to put that
16:12:13 15 across as fact.

16 PRESIDING JUDGE: The record has Freetown. I can't
17 remember what the witness said. Mr Sesay, you said that even at
18 the time they retreated, they were not taking orders from where?

19 THE WITNESS: Yes, my Lord. I said even when they
16:12:36 20 retreated out of Freetown, they were not taking orders from
21 Sam Bockarie. Throughout '99, Gullit and his men were not taking
22 orders from Bockarie.

23 MR KOUMJIAN:

24 Q. Mr Sesay, you talked in your evidence about a Red Goat
16:13:01 25 Battalion that was made up of RUF fighters, correct?

26 A. That the Red Battalion had RUF fighters? No, I don't
27 recall. But the Red Battalion was the battalion that was with
28 Brigadier Mani at the Koinadugu axis.

29 Q. Well, if we could look at what you said on 9 July 2010, in

1 this trial, page 44167. Thank you. Going down the page to about
2 line 21, you were asked:

3 "Q. The second question. Have you heard of a Red Goat
4 Battalion?

16:14:26 5 A. Yes. That battalion operated with the Mani group in
6 Koinadugu. I heard about that name in December 1998 when
7 we met at Makeni.

8 Q. Who made up that Red Goat Battalion?

9 A. They were RUF soldiers."

16:14:46 10 So in Makeni, in December 1998, where you - you were the
11 commander there, correct?

12 A. Well, I could not command Brigadier Mani, nor could
13 I command General Bropleh. These were commanders who were not
14 under my control, sir.

16:15:10 15 Q. You said - well, let me make it clear to you that I don't
16 accept that that is the truth but, Mr Sesay, moving on, you said
17 that that battalion was made up of RUF soldiers; correct?

18 A. No. That battalion was a battalion that was operating in
19 the Koinadugu area with Brigadier Mani, but all of them together
16:15:36 20 with Superman came to Makeni. That was what I was made to
21 understand in that December of '98. Because there were three
22 groups: Brigadier Mani's group; General Bropleh's group; and
23 Superman's group. I met all of them in Makeni.

24 Q. Let me read again what you said on that page. You were
16:15:51 25 asked about have you heard of a Red Goat Battalion. And then at
26 the bottom of the page, "Who made up that Red Goat Battalion?"
27 You said, "They were the RUF soldiers." Did you tell the truth
28 on 9 July of this year?

29 A. Well, what I recall was that the Red Goat Battalion was a

1 combined group that was operating around the Koinadugu axis
2 before we came and met with Superman, Brigadier Mani and General
3 Bropleh.

4 Q. I'd like to read to you from another witness, 24 June 2008,
16:16:36 5 page 12609. This was a Prosecution witness. 24 June 2008, page
6 12609. The witness was asked:

7 "Q. What other commanders were with RUF Rambo?

8 A. Rambo Red Goat, Crazy and others.

9 Q. Okay. And what happened with your group?

16:18:09 10 A. When we got to Hastings, we attacked Hastings, we
11 cleared up Hastings and we advanced to Jui because Jui is
12 just very close to Freetown, the distance between Jui and
13 Freetown is short, but when we got to Jui, we did not - we
14 did not overrun Jui and so we got stuck there. So we got
16:18:31 15 orders from Issa Sesay and he told us that when we got to
16 Jui there was another road that was passing through Kossoh
17 Town to Freetown, so we should just release some men up to
18 a platoon or a battalion to join our brothers in Freetown
19 whilst we should try and clear up the main road. The order
16:18:55 20 came from the back from Issa Sesay directly to Rambo, RUF
21 Rambo.

22 Q. And what happened after that order was received from
23 Issa Sesay?

24 A. Later Rambo sent and asked who was supposed to be the
16:19:11 25 commander to go and join the people. And that Issa Sesay
26 then appointed, said Rambo Red Goat, because he said he
27 knew his brothers in the city well and he was once an SLA
28 soldier. He said he should lead the troops to go and join
29 the others in Freetown and that was what they did."

1 Mr Sesay, when did you first meet Rambo Red Goat?

2 A. My Lord, it was at the detention facility when I was there,
3 when Rambo Red Goat was released, that was the first time I knew
4 him. And looking at Alabama's testimony, because they were the
16:19:57 5 ones who carried out the attack in Freetown until the withdrawal,
6 when he testified against us in the RUF trial, he said Rambo Red
7 Goat and 24 other AFRC men met them in Allen Town on their
8 retreat. So if the RUF --

9 Q. Mr Sesay, I asked you when you met Rambo Red Goat and
16:20:18 10 you've answered the question. I'd ask that the witness be shown
11 the first two pages behind tab 26.

12 THE INTERPRETER: Your Honours, the interpreter would want
13 to make a correction. Instead of 24 other AFRC, it should be 25.

14 MR KOUJIAN:

16:21:17 15 Q. Mr Sesay, do you recognise the person in the photograph
16 that's before you?

17 A. I cannot recognise this person.

18 PRESIDING JUDGE: Show the witness the actual photograph,
19 please.

16:21:59 20 THE WITNESS: Yes, this is the Rambo that I - that met me
21 at the detention. He went to visit Ibrahim Bazy Kamara.

22 MR KOUJIAN:

23 Q. And his name was Idrissa Kamara and he was a Temne, or is a
24 Temne. Is that correct?

16:22:26 25 A. Well, I did not know his tribe and even at the time he went
26 to the detention, it was Bazy who told me that this is Rambo Red
27 Goat, because at the time they freed them from the Pademba Road
28 when they went to detention they did not speak to me. They said
29 I was the one who laid the coup for which they were arrested and

1 taken to Pademba Road Prison.

2 PRESIDING JUDGE: Mr Sesay, is this man's real name Idrissa
3 Kamara?

4 THE WITNESS: My Lord, I did not know. I only knew the
16:23:03 5 nickname and I did not know the ethnic from which he came.

6 MR KOUMJIAN:

7 Q. You did not know that Rambo Red Goat's real name was
8 Kamara? Is that what you're saying?

9 A. Yes. I said I did not know whether he was Kamara.

16:23:24 10 Q. How was it that you learned that the man that was visiting
11 Bazzy and Gullit was Rambo Red Goat, if you didn't recognise him?
12 How did you know that Rambo Red Goat was the man visiting Bazzy
13 and Gullit?

14 A. Well, when I came out of the detention, it was Bazzy and
16:23:55 15 others who received their visitors before me. So when I got a
16 visitor, by then I got a visitor also. When they had completed
17 their visit, when they were going, I came in and Bazzy told me
18 that this is Rambo Red Goat that had been freed from Pademba
19 Road. And Alhaji Kamanda came to Gullit whilst Rambo Red Goat
16:24:22 20 came to visit Bazzy Kamara.

21 PRESIDING JUDGE: Alhaji who?

22 THE WITNESS: Kamanda. Alhaji Kamanda.

23 MR KOUMJIAN:

24 Q. Mr Sesay, why would Bazzy tell you, "Oh, that was Rambo Red
16:24:38 25 Goat that just visited me"?

26 A. They said they were the ones who had been freed from
27 Pademba Road because, when they initially came, I heard them
28 speaking, when the detention said they would not allow them to
29 visit until they went back for their ID cards. So that was when

1 I knew that the men who were freed from Pademba Road were the
2 ones who came to visit them. So, when they came to visit and
3 when their visit was over and, when they were going, I also had a
4 visitor, and when I came it was then that Bazzy told me that this
16:25:12 5 is the Rambo Red Goat. By then their visit had ended.

6 Q. Mr Sesay, you do not deny that Rambo Red Goat took troops
7 across the river and entered Freetown; is that right?

8 A. Well, at that time, I did not know. I did not know. It
9 was in the courtroom that I heard one of the AFRC, who served as
16:25:45 10 a witness and who said that Rambo Red Goat met them at Allen Town
11 whilst they were retreating.

12 Q. I want to go to the testimony of another witness from 6
13 October 2008?

14 PRESIDING JUDGE: If I may ask before you go on,
16:26:13 15 Mr Koumjian, and Mr Sesay. This Rambo Red Goat, is he the same
16 person as RUF Rambo?

17 THE WITNESS: No, my Lord.

18 PRESIDING JUDGE: Mr Koumjian, I would suppose that you
19 would want to mark this photograph?

16:26:36 20 MR KOUMJIAN: Yes. I would ask to mark the two-page
21 document, which is a photograph and a record that follows it.
22 And the record reads, "Inactive, RSLAF Personnel Details".

23 PRESIDING JUDGE: There is no evidence pertaining to page
24 2. What is page 2? How is it related to the photograph? Where
16:27:15 25 does it come from?

26 MR KOUMJIAN: Well, it comes from the records of the Sierra
27 Leone Army, but the witness - I agree with you, the witness said
28 he didn't know the name. Today he said he did not know the name.

29 PRESIDING JUDGE: What do you want me to do? Just to mark

1 the first page or what?

2 MR KOUMJIAN: At this point, your Honour, could we just
3 mark the first page, the photograph, please?

16:27:53

4 PRESIDING JUDGE: Very well. The photograph depicting a
5 person that Mr Sesay has confirmed is Rambo Red Goat is marked
6 MFI-27.

7 MR KOUMJIAN:

16:28:20

8 Q. I want to try to read two witnesses' testimonies to you,
9 Mr Sesay, and see if we can do this before the end of the day.
10 On 6 October 2008, page 17977, and I'm going to start reading
11 from the bottom, from about five lines up, thank you, line 25:

12 "Q. What happened when you got there to Issa's house?

16:29:17

13 A. Well, they took us there, they assembled us there, and
14 our number increased and they provided trucks in which we
15 were loaded to be taken. Three trucks. When we got to
16 Lunsar, our own truck, one of them, stopped there. That
17 was where we disembarked, and we stayed there together with
18 Superman. They said those who had come from Kabala should
19 stay, so we stayed while others went ahead."

16:29:42

20 And then he was asked to go over the answer a bit. He was
21 asked:

22 "Q. Before you left Makeni, did anyone tell you where you
23 were going or what the mission was?

16:30:01

24 A. Yes. Issa, in front of his house, that was where we
25 were assembled and that was where he told us.

26 Q. What did Issa say?

27 A. He said we should take reinforcements to Freetown.

28 Q. Did all the trucks go together, the three trucks to
29 Lunsar?

1 A. Yes.

2 Q. What happened at Lunsar?

3 A. Well, when we got to Lunsar we were stopped there, they
4 said those of us who had come from Kabala should stay, stop
16:30:29 5 there and other truck with some people went ahead and one
6 of my friends, they went. He was asked the name of the
7 friend.

8 A. Rubber Rubber. He was asked if they knew where they
9 were going and he said 'they went to Freetown'."

16:30:48 10 Going to the next page, in the middle of the page, he was
11 asked at line 11:

12 "Q. What did Rubber Rubber tell you after he returned
13 about what happened?

14 A. He said well when he came I asked him, I asked him
16:31:08 15 about the mission they had taken along, and he said they
16 went but they stopped at Waterloo. He said not all of them
17 were able to go to Freetown. He said they took - they used
18 a bypass and went to Freetown. He said when they went,
19 they met Five-Five and others. At the time that they went
16:31:28 20 SAJ Musa had already died."

21 Mr Sesay, is that correct, that in Makeni, you sent trucks
22 of reinforcements, three trucks, and they went to Lunsar, one
23 went to Lunsar and two went on to Waterloo?

24 A. No, Mr Lawyer. I did not send any reinforcement and this
16:31:54 25 witness testified against me. He testified against me. It was
26 the same witness that said that he saw me - even when he had not
27 known me at that time he said he saw me kill five people. This
28 same witness testified during my trial, but it's not true. I did
29 not send any reinforcements to Freetown.

1 MR KOUMJIAN: I think, Madam President, I don't think I can
2 put anything else today to the witness.

3 PRESIDING JUDGE: Very well. We've come to the end of
4 today's proceedings and proceedings for the week. As I as
16:32:30 5 I announced earlier, the technicians will be servicing the
6 courtroom tomorrow so we will adjourn the proceedings to Monday
7 at 9 o'clock and, Mr Sesay, you are not to discuss your evidence
8 with anyone.

9 Court is adjourned accordingly.

16:32:45 10 [Whereupon the hearing adjourned at 4.30 p.m.
11 to be reconvened on Monday, 23 August 2010 at
12 9.00 a.m.]

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I N D E X

WITNESSES FOR THE DEFENCE:

DCT-172 46674

CROSS-EXAMINATION BY MR KOUMJIAN 46674