



Case No. SCSL-2003-01-T

THE PROSECUTOR OF  
THE SPECIAL COURT  
V.  
CHARLES GHANKAY TAYLOR

THURSDAY, 26 AUGUST 2010  
9.00 A.M.  
TRIAL

TRIAL CHAMBER II

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Before the Judges:

Justice Julia Sebutinde, Presiding  
Justice Richard Lussick  
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:

Ms Brenda J Hollis  
Mr Nicholas Koumjian  
Ms Kathryn Howarth  
Mr Nathan Quick

For the accused Charles Ghankay  
Taylor:

Mr Terry Munday  
Mr Morris Anyah  
Mr Silas Chekera  
Ms Logan Hambriek

1 Thursday, 26 August 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.13 a.m.]

09:13:12 5 PRESIDING JUDGE: Good morning. I apologise for the late  
6 start, it's entirely my fault. We'll take appearances first,  
7 please.

8 MR KOUMJIAN: Good morning, Madam President. Good morning,  
9 your Honours and counsel opposite. For the Prosecution this  
09:13:29 10 morning, Kathryn Howarth, Nathan Quick and Nicholas Koumjian.

11 MR CHEKERA: Good morning, Madam President, your Honours,  
12 and counsel opposite. For the Defence, Terry Munyard and Silas  
13 Chekera.

14 PRESIDING JUDGE: Thank you. Good morning, Mr Sesay. I  
09:13:45 15 remind you of the binding oath that you took to tell the truth as  
16 we commence with your cross-examination.

17 MR KOUMJIAN: Your Honours, could the witness be shown  
18 P-516.

19 WITNESS: DCT-172 [On former oath]

09:13:57 20 CROSS-EXAMINATION BY MR KOUMJIAN: [Continued]

21 Q. Good morning, Mr Sesay.

22 A. Yes, good morning, sir.

23 Q. Sir, this is an article entitled "RUF still kills and rapes  
24 Sierra Leoneans". It's exhibit P-516. Looking at the first  
09:14:53 25 page we see a list of related items and the article itself is  
26 listed as about the eight or ninth one down. We see it is dated  
27 4 April 2001, "RUF still kills and rapes Sierra Leoneans".  
28 Turning to the next page, the article itself. I want to read  
29 parts of this to you. The first paragraph reads:

1 "While the RUF leadership is trying to present itself as  
2 peace-seeking rebels, a new report from Human Rights Watch  
3 documents that the rebels maintain their terrorist methods. RUF  
4 are still raping, abducting and killing refugees fleeing camps in  
09:15:46 5 Guinea, HRW documents."

6 First of all, let me just ask you, Mr Sesay, the 4th of  
7 April of the year 2001, you were the interim leader of the RUF,  
8 correct?

9 A. Yes.

09:16:05 10 Q. And this would have been about a month or so before Abuja  
11 II, correct?

12 A. Yes, you're correct.

13 Q. Thank you. I'll skip to the third paragraph:

14 "The New York based human rights group reported that it had  
09:16:22 15 documented the abuses from December 2000 through mid-March in the  
16 Koinadugu, Kailahun and Kono Districts of eastern Sierra Leone.  
17 It said RUF soldiers are attacking returnees in Sierra Leone as  
18 they trek for days, and sometimes weeks, in an attempt to reach  
19 the government-held towns of Kenema, Kabala and Daru."

09:16:50 20 I'll skip down to the next paragraph:

21 "The returning Sierra Leonean refugees have been under  
22 siege in refugee camps in Guinea since September 2000 when  
23 cross-border attacks flared between Sierra Leonean, Guinean and  
24 Liberian government forces, rebels and militia groups."

09:17:10 25 Mr Sesay, it's correct, as this article says, and as Abu  
26 Keita testified, that the RUF began its attacks on Guinea  
27 in September 2000, correct?

28 A. Well, the border attacks - I heard about them  
29 in October from the Kambia area.

1 Q. Going to the last paragraph on this page.

2 PRESIDING JUDGE: Did the witness say "Gambia area"?

3 THE WITNESS: No, my Lord, I said Kambia, Kambia,  
4 Sierra Leone, towards Guinea.

09:17:52

5 MR KOUMJIAN:

6 Q. The last paragraph reads:

7 "Among the scores of returnees who gave detailed accounts  
8 to serious rebel abuses to HRW, numerous men who passed through  
9 the diamond-rich district of Kono and the rebel stronghold of  
10 Kailahun described recruitment of able-bodied men and boys as  
11 young as 15 to fight with the RUF forces or to carry out forced  
12 labour in the diamond mines or with the rebel army. Four men  
13 were killed for refusing recruitment, disobeying orders or being  
14 physically unable to work."

09:18:10

09:18:31

15 On the next page, please. I'll just read the first three  
16 paragraphs:

17 "The human rights group interviewed an elderly woman whose  
18 25 year old son was shot and killed in front of her  
19 in December 2000 after refusing to be recruited. A woman  
20 described how her husband was executed in early December for  
21 refusing to hand her over to the rebels, while another woman  
22 described how her ailing husband was beaten to death in mid-March  
23 2001 for no apparent reason.

09:18:50

09:19:17

24 One woman described how she was gang raped by RUF rebels in  
25 Kailahun in late January 2001, after she and five other women  
26 were chosen from a group of returnees detained at a rebel  
27 checkpoint. The rebels 'said they were not going to kill us, but  
28 that they would use us until they would be satisfied. They also  
29 said they wanted peace,' the woman told HRW.

1 Numerous women returnees described being abducted, raped  
2 and/or sexually abused. HRW interviewed six women who had been  
3 raped and numerous more who were either held or taken away to  
4 rebel bases, for a time span varying from a few hours to  
09:20:09 5 several weeks. The group also interviewed a man who managed to  
6 escape in mid-January after two weeks of forced labour, but had  
7 to leave his wife behind in a rebel base in Kono."

8 Mr Sesay, all these abuses continued to take place - abuses  
9 by RUF against civilians in Sierra Leone - during the time that  
09:20:34 10 you were the interim leader of the RUF, correct?

11 A. Well, these were not things that I witnessed, because in  
12 January 2001 in Kono civilians were coming from Makeni, Freetown,  
13 Bo, Kenema; Kono was packed full at this time. So to say that  
14 RUF used to force people to work or to rape women in Kono, I did  
09:21:05 15 not witness that and I did not hear complaints like those,  
16 because I was based in Kono at this time. And the man who was  
17 the MP commander in Kono, and that is Edwin Bockarie, even when I  
18 was arrested he was the one who was with the team, they went to  
19 Kono to investigate me. So if such things were happening --

09:21:28 20 THE INTERPRETER: Your Honours, can the witness kindly slow  
21 down his pace and repeat this part of his testimony.

22 PRESIDING JUDGE: Mr Sesay, you said, "So if such things  
23 were happening". Continue from there, slowly.

24 THE WITNESS: Yes, my Lord. I said if these things used to  
09:21:41 25 happen to the people in Kono and they saw Edwin Bockarie go there  
26 to get witnesses for me, they would have risen against my  
27 investigation team, because the people in Kono know Edwin  
28 Bockarie that he was the MP commander in 2000 and 2001.

29 MR KOUMJIAN:

1 Q. Mr Sesay, do you continue to deny that there were rapes in  
2 Kailahun District?

3 A. I did not receive such reports. And even when I used to go  
4 to Kailahun I had meetings with chiefs in Kailahun at this time.

09:22:25 5 Q. I want to move on now and talk to you about how the  
6 situation in Sierra Leone changed in the middle of 2001 and how  
7 you perceived the military situation and the political situation  
8 for the RUF and for yourself.

9 It's true, isn't it, that after the abduction of hundreds  
09:22:56 10 of United Nations troops, the United Nations and the  
11 international community increased their commitment to  
12 Sierra Leone and they brought in more and better troops for the  
13 peacekeeping mission? Isn't that true?

14 A. Yes, after the capture of the UNAMSIL personnel they  
09:23:23 15 increased their troops and they brought in a new force commander  
16 and that was General Opande.

17 Q. These troops also were better equipped than those that had  
18 come previously. Isn't that true?

19 A. The Nigerians who were deployed first - they had the same  
09:23:50 20 equipments as what they used to have before.

21 Q. Also, British troops arrived in Sierra Leone. They were  
22 not under the United Nations command, but they added additional  
23 military power to the government side. Isn't that correct?

24 A. Yes.

09:24:10 25 Q. And an incident took place in September 2000 that showed  
26 the military capability of these trained and modern troops and  
27 that was Operation Barras. Is that right?

28 A. Yes.

29 Q. If we could turn to the document behind tab 17, please. We

1 see this is a web page and for "The Regiment, 1950 to 2002, The  
2 Post War Years". It's an article entitled "Gun fight at Rokel  
3 Creek, Operation Barras." I'm just going to read a few sentences  
4 from the article. It begins:

09:25:46 5 "On August 25th 2000, a patrol of 11 men from the 1st Royal  
6 Irish Regiment were captured by the notorious West Side Boys  
7 while on patrol in Sierra Leone."

8 You heard about that, is that correct, Mr Sesay, that the  
9 West Side Boys had seized some United Kingdom soldiers?

09:26:15 10 A. Yes, I heard it on the commercial radio.

11 Q. And then if we skip down to the fourth paragraph:

12 "The SAS confirmed that the rebel gang had high-powered  
13 machine guns situated on the south side of the river, as well as  
14 at Geri Bana, and across the 300 yards of Rokel Creek two more  
09:26:43 15 villages provided bases for the rebels. The paras would have to  
16 make a two-pronged attack. It was decided that the attack would  
17 go down at dawn, Sunday, 10th September."

18 And then if we go to the last - next page to the last  
19 paragraph:

09:27:09 20 "The mission in mangrove swamps of Rokel Creek took just 90  
21 minutes, but the fire fight left one of the rescuers dead, one  
22 seriously wounded and another 11 wounded. 25 of the rebel  
23 forces, three of them women, were also killed and the further 18  
24 including their leader, Brigadier Foday Kallay, were captured."

09:27:36 25 Mr Sesay, did you hear that the West Side Boys were  
26 defeated by this well-armed and well-trained British force,  
27 United Kingdom force?

28 A. Yes, I heard that.

29 MR KOUMJIAN: Your Honour, could this document be marked

1 for identification.

2 PRESIDING JUDGE: What page out of where?

3 MR KOUMJIAN: Two-page document. I read from both pages,  
4 gun fight at Rokel Creek, and these are the documents behind tab  
09:28:07 5 17.

6 PRESIDING JUDGE: Where does this article comes from?

7 MR KOUMJIAN: At the bottom of the page, hopefully it's in  
8 the copies you have, appears a web address  
9 [www.britains-smallwars.com/SAS/Operation-Barras.html](http://www.britains-smallwars.com/SAS/Operation-Barras.html).

09:28:28 10 PRESIDING JUDGE: Very well. This is a two-page article  
11 entitled "Gun fight at Rokel Creek, Operation Barras" and it  
12 comes out of the said web page. That is marked MFI-41.

13 MR KOUMJIAN:

14 Q. Mr Sesay, another factor in the military balance at this  
09:28:56 15 time in the middle of 2000 was that when the RUF had seized the  
16 peacekeepers in May 2000 Johnny Paul Koroma who was - first of  
17 all let me start over. Johnny Paul Koroma had been appointed by  
18 President Kabbah to the peace monitoring commission, is that  
19 correct?

09:29:20 20 A. Yes, before the May incident he had been appointed as the  
21 CCP chairman.

22 JUDGE DOHERTY: For clarification, is that the 8th  
23 of May incident involving Foday Sankoh when you say  
24 "May incident"?

09:29:47 25 THE WITNESS: Yes, my Lord. The capture of the UNAMSIL and  
26 the arrest of Mr Sankoh. Before that time Johnny Paul had become  
27 the CCP chairman.

28 MR KOUMJIAN:

29 Q. So when the hostages were captured Johnny Paul Koroma

1 supported the government and he led troops - or he encouraged his  
2 troops to attack the RUF, particularly at Lunsar, is that  
3 correct?

4 A. Yes, correct.

09:30:24 5 Q. Some SLAs stayed with the RUF but many of them were now on  
6 the government side, correct?

7 A. Yes, correct.

8 Q. Also by the middle of 2001, President Taylor in Liberia was  
9 under pressure from LURD; he was being attacked by LURD, correct?

09:30:53 10 A. Yes, there was fighting in Lofa.

11 Q. Also in that May 2000 incident, the RUF had lost some of  
12 its military commanders, for example, Isaac Mongor was arrested  
13 on 7 May and he was still at Pademba Road, correct?

14 A. Yes, it's correct.

09:31:21 15 Q. Mike Lamin was missing or had ran away, is that right?

16 A. He too was at the Pademba Road.

17 Q. And then Superman was in Liberia, correct?

18 A. Yes, Superman had left, he had gone.

09:31:49 19 Q. Until you received word around the middle of 2001 that he  
20 was killed, correct?

21 A. Yes, that's what I heard in mid-2001.

22 Q. If we could look at the document behind tab 6, please.

23 Mr Sesay, this is a document that has the document classification  
24 number on the United Nations' system S/2001/857. It's dated

09:33:02 25 7 September 2001. And it's the 11th report of the

26 Secretary-General on the United Nations' Mission in Sierra Leone.

27 I just want to ask you about a few of the sentences in this  
28 document.

29 Let's go first to paragraph 4. The sentence that begins on

1 the fifth line down:

2 "The government indicated it had offered RUF a plot of land  
3 in Freetown to enable the movement to establish an office in the  
4 capital. It also recalled that 33 RUF detainees had been  
09:33:58 5 released on 7 July. RUF, however, claim that many of the  
6 detainees released were not members of the movement."

7 First of all, is it correct that the government offered you  
8 land in Freetown for an office?

9 A. It was not at this time.

09:34:17 10 Q. Mr Sesay, given that the - you controlled the diamonds,  
11 you've told us, up until late 2001, why would the RUF need the  
12 Government of Sierra Leone, or the international community, to  
13 fund an office for the RUF?

14 A. Well, that was the agreement in the Lome Accord, that the  
09:34:45 15 government should assist, and, together with the international  
16 community, they should assist the RUF to form - to transform  
17 themselves into a political party. It was not a request from the  
18 RUF, it --

19 Q. If we could go then to paragraph 6:

09:35:07 20 "The government and the RUF have also taken additional  
21 reciprocal confidence-building pressures, including the  
22 continuing release of abductees and child combatants by the RUF."

23 And I won't read the rest of the sentence. Going to  
24 paragraph 7:

09:35:32 25 "However, RUF has yet to return all the weapons and  
26 equipment seized from UNAMSIL and ECOMOG. No further items have  
27 been returned since the issuance of my last report. While the  
28 RUF leadership has indicated that they expected most of the  
29 rifles and other weapons to turn up during the disarmament

1 exercise, so far, only 31 UNAMSIL weapons and 148 ECOMOG weapons  
2 have been recovered during the disarmament process."

3 Is this true, Mr Sesay, that as of September 2001 only 31  
4 weapons from the UN troops that were captured in May 2000 had  
09:36:22 5 been turned back over to the UN?

6 A. No. Because I gave instructions and the arms were put  
7 together, the artillery, the BZT, the vehicles and the  
8 communication sets were packed at the MP office in Makeni and,  
9 when General Opande went, I handed them over, together with the  
09:36:47 10 vehicles, and, during the disarmament, they discovered the  
11 UNAMSIL rifles.

12 Q. And let's go to paragraph 18. And this is probably what  
13 I'm most interested in. Paragraph 18 states:

14 "Since my last report UNAMSIL troop strength has increased  
09:37:13 15 to 16,664 as of 5 September 2001."

16 It's true, isn't it, that as the year went on, 2001,  
17 United Nations forces in Sierra Leone became stronger and  
18 stronger?

19 A. Well, at that time we too had disarmed some areas. We had  
09:37:40 20 disarmed Kambia District and we had disarmed Lunsar and  
21 Tonkolili, and we were - we had disarmed Kono.

22 Q. Well, that's correct, if we look at paragraph 21:

23 "As indicated above, the disarmament, demobilisation and  
24 reintegration process has made remarkable progress. Since the  
09:38:13 25 programme resumed on 18 May a total of 16,097 combatants had been  
26 disarmed as of 3 September", then that's broken out, "6,325 RUF;  
27 9,399 CDF and 175 AFRC."

28 Mr Sesay, after Abuja II, that's when the disarmament  
29 started, and, as the United Nations' forces got stronger, the RUF

1 got weaker and weaker, correct?

2 A. No, no. It did not happen that way. It was because - it  
3 was because of the outcome of the Abuja II that the Government of  
4 Sierra Leone, the RUF and the United Nations, including the  
09:39:14 5 ECOWAS, agreed in the meeting that they should create a  
6 tripartite meeting committee and, after they returned from Lome -  
7 sorry, from Abuja II - the tripartite meetings were to commence,  
8 and the CDF and the RUF were to disarm. The force commander at  
9 that time, we had a cordial relationship, we were not under any  
09:39:42 10 threat or pressure, and even General Opande testified to that and  
11 President Kabbah too testified to that.

12 Q. Prior to Abuja II the RUF was already weakened by fighting  
13 and defeats in Guinea and in Lofa County and by these defections  
14 of the Johnny Paul Koroma loyal troops to the government's side,  
09:40:09 15 correct?

16 A. No, it's not correct. It is not correct because the Guinea  
17 attacks were border attacks and Johnny Paul joined the Government  
18 of Sierra Leone and they captured Lunsar from RUF and RUF  
19 re-captured Lunsar from them. So about 70 per cent of them did  
09:40:34 20 not want the disarmament, they wanted us to continue with the war  
21 until Mr Sankoh was free from prison. I was the one who said no,  
22 and that is why most of them stood against me. And during this  
23 time the RUF was armed; you know, like 1992, RUF was not that  
24 strong. It was only when they would fight, then you would get  
09:40:59 25 arms. RUF was weak at that time. But the time that you were  
26 referring to, no, they were not weak.

27 Q. Well, how was the RUF armed in 2000 and 2001, Mr Sesay?

28 A. RUF had had arms before this time. When the war was going  
29 on, RUF used to capture arms from government troops so they had

1 arms; up to the time the RUF took the attacks in 1998 they got  
2 arms from ECOMOG.

3 Q. Arms are useless without ammunition. You continued to  
4 receive ammunition from Charles Taylor in Liberia, correct?

09:41:36 5 A. No, my Lord. If you look at 1992, when the RUF hadn't much  
6 arms and ammunition, but RUF used to fight and capture  
7 ammunitions from government troops and they continued with the  
8 war.

9 Q. Going on to page 7 of this report, paragraph 43:

09:42:01 10 "Child combatants, abductees and other separated children  
11 continued to be released to UNAMSIL by RUF from May to 31 July.  
12 1,169 children were released in Makeni, Kailahun and Tongo. A  
13 total of 1,214 children had been demobilised by RUF and 646  
14 children by the Civil Defence Forces."

09:42:46 15 That's correct, isn't it, Mr Sesay, that after Abuja II the  
16 RUF released over a thousand child soldiers?

17 A. My Lord, yes, that is true. But not all of them were  
18 fighters. A lot of them were with the RUF, doing domestic  
19 chores. But I do recall that Ambassador Adeniji received  
09:43:13 20 children in Makeni who were handed over by the RUF in Makeni to  
21 Ambassador Adeniji.

22 Q. Now, you have said, Mr Sesay, that not all of them were  
23 child soldiers. So you're saying some of them were child  
24 soldiers, correct?

09:43:30 25 A. Yes, some of them. That is what I had said.

26 Q. Mr Sesay, in your testimony previously, in direct and  
27 cross-examination, you've denied that there were child soldiers  
28 for the RUF.

29 A. No, my Lord. I think I said some of the children were with

1 some commanders, some junior commanders, and some of them took  
2 part in battles. But it was not a policy to recruit them, that  
3 they were trained to become fighters of the RUF. It was not a  
4 policy. But some of them took part.

09:44:08 5 Q. I want to look at another paragraph that affected your  
6 calculations at this time. Paragraph 46. It states:

7 "Following the exchange of communications between the  
8 Secretary-General and the Security Council, in which the Council  
9 concurred with the recommendation to commence the operation of  
09:44:32 10 the Special Court, the Secretariat on 23 July 2001 sent a letter  
11 to the countries that had made pledges for the first year of the  
12 operation of the Court."

13 Let me just stop there. Mr Sesay, you were aware also that  
14 the United Nations was pushing to prosecute those responsible for  
09:44:54 15 atrocities during the war, correct?

16 A. Well, at the early stages, I did not know. It was later  
17 that I came to know.

18 Q. Finally, I would just like to take a quick look at the  
19 annex to this document, which has - is a list of contributions of  
09:45:24 20 military personnel to the United Nations mission in Sierra Leone,  
21 and we see a list of those countries contributed and the troops  
22 that they contributed. On the second page, we see that the  
23 totals were - this is as of 5 September 2001: 260 military  
24 observers; 109 staff officers; total troops, 15,994; headquarters  
09:46:02 25 staff, 301; for total personnel, 16,664.

26 So the United Nations forces by September 2001 were very  
27 strong and they were a much stronger force than the RUF; isn't  
28 that correct?

29 A. Well, at this time in September, the only place where the

1 RUF had not disarmed was Makeni, Tongo Field and Kailahun. So we  
2 had disarmed above 70 per cent. So the RUF did not now refer to  
3 themselves as a fighting group. We were now on disarmament  
4 process.

09:46:49 5 Q. I'm going to change this, I think, for a moment. If we  
6 could have the transcript for 28 July 2010.

7 Mr Sesay, you told us about Johnny Paul Koroma being the -  
8 was he the chairman of the CMC?

9 A. CCP.

09:47:09 10 Q. There also was an organisation called the CMC; is that  
11 right?

12 A. Yes.

13 Q. Ceasefire Monitoring Committee or Commission, correct?

14 A. Committee.

09:47:23 15 Q. I'd like to remind you of something you said on 28 July, at  
16 page 44896. At the time, counsel was reading to you the  
17 testimony of Karmoh Kanneh, Eagle, and he read, starting at the  
18 first line, in the middle of that line, where Karmoh Kanneh said,  
19 "I was working with CMC, that is the Ceasefire Monitoring  
09:48:16 20 Committee or Commission." And you were asked by Defence counsel:

21 "Q. Was he?

22 A. No, he was not a CMC member. He only went to Bo where  
23 Mr Sankoh was trying to have an office established, but the  
24 CMC members who were in Bo, he was not part of them."

09:48:35 25 I'd like to show the witness P-115, A and B, please.

26 Mr Sesay, P-115A is the front of an identification card,  
27 Ceasefire Monitoring Committee, southern province, name:

28 Mr Karmoh Kanneh. It then gives dates. Do you see the man in  
29 the picture?

1 A. Yes, I see him.

2 Q. That's Eagle, Karmoh Kanneh, isn't it?

3 A. Yes.

09:50:02 4 Q. P-115B is just the back, if we can just quickly see that,  
5 and it states on the back:

6 "The bearer of this card is a member of the Joint  
7 Monitoring Commission. All civilian and military personnel are  
8 requested to extend him/her free access to the national  
9 territory."

09:50:20 10 Mr Sesay, you told us that it was on the very last trip  
11 that you took to Liberia that Charles Taylor asked you to take  
12 Sam Bockarie back to Sierra Leone, correct?

13 A. Yes. That was the last trip when I met with Mr Taylor,  
14 because I went back to Liberia but I did not meet with him.

09:50:56 15 Q. And there's a reason for that, not wanting to go back to  
16 Liberia and meet with Mr Taylor again, because when you learned  
17 that Taylor wanted Sam Bockarie back, you realised your life was  
18 in serious danger; isn't that true?

19 A. No. If I realised that my life was in serious danger, I  
09:51:22 20 wouldn't have gone back to Liberia.

21 Q. Mr Sesay, Sam Bockarie had once told you, "You're a dead  
22 man"; isn't that true?

23 A. Yes, he once told me that.

24 Q. Sam Bockarie is not the kind of man who'd want to come back  
09:51:43 25 and be a deputy to you. He would have insisted on taking over  
26 the leadership; isn't that true?

27 A. Yes, because he wanted power.

28 Q. And you know that if Sam Bockarie came back to the RUF, it  
29 would have been a matter of time before he made an attempt or

1 simply arranged for you to be killed, correct?

2 A. Yes, because the two of us had already had some problem, so  
3 he must have had some grudge for me.

4 Q. So the situation you were facing, the time of Abuja II, May  
09:52:39 5 2001, was that you were fighting a war in Sierra Leone you  
6 couldn't win against a much stronger force, and your patron,  
7 Charles Taylor, was himself under pressure, you knew if you went  
8 to Liberia he was going to replace you or kill you, and that if  
9 he was able to get Sam Bockarie back to Sierra Leone, Bockarie  
09:53:02 10 was going to kill you. Your survival was at stake at that time;  
11 isn't that true?

12 A. No, my survival was not at stake. Because if I had not  
13 agreed to the disarmament, we should have still continued  
14 fighting because we believed that whenever we attacked we would  
09:53:32 15 receive ammunition from the troops that we would attack.

16 THE INTERPRETER: Your Honours, can the witness kindly slow  
17 down his pace and repeat this part of his answer?

18 PRESIDING JUDGE: Mr Sesay, you said that whenever you  
19 attacked you would receive ammunition from the troops that you  
09:53:55 20 would attack. Now, continue from there and repeat your evidence,  
21 slowly.

22 THE WITNESS: Yes, my Lord. I said even whenever we would  
23 attack troops we would get ammunition from them because with that  
24 we would continue to fight, and RUF had been fighting that way.  
09:54:18 25 We were not receiving any supply. And the RUF men --

26 PRESIDING JUDGE: Mr Sesay, I asked you to continue slowly,  
27 not to continue as quickly as you were talking. Slowly, so that  
28 we understand what you are saying as it's being interpreted.  
29 Now, continue slowly, please.

1 THE WITNESS: Yes, my Lord. So I said the RUF generally  
2 did not want to disarm. They did not - they wanted us to  
3 continue to fight. And the troops that were to attack us - any  
4 time we were to repel them we should have received ammunition  
09:55:02 5 from them, but because we had been requested to disarm, so we  
6 went with that. But my life was not at stake.

7 MR KOUMJIAN:

8 Q. Mr Sesay, the option of fighting was not realistic because  
9 you were faced by a modern United Nations force, well-funded and  
09:55:23 10 supported by world powers. They were supported by the British  
11 troops, by the Kamajors, by the government forces that had been  
12 joined by Johnny Paul Koroma. If you fought, you would have  
13 lost. If you were lucky, you would have been arrested. If not,  
14 you would have been killed. Isn't that the reality that you  
09:55:43 15 faced in the middle of 2001?

16 A. No, my Lord. It was because you were not there. That's  
17 why. Like I was saying moments ago, when Johnny Paul announced  
18 that he had joined President Nkrumah and Johnny Paul Koroma's  
19 troops and the CDF moved into Lunsar and we used the tank that we  
09:56:07 20 had from the Nigerians, the armoured tank, and we repelled the  
21 attack in Lunsar and we pushed them out, and from that time they  
22 did not attempt to come back to Lunsar. And even when the IMATT  
23 had dissolved the West Side and they had attacked - they had  
24 arrested Kanneh, they wanted to come and attack Lunsar, and they  
09:56:33 25 told the brigadier general there that - I am not saying - I am  
26 not saying that the AFRC, that you have dissolved but the RUF is  
27 strong. So they had that argument between them. And I said - he  
28 said it, "Issa is ready to carry out with the peace process." So  
29 even when RUF disarmed in Kambia, the brigadier was there with

1 General Opande. During the force of disarmament General Opande  
2 called him and he said, "You see, I told you. You said RUF was a  
3 remnant. Have you not seen the types of weapons that they have  
4 disarmed with? That's why I told you not to attack them. Now we  
09:57:16 5 can carry out with the peace process peacefully." Even some  
6 members of the RUF wanted the IMATT to attack so the RUF would  
7 use that as an excuse to continue with the war. In war,  
8 ammunition is one thing but determination is the main thing.

9 Q. Mr Sesay, in 2000 --

09:57:34 10 PRESIDING JUDGE: Sorry, sorry. He said - the witness  
11 said, "Even some members of the RUF wanted" what?

12 THE WITNESS: They wanted - yes, my Lord. I said even some  
13 members of the RUF wanted IMATT to attack so that the peace  
14 process should not carry on, because they did not want us to  
09:57:58 15 disarm while Mr Sankoh was in prison.

16 PRESIDING JUDGE: IMATT is an acronym, I-M-A-T-T. I think  
17 it is something to do with the Irish - it's a British and  
18 Canadian training force in Sierra Leone.

19 MR KOUMJIAN:

09:58:27 20 Q. Mr Sesay, is that correct, that IMATT is an international  
21 military training and assistance organisation that was assisting  
22 in training the SLAs?

23 A. Yes, it's a British troops - it's a British troop but they  
24 are mixed with some other countries' troops.

09:58:52 25 Q. By the way, the Lunsar attack that you ordered in 2000, you  
26 said you were able to push Johnny Paul Koroma's troops out of  
27 Lunsar, that was before the United Nations had reinforced its  
28 forces after the May 2000 incident. Isn't that true?

29 A. Yes, that is true. But the United Nations did not attack.

1 It was the government troops that attacked us, that is the CDF  
2 and the AFRC.

3 Q. Now, when it came time for Abuja II, that's when you made a  
4 decision of some importance. If we could have your testimony of  
09:59:36 5 11 August, please, page 45952. I would like to remind you of  
6 what you said at that time about your decision to travel - this  
7 time to Abuja from Sierra Leone and not to go to Monrovia for  
8 instructions, as you did with Abuja I. So 11 August this year,  
9 45952, line 9, you said:

10:00:31 10 "Yes, my Lord. Because I can recall when even the Abuja II  
11 delegation wanted to travel, General Opande told me that, 'Young  
12 man, for people to have confidence in you, the delegation should  
13 not pass this time through Liberia. They should fly through the  
14 Lungi airport from Makeni.' And during that time we had no  
10:00:54 15 business with Liberia any longer."

16 So, Mr Sesay, is that true; at the time of the Abuja II  
17 delegation you made that decision and you had no business with  
18 Liberia after that?

19 A. Well, it was General Opande who informed me. He went to  
10:01:20 20 Makeni and informed me that the Abuja II - the time for Abuja II  
21 has come and he and even my own people, if they see that the RUF  
22 delegation leaves from Makeni to Lungi, then the UN and the  
23 people would say yes, the peace process is genuine. And I said,  
24 "Oh, what do you mean?" Then he said, "That's all confidence  
10:01:48 25 building." Then I said okay, because the ECOWAS had told me that  
26 I should work with them. So when they suggested to me, I  
27 accepted.

28 Q. So Abuja I you said you came to Monrovia because Taylor  
29 called you through Kposowa. Abuja II you followed the advice of

1 Opande, you should not go through Monrovia, no one would have  
2 confidence in you. And from that point you said, "We had no  
3 business with Liberia any longer." That's true, isn't it?

10:02:29

4 A. Yes, because all of that came from the meeting that I had  
5 with the ECOWAS Leaders in Monrovia because they told me that I  
6 should work with the United Nations authorities in Sierra Leone  
7 and the Government of Sierra Leone in the interest of bringing  
8 peace to Sierra Leone. They had told me that I should work with  
9 the United Nations authorities and if the United Nations

10:02:48

10 authorities tell me to do this, that was their word, I had to go  
11 by it.

12 Q. Mr Sesay, when you made this decision to seek the  
13 protection of Opande, to cooperate with him for your survival,  
14 one person who wasn't happy, I suggest to you, was

10:03:08

15 Charles Taylor. I'd like to read to you from some evidence about  
16 his reaction. If we could have the transcript of 12 March 2008,  
17 page 5896. 12 March 2008, 5896, the last line. Mr Sesay, I'm  
18 going to read to you from testimony from Zigzag Marzah. He was  
19 asked:

10:03:53

20 "Q. Mr Witness, you indicated that when you received the  
21 order from Charles Taylor to execute Issa Sesay that  
22 Issa Sesay had signed some paper. Do you know anything  
23 about what these papers were about?

24 A. In relation to the document I am not sure, but what I  
10:04:16 25 saw in Kono at that time when I went there, in my presence  
26 I took some ammos to Issa to transfer it to Morris Kallon  
27 in Makeni, but I was in Kono, some white guys went there  
28 with some UN men and the CO Meh said that the people came  
29 to the chief, Issa, for him to sign some documents. I

1 asked what the document was for and he said for the peace  
2 agreement in Freetown.  
3 It was at that time that I left with those white guys and  
4 entered Issa's residence. I went into Issa's room, because  
10:04:54 5 I don't speak Krio, so they won't notice that I am a  
6 Liberian. When they finished talking I used the bypass  
7 route and went to CO Meh who was in control of the diamond  
8 that we used to bring. I went to his house.  
9 It was there that I was - that I called over the Thuraya  
10:05:19 10 satellite and called to Charles Taylor that there were some  
11 white people from Freetown who had come to Issa, but they  
12 said that they had come for peace agreement. And he said,  
13 'The man wants to connive.' Then he said, 'Go to Kailahun  
14 and wait for him there, I will send for him.' First he  
10:05:42 15 said, 'You can execute him in Kono', and I said, 'No, the  
16 group is large and if there were places like Pendembu or  
17 Kailahun I will be able to execute him.' And then he said,  
18 'Okay, but then come to Kailahun, I will send for him to  
19 come.'  
10:05:59 20 That's the time that I left Kono and went to Kailahun and  
21 waited there for over weeks, let's say over two weeks, and  
22 Issa never returned. Later Charles Taylor called me and  
23 said, 'The man has already connived, you can come back. He  
24 will no more receive supplies from me because our  
10:06:19 25 operation, RUF is not different. NPFL is not different.'  
26 When you cross - once you go across you go to Freetown and  
27 you are an RUF. When you cross from Sierra Leone to  
28 Liberia you are NPFL. That was how the movement was like.  
29 We all took one instruction from Charles Taylor."

1 Mr Sesay, Charles Taylor was unhappy with your decision to  
2 cooperate with the UN in disarmament, and at one point he sent an  
3 instruction to have you executed. Did you know that?

10:07:13 4 A. No, I was not aware of that and I never heard that. And I  
5 don't believe Mr Taylor would be unhappy with me, because they  
6 told me that I should work with the government and the  
7 United Nations to disarm the RUF. That was what the three of  
8 them told me; he, President Obasanjo and Alpha Konare.  
9 Zigzag Marzah, when I became interim leader, he never went to  
10:07:35 10 Kono, that he was there. I did not sign any document between  
11 myself and the United Nations. The agreement was signed in  
12 Abuja, the Abuja II. I did not sign it. I did it - it was Omrie  
13 Golley who signed on behalf of the RUF in Abuja. I did not sign  
14 any document with the UN. This man is telling lies, it's not  
10:07:58 15 true.

16 Q. Mr Sesay, you met - when you were in Kono you met with  
17 various officials from UNAMSIL, from the United Nations. Isn't  
18 that true?

19 A. General Opande and others used to come to Kono. General  
10:08:14 20 Opande, General Agwai, General Issa --

21 THE INTERPRETER: Your Honour, can he kindly repeat the  
22 last name.

23 PRESIDING JUDGE: Mr Sesay, go over those names again  
24 slowly, the people who used to come to.

10:08:28 25 THE WITNESS: General Opande, General Martin Agwai, he was  
26 the deputy force commander, General Issa - General Issa Chisuzi,  
27 who was the chief military observer, they used to come to Kono.

28 MR KOUMJIAN:

29 Q. Do you know how to spell Issa Chisuzi?

1 A. No, my Lord.

2 MR KOU MJIAN: I will try to find the spelling.

3 THE WITNESS: All those three - those were the three  
4 military commanders who used to come to Kono and they were all  
10:09:09 5 blacks, not white men.

6 My Lord, please give me two minutes to use the bathroom.

7 PRESIDING JUDGE: Mr Sesay may be escorted out to the  
8 bathroom.

9 [In the absence of the witness]

10:09:22 10 In the meantime, Mr Koumjian, perhaps you could assist us  
11 with the spelling of these names. There was Martin somebody.

12 MR KOU MJIAN: Your Honours, I have found Martin Agwai,  
13 A-G-W-A-I.

14 PRESIDING JUDGE: Did we find Chisuzi?

10:12:06 15 MR KOU MJIAN: We can try to find it at the break, because  
16 there may be a book that I have that might have it.

17 PRESIDING JUDGE: Mr Interpreter, do you have any idea how  
18 to spell it?

19 THE INTERPRETER: No, your Honour.

10:12:19 20 PRESIDING JUDGE: Very well. We can continue.

21 [In the presence of the witness]

22 MR KOU MJIAN:

23 Q. Mr Sesay, where is Chisuzi from?

24 A. From Zambia.

10:12:31 25 MR CHEKERA: Madam President, if he is from Zambia I might  
26 assist because it would go phonetically, Chisuzi would be  
27 C-H-E-U-C-H-U-Z-I.

28 PRESIDING JUDGE: Thank you, Mr Chekera.

29 MR KOU MJIAN: I'm grateful for that.

1 Q. Mr Sesay, fortunately for you, you are aware, aren't you,  
2 that Charles Taylor can make an alliance of convenience with  
3 former enemies; he can take a former enemy and make him an ally.  
4 You are aware of that, aren't you?

10:13:11 5 A. No, I was not aware of that.

6 Q. Are you aware that Charles Taylor, one of his council is a  
7 former leader of the LURD rebels? Mr Supuwood?

8 A. Well, my Lord, I don't know. I did not know the people who  
9 were in the different warring factions, I only heard of the  
10 heads.

10:13:47

11 Q. Mr Sesay, soon after the Abuja II you learned that Superman  
12 had been killed in Liberia, correct?

13 A. Yes, around mid-2001, that's when I heard.

14 Q. Mr Sesay, you did lead the RUF in disarmament from mid-2001  
15 and you did that because it was the only chance you had for  
16 survival, given the forces that were against you, given the  
17 possibility of Sam Bockarie coming back and killing you, and  
18 given the fact that if you went to Liberia you'd end up like  
19 Superman. That's why you cooperated with the disarmament,  
20 because it was the only way for survival; isn't that true?

10:14:15

10:14:36

21 A. No, no. That was not the only way. In fact, they were  
22 bringing up ideas to me that I was kicking against. At one time  
23 Gibril brought up an idea that, before disarming, I should give  
24 him 400 to 500 armed men, that he should go with the satellite  
25 phone in Pujehun District and they would lead an attack in the  
26 Pujehun District. When they asked him during an interview, he  
27 said since the RUF and the CDF did not want to disarm, they, the  
28 citizens of Pujehun, would disarm them forcefully. I went  
29 against those ideas. I said no.

10:15:02

1 Q. You knew that the forces against you in Sierra Leone were  
2 too strong fight against. The Special Court was coming to  
3 Sierra Leone. And you decided, for survival, to go and join that  
4 side, to cooperate with Opande; isn't that true?

10:15:37 5 A. No, my Lord. The people who worked for peace in  
6 Sierra Leone, the United Nations authorities knew that I did not  
7 surrender to them. They knew that the RUF was armed. I  
8 cooperated with them. They knew, including President Kabbah,  
9 they knew, together with General Opande, Adeniji was the SRSG,  
10:16:01 10 General Martin Agwai --

11 THE INTERPRETER: General who? Your Honours, can he kindly  
12 repeat the last name.

13 PRESIDING JUDGE: Mr Sesay, you are still running. We  
14 don't have anything that you said. Repeat your evidence where  
10:16:14 15 you said they knew, together with General Opande. Now, continue  
16 from there.

17 THE WITNESS: Yes, my Lord. I said General Opande, General  
18 Martin Agwai, Ambassador Adeniji, General Ali Hassan, President  
19 Kabbah and Francis Kai kai, who was the executive secretary for  
10:16:39 20 NCDDR, all these people knew and they said it, that some of the  
21 commanders of the RUF, didn't want the RUF to disarm at all. The  
22 RUF was armed, but I had been told by the ECOWAS that if the Lome  
23 Accord fails, that will be a disgrace to them. That was why they  
24 appointed me to implement the Lome Accord and disarm the RUF.  
10:17:09 25 That was why I started cooperating with the RUF. If I had  
26 surrendered or I was under any threat General Opande and others  
27 would have said so, and even the President of Sierra Leone by  
28 then should have said so.

29 MR KOUMJIAN:

1 Q. Mr Sesay, if you continued to lead the RUF, you knew it was  
2 only a matter of time with Sam Bockarie out there, that he would  
3 have returned and you would have been killed.

4 A. No, no. Because some of my colleagues who were commanders,  
10:17:40 5 they did not want Sam Bockarie any longer. So when I told  
6 Mr Taylor that the problem between Sam Bockarie - I said the  
7 problem was between Sam Bockarie and Foday Sankoh and that I  
8 would want to consult my colleagues. He himself knew that we did  
9 not want to accept Sam Bockarie any longer.

10:18:00 10 Q. You said to President Taylor you wanted to consult your  
11 colleagues. You went back to Sierra Leone and you never saw  
12 Taylor again, and I'll tell you why. If we can look at the  
13 testimony from 14 July 2009, please, page 24340; 14 July 2009,  
14 24340. I'd just like to read a short description of you by  
10:18:37 15 Charles Taylor. On line 2:

16 "A. Well, I'll tell you Issa was one - he's a very careful  
17 person."

18 And one of the ways you were careful, Mr Sesay, is that  
19 after you told Charles Taylor, "Well, I'll go and consult with my  
10:19:04 20 colleagues about Sam Bockarie's return", you made sure you never  
21 went back to give Charles Taylor an answer. Isn't that true?

22 A. Well, I told him that the problem was between Mr Sankoh and  
23 Sam Bockarie. I cannot accept Sam Bockarie on my own, I had to  
24 consult my colleagues. Since then he did not call me and I did  
10:19:31 25 not return to him.

26 Q. Mr Sesay, you said at one point that you have nothing to  
27 gain by testifying in this trial. You're convicted and your  
28 appeal is final, correct?

29 A. Yes, my Lord.

1 Q. You are sentenced to 52 years in prison, correct?

2 A. Yes, my Lord.

3 Q. But, Mr Sesay, you are a human being, and human beings find  
4 hope. So what is your hope of not spending the rest of your life  
10:20:15 5 in prison?

6 A. Well, my hope is to God and to the people of Sierra Leone  
7 who know that the peace process was something I had accepted  
8 willingly, and even during the days of the war when I was with  
9 the civilian population, the way I had respect for the civilians,  
10:20:39 10 that's the only hope I have.

11 Q. Mr Sesay, when I read to you Charles Taylor's testimony  
12 where he said he never asked the RUF to take Sam Bockarie back,  
13 you refused to answer the question or to respond that what he  
14 said was a lie. You came here trying to protect Charles Taylor;  
10:21:05 15 isn't that true?

16 A. Well, my Lord, I came here when his lawyers told my lawyers  
17 that I should give an account of what I know between myself and  
18 Charles Taylor. When they requested I said okay.

19 Q. You have nothing to lose by testifying here, as you're  
10:21:29 20 already convicted but you have the hope that if Charles Taylor is  
21 free, he can help you get a political release from prison,  
22 because there's no more court appeals. That's your hope, isn't  
23 it, that Charles Taylor will be released and will advocate for  
24 your release from prison. Isn't that true?

10:21:54 25 A. No, my Lord. Mr Taylor is not a Sierra Leonean and he has  
26 no influence or authority over the Government of Sierra Leone.  
27 He has no political authority in Sierra Leone. It's only the  
28 people of Sierra Leone who can plead to the international  
29 community on my behalf, not Mr Taylor. And the UN authorities

1 who knew that I cooperated with them, that's the only hope that I  
2 have after God. Not Mr Taylor.

3 Q. Mr Sesay, your whole life with the RUF, you did what was  
4 necessary for survival. At Camp Naama, when you were tricked by  
10:22:36 5 Foday Sankoh into going to Liberia, you told us you stayed, you  
6 didn't escape, because you'd seen - Foday Sankoh told you about  
7 Isiaka being killed for escaping, and it was a matter of survival  
8 for you to train with these rebels; isn't that true?

9 A. Well, at that stage, that was what Mr Sankoh said. But at  
10:23:05 10 the time that I went to Abidjan, I knew that Isiaka did not die,  
11 and I was not able to leave Camp Naama on my own because I was  
12 not familiar with Liberia. That was my first time of going to  
13 Liberia. Later, when I had been at the base, I heard what  
14 Mr Sankoh was saying about his cause. I stayed then with the  
10:23:27 15 RUF.

16 Q. Mr Sesay, you didn't want to end up like Superman, murdered  
17 by Charles Taylor, you didn't want to end up killed by a larger  
18 stronger United Nations force or arrested, so you disarmed, as a  
19 matter of survival. Isn't that true?

10:23:52 20 A. No, my Lord, that's not true, because the people whom I  
21 worked with for the return of peace when I disarmed the RUF, they  
22 should have said that. But they knew that I did not surrender  
23 and I did not disarm for my survival, I disarmed in the interest  
24 of the country.

10:24:15 25 Q. Throughout your time in the RUF, in Luawa Giehun, when  
26 Foday Sankoh was investigating and executing those he suspected  
27 of conniving, you killed as a means of survival of ensuring your  
28 own survival; isn't that true?

29 A. I did not take part in the killing of the Giehun people

1 because, if I had taken part in that, the people of Giehun  
2 wouldn't have been my witnesses.

3 Q. Mr Sesay, who had the radio code in the RUF, "Survival"?  
4 Who was called Survival?

10:24:56 5 A. I was.

6 Q. And the truth is, Mr Sesay, throughout the war you took  
7 children from their parents, you turned them into soldiers and  
8 bush wives, you commanded troops that killed your fellow  
9 Sierra Leoneans, you were convicted - you personally killed, you  
10:25:15 10 personally raped. All of these acts you did to ensure your own  
11 survival; isn't that true?

12 A. No, my Lord. No. The civilians who were behind RUF lines  
13 know that I did what I could to protect them. That was why, if  
14 you look at my Defence case, the civilians were in the majority  
10:25:41 15 from Kailahun, from Kono up to Makeni.

16 Q. Let's look at the testimony of one of Charles Taylor's  
17 Defence witnesses, 12 April 2010, please, page 38706.

18 This is from the testimony of Charles Ngebeh, your fellow  
19 RUF and, in the middle of line 15, he testified:

10:26:20 20 "A. The atrocities that were committed by the RUF, Issa,  
21 are now in jail. The Kamajors are suffering, the AFRC are  
22 suffering. Indeed, it happened."

23 That's what your fellow RUF soldier told this Court, but  
24 you told the Court on 12 July that you were the victim.

10:26:45 25 You also told the Court on 17 August that you heard  
26 Charles Taylor threaten that Sierra Leone would taste the  
27 bitterness of war, and Sierra Leone did taste the bitterness of  
28 war, and you were one of those he sent that inflicted that war on  
29 the people of Sierra Leone. Isn't that true?

1 A. No. I was not sent by Mr Taylor. It was Mr Sankoh who  
2 took me to Sierra Leone to fight a war. If Charles Ngebeh talked  
3 about the atrocities, yes, the RUF committed atrocities, I  
4 wouldn't refute that. But --

10:27:24 5 THE INTERPRETER: Your Honours, can he kindly repeat his  
6 answer slowly.

7 PRESIDING JUDGE: You have to repeat your answer, please,  
8 slowly.

9 THE WITNESS: Yes, my Lord. I said the RUF committed  
10:27:34 10 atrocities, but some of the commanders who committed the  
11 atrocities who were commanding areas, they were not under Issa's  
12 control. They became Prosecution witnesses. Some were given  
13 letters and they said they would not be prosecuted. In fact, he  
14 trained Issa.

10:27:56 15 MR KOUMJIAN:

16 Q. Mr Sesay, you lived up to your radio code, Survival, all  
17 through the war and you continue to live up to it. Just as you  
18 would kill, just as you would rape, just as you would take  
19 children from their parents, you'll lie in court and you've been  
10:28:14 20 doing that for your survival. Isn't that correct?

21 A. No, my Lord, I did not kill innocent people. I protected  
22 civilians to the level that I could protect them. And I did not  
23 come here to tell lies. I came here to say what I knew and what  
24 I could recall.

10:28:42 25 MR KOUMJIAN: Your Honours, subject to the ruling on the  
26 motion for leave to appeal, I have no further questions,  
27 depending on the results of that, of course.

28 PRESIDING JUDGE: The decision was issued yesterday.

29 MR KOUMJIAN: Oh.

1 PRESIDING JUDGE: And frankly, I'm surprised that it has  
2 not yet been published. But I've been informed that it was  
3 published this morning, while we've been sitting here.

4 MR KOUMJIAN: Your Honours, there are also at least one MFI  
10:29:45 5 I believe that I used this morning - or one document I used this  
6 document that has not been MFI'ed and that would be the document  
7 behind tab 6.

8 PRESIDING JUDGE: This is the eleventh report of the  
9 Secretary-General from the United Nations Mission to  
10:30:11 10 Sierra Leone, dated 7 September 2001. Mr Koumjian, do you only  
11 want the pages that you used to be marked?

12 MR KOUMJIAN: Yes. That's fine.

13 PRESIDING JUDGE: That will be page 1, page 2, page 3,  
14 page 4.

10:30:35 15 MR KOUMJIAN: Page 7.

16 PRESIDING JUDGE: Page 7 and the annex.

17 MR KOUMJIAN: Correct.

18 PRESIDING JUDGE: Those pages, collectively, are marked  
19 MFI-42. Would that be all, Mr Koumjian?

10:31:08 20 MR KOUMJIAN: Yes, thank you.

21 PRESIDING JUDGE: Mr Chekera, any re-examination?

22 MR CHEKERA: Yes, Madam President, thank you.

23 RE-EXAMINATION BY MR CHEKERA:

24 Q. Mr Sesay, what we are going to do is to try to clarify your  
10:31:22 25 answers from the questions that were being asked by Mr Koumjian.

26 A. Yes, sir.

27 Q. I don't intend for us to repeat your evidence that you've  
28 already given when Mr Griffiths was asking you questions.

29 A. Yes, sir.

1 Q. I will ask you very concise questions and I hope that you  
2 also answer in very concise terms.

3 A. Okay, sir.

10:31:51

4 PRESIDING JUDGE: Mr Chekera, I hope you are on tune to  
5 channel 2.

6 MR CHEKERA: I get the hint, thank you.

10:32:23

7 Q. Mr Sesay, let's start by looking at the issues that arose  
8 today - this morning. Let's look at P-516. You recall P-516, or  
9 maybe you could just have a quick look at it. I just have one or  
10 two questions. Mr Sesay, you remember this document, the one  
11 that's on the screen?

12 A. Yes, sir.

10:33:22

13 Q. That's a document which was read to you outlining a  
14 number of atrocities that were allegedly committed around 2000,  
15 2001, by which time you said disarmament was already underway.  
16 You recall that document?

17 A. Yes, sir.

10:33:37

18 Q. I just have one question to you with respect to that  
19 document. At the time of the alleged atrocities in that  
20 document, that is around 2000 and 2001, what was the relationship  
21 between the RUF and Charles Taylor?

10:34:04

22 A. At that time the RUF and the Charles Taylor - and  
23 Charles Taylor, the only relationship was the meeting - the  
24 meetings that I attended to become the interim leader and the  
25 instructions that the ECOWAS were giving me to work with the  
26 Government of Sierra Leone and the United Nations.

27 Q. To work with the government in Sierra Leone and the  
28 United Nations with respect to what?

29 A. In respect of the implementation of the Lome Accord to

1 disarm the RUF.

2 Q. Thank you. That will be all from that document.

3 Let's just keep - let's talk about disarmament, Mr Taylor -  
4 sorry, Mr Sesay, and the suggestions that were put to you by  
10:34:44 5 learned counsel opposite. Effectively, Mr Sesay, if you did not  
6 understand counsel opposite correctly or clearly, what he was  
7 saying to you was that were it not for circumstances you would  
8 not have disarmed. You were forced into disarmament by  
9 circumstances. I would like you to comment on that before I ask  
10:35:06 10 you the next questions.

11 A. Well, the lawyer was not in Sierra Leone and he was not  
12 involved in the process. The people who were involved in the  
13 process, that is the United Nations authorities, the SRSG, the  
14 force commander, the deputy force commander, and General Ali  
10:35:32 15 Hassan who was the sector commander for the north, and the  
16 President of Sierra Leone himself, President Tejan Kabbah by  
17 then, all of them testified on my behalf. And they said that I  
18 cooperated in the process willingly.

19 So if he was not the one who did the work and he's saying  
10:35:48 20 that I was under threat and the people who brought peace to  
21 Sierra Leone knew that I was involved in the process willingly,  
22 they said it in other press outlets, they said it in the north  
23 that Issa had opposition when he disarmed the RUF. If I was  
24 under threat I wouldn't have been under any opposition to disarm  
10:36:16 25 the RUF.

26 Q. Yes. Mr Sesay, you have said in your evidence under cross  
27 and during your evidence-in-chief you were actually under threat  
28 from the RUF who were opposed to disarmament. You've said that  
29 in your testimony. The people who actually threatened you were

1 your colleagues in the RUF who were opposed to disarmament,  
2 Gibril Massaquoi and company. My question to you is: What was  
3 your motivation for disarming the RUF at this time?

4 A. It was because the ECOWAS leaders told me to disarm the RUF  
10:36:58 5 because if the RUF failed, that would be a disgrace to them. The  
6 western world would look at them that they were not capable to  
7 solve an internal problem. That was it. And I considered that  
8 the people of Sierra Leone wanted peace and that was why --

9 THE INTERPRETER: Your Honours, can he kindly speak slowly  
10:37:18 10 and take this answer again.

11 PRESIDING JUDGE: Can you repeat your answer. "I  
12 considered the people of Sierra Leone wanted peace and that was  
13 why", continue from there. Slowly.

14 THE WITNESS: Yes, my Lord. I said based on what the  
10:37:36 15 ECOWAS leaders told me about the disarmament process, and  
16 President Kabbah - I mean, President Obasanjo, President Taylor  
17 and President Alpha Konare in our last meeting in Monrovia, based  
18 on what they told me that if the Lome Accord failed then the  
19 western powers would look at them that they were unable to solve  
10:38:01 20 internal problems. That I should work with the Government of  
21 Sierra Leone and the United Nations to carry out the disarmament  
22 of the RUF.

23 Secondly, the people of Sierra Leone themselves at this  
24 time, they were yearning for peace because I was in Makeni and  
10:38:15 25 the UNAMSIL used to come to Makeni, the bishop used to come to me  
26 to talk to me, even the chiefs used to come to me in Makeni and  
27 Magburaka. I said those were the two reasons why I accepted the  
28 disarmament.

29 Q. Mr Sesay, you've indicated that the ECOWAS leaders wanted

1 you to go ahead with disarmament and that included Mr Taylor.

2 Now, you've heard evidence that was read to you by counsel

3 opposite that actually during this time Mr Taylor ordered

4 Zigzag Marzah to execute you for signing some document with some

10:38:55 5 white UN officials. During the time of disarmament, did you sign  
6 any documents in Sierra Leone relating to the disarmament?

7 A. No. I did not sign any documents pertaining to the  
8 disarmament process. The disarmament process, it was in Abuja  
9 that it was signed. It was in Omrie Golley - it was in Abuja

10:39:22 10 that Omrie Golley signed for the creation of the tripartite  
11 meeting that led to the disarmament. The United Nations in  
12 Sierra Leone did not have any meeting whereby I signed a document  
13 in relation to the disarmament, no. Even the tripartite meeting  
14 that we used to hold, we were not signing documents. The SRSG

10:39:43 15 was the chairman. They used to suggest that - the SRSG would  
16 suggest to the government and the RUF, during these meetings we  
17 would want the RUF to disarm in Tonkolili and the government to  
18 disarm in Bonthe, for example. That was what they used to do,  
19 they were not signing documents. The SRSG would prepare the  
10:40:06 20 agenda and they would share the paper to the RUF and the  
21 Government of Sierra Leone.

22 Q. What about any of those officials you indicated, you talked  
23 about in your evidence, you were meeting during this process.

24 Did you sign any documents with them?

10:40:19 25 A. No. I recall that the only document that I sent to General  
26 Opande was when he requested that he had the first meeting with  
27 me. Then I suggested where we would have the meeting. But I  
28 never signed a document between myself and the UNAMSIL. When  
29 they came, we normally spoke.

1 THE INTERPRETER: Your Honours, can he kindly repeat his  
2 answer again slowly.

3 PRESIDING JUDGE: Pause. Pause. You need to repeat your  
4 evidence. You said, "I never signed a document between myself  
10:40:52 5 and UNAMSIL." Continue from there.

6 THE WITNESS: Yes, my Lord. I said they used to visit me.  
7 The RUF controlled areas - I used to have meeting - when I had  
8 meetings with them, we normally just used to talk. I would  
9 explain the problems that affected civilians that needed General  
10:41:15 10 Opande's intervention in terms of relief supplies. When General  
11 Opande came to testify, he said that. And he too used to see the  
12 civilians who were living behind RUF lines.

13 MR CHEKERA:

14 Q. Still on the same topic, Mr Sesay. It was suggested to you  
10:41:35 15 that one of the reasons why you disarmed was because you were  
16 afraid of the Special Court. When did you become aware of the  
17 Special Court?

18 A. Well, at the initial stage, like the lawyer said, in July,  
19 I was not aware of the Special Court. But around September at  
10:41:57 20 one time General Opande came to Makeni. I was not there. They  
21 told him I was gone to Masingbi. He flew close to the road in  
22 his helicopter and he saw my two vehicles and he landed by the  
23 roadside and he stopped my vehicles and he said, "I had come to  
24 you in Makeni and they said you had gone to Masingbi, so that's  
10:42:22 25 why I was chasing you."

26 THE INTERPRETER: Your Honours, can the witness be  
27 requested to slow down his pace.

28 PRESIDING JUDGE: Mr Sesay, first of all you are running  
29 too quickly. Secondly, the question asked to you simply was:

1 When did you first become aware of the Special Court, and the  
2 answer would be a date.

3 THE WITNESS: Okay, my Lord. I'm sorry that I'm  
4 explaining. It was around September 2001 when General Opande  
10:42:48 5 told me.

6 MR CHEKERA:

7 Q. And by that time, what was the stage of the disarmament  
8 process, where were you at?

9 A. Well, at that time we were proceeding with the disarmament.

10:43:04 10 The RUF was still in arms in Kailahun District, Tongo Field,  
11 Bombali District. The RUF had not disarmed in those places.

12 Q. In percentage terms, how much of the RUF-controlled  
13 territory had already disarmed, if you can tell?

14 A. At that time, RUF had disarmed up to 60 to 65 per cent.

10:43:30 15 Q. Again, Mr Sesay, it was suggested that another reason why  
16 you went ahead with the disarmament process was because you  
17 feared Sam Bockarie would kill you. Were you under any  
18 apprehension that Sam Bockarie would kill you during the time of  
19 the disarmament?

10:43:47 20 A. No. Sam Bockarie could not have killed me. He couldn't  
21 have been able to kill me, because some of the commanders in the  
22 RUF by then no longer liked Sam Bockarie. Because Morris Kallon  
23 did not like him. There are other commanders who did not like  
24 him. So he couldn't have killed all of us. It was not possible.

10:44:09 25 Q. What about Charles Taylor? Were you under any threat from  
26 Charles Taylor?

27 A. No. If I had suspected that I was under any threat from  
28 Mr Taylor, I wouldn't have come here. I wouldn't have come here.

29 Q. Now, another reason why, as counsel suggested, you

1 proceeded with disarmament was because you were afraid of  
2 UNAMSIL, which are - if you look at the document that was marked  
3 MFI-42, by September 2001, which by September 2001 had troops  
4 amounted to something like 15,000 in Sierra Leone. Did you  
10:44:56 5 disarm because you were afraid of the UNAMSIL troops?

6 A. No, no, no, no. If I was afraid of UNAMSIL troops - I was  
7 not afraid of them. I was not afraid of them. And the  
8 authorities of UNAMSIL know that I was not afraid of them. I did  
9 not surrender to them. I cooperated with them. I was willing to  
10:45:21 10 cooperate with them so that Sierra Leone would have peace. Had I  
11 known - because if they knew - if they were aware that I was  
12 afraid of them, they wouldn't have testified for me.

13 THE INTERPRETER: Your Honours, can he repeat the last part  
14 of his answer?

10:45:42 15 PRESIDING JUDGE: Repeat the end, the last part of your  
16 answer. We didn't get it.

17 THE WITNESS: My Lord, I said someone who surrenders out of  
18 fear - someone who surrenders surrenders out of fear. The  
19 UNAMSIL authorities did not see that in me. They knew that I was  
10:46:02 20 willing for the process to go on.

21 MR CHEKERA:

22 Q. Yes. Mr Taylor - sorry, Mr Sesay, I keep confusing you  
23 with Mr Taylor. MFI-42, by September 2001, there were about  
24 15,000 troops, UNAMSIL troops, in Sierra Leone. You've indicated  
10:46:23 25 that by this time disarmament was around what percentage  
26 again, September 2001?

27 A. My Lord, I said at this time the disarmament had gone, and  
28 in fact, it was in this month that the ECOMOG - ECOWAS leaders  
29 went to Kono, President Kabbah, President Obasanjo, President

1 Konare. They went to Kono and they praised me a lot about my  
2 cooperation, and President Kabbah --

3 PRESIDING JUDGE: Mr Sesay, the question was: By September  
4 2001, what percentage of the RUF had disarmed? That was the  
10:47:00 5 question. What's your answer?

6 THE WITNESS: My Lord, about 60 to 65 per cent.

7 MR CHEKERA:

8 Q. In any event, Mr Sesay, do you know what the mandate of  
9 UNAMSIL was when they were deployed to Sierra Leone?

10:47:20 10 A. They were a peacekeeping force.

11 Q. Thank you.

12 A. And I understood that they did not have chapter 7.

13 Q. Thank you. I'm just going to ask you - I'm going to move  
14 to a different topic. I'm going to ask you quickly about the  
10:47:45 15 satellite phone that you got from Mr Taylor. That was from  
16 yesterday's evidence.

17 You recall indicated that you got a satellite phone from  
18 Mr Taylor?

19 A. Yes.

10:48:02 20 Q. And you recall counsel reading your evidence from  
21 Mr Taylor, where he said he did not give you a satellite phone?

22 A. Yes.

23 Q. And you recall in your evidence, when you were answering  
24 one of the questions from counsel opposite, your answer at line 2  
10:48:24 25 - sorry, page 47172, that's yesterday's transcript, 47172, at  
26 line 2 to 6. When you were talking about the satellite phone,  
27 you said - the one that you got from Mr Taylor - "I requested for  
28 a phone and President Taylor himself told President Obasanjo  
29 about it, that I should be assisted with a phone. Then President

1 Obasanjo said they would work on it, and during that October,  
2 Mr Taylor gave me one phone."

3 I just want to explore your answer when you said when you  
4 requested for the phone and President Obasanjo said they would  
10:49:15 5 look into it. When you got the satellite phone from Mr Taylor  
6 in October, did Mr Taylor tell you who it was coming from?

7 A. Well, Mr Taylor just told me that the phone that I had  
8 requested for so that I would communicate with them whenever they  
9 wanted to talk to me, that was the phone. Then he gave me the  
10:49:39 10 phone.

11 Q. Did he indicate that it was coming from him personally or  
12 from the ECOWAS Leaders, as promised by Obasanjo?

13 A. Well, when he - the way he spoke, it was from the ECOWAS  
14 who had given it to me, because it was a request to ECOWAS,  
10:49:59 15 through President Obasanjo.

16 PRESIDING JUDGE: Sorry. Mr Sesay, did I hear you say,  
17 "Mr Taylor just told me that the phone that I had requested for  
18 so that I would communicate with them whenever they wanted to  
19 talk to me, that was the phone"? Is that what you said?

10:50:19 20 THE WITNESS: Yes, my Lord.

21 PRESIDING JUDGE: And "them" - when you say "them",  
22 "communicate with them", who are you referring to?

23 THE WITNESS: The ECOWAS, my Lord.

24 PRESIDING JUDGE: In other words, the phone - the purpose  
10:50:35 25 of the phone you requested was to communicate with the ECOWAS  
26 Leaders?

27 THE WITNESS: Yes ma'am.

28 PRESIDING JUDGE: And is that what you used the phone for?

29 THE WITNESS: Yes, ma'am. Because I used to receive

1 messages through the phone about the meetings that were to take  
2 place, and I used to call. And when I started working with the  
3 UNAMSIL, I was using the phone to call General Opande and the  
4 others, when we used to discuss the Abuja II meetings. I was  
10:51:07 5 using it for the peace process, and I was using it for my own  
6 personal purpose.

7 MR CHEKERA:

8 Q. Let's move on to a different topic, Mr Sesay. Let's  
9 discuss briefly the person you saw in a number of photographs.  
10:51:25 10 I'm going to be asking that you look at D-297C, D-172, P-122F.  
11 Those were the pictures you saw of Momoh Dgiba.

12 Mr Sesay, you said that Momoh Dgiba trained with you at  
13 Naama and he left before the training was complete.

14 A. Yes, his brother and himself.

10:52:00 15 Q. At the time that Momoh Dgiba was at Naama, do you know  
16 whether he had any association with Charles Taylor?

17 A. No. I only knew Momoh Dgiba, that his father was from  
18 Sierra Leone but he was born in Liberia, because that is what he  
19 was saying. But I did not know - I did not hear anything in  
10:52:26 20 relation of him having business with Mr Taylor when we were at  
21 Naama.

22 Q. Where was he coming from before he came to Naama, to your  
23 knowledge?

24 A. From Harbel, where Pa Kallon was - most of the recruits at  
10:52:48 25 Camp Naama had come from Harbel, Harbel and Kakata.

26 Q. And before the training was complete, did you know where he  
27 went?

28 A. Well, I heard that he returned to Harbel when he left  
29 Naama.

1 Q. And did you know when he became Charles Taylor's aide de  
2 camp?

3 A. No, my Lord, I don't know. I only saw Momoh Dgiba as  
4 Mr Taylor's bodyguard in 2000.

10:53:22 5 Q. Do you know how he was appointed camp de aide -  
6 aide-de-camp to Charles Taylor?

7 A. No, I don't know.

8 Q. Do you know who appointed him to that position?

9 A. I don't know.

10:53:47 10 Q. Do you know whether Charles Taylor was involved in that  
11 process of appointing him to that position?

12 A. No, my Lord. I don't know about Taylor's administration  
13 and his men.

14 Q. Sorry. You can just - let's look at D-297C. Mr Sesay, can  
10:54:31 15 you tell when that photograph was taken?

16 A. I don't know. I don't know when this picture was taken.

17 Q. Would you say that was before the Naama days or that was  
18 after the Naama days?

19 A. This was many, many, many years after the Naama.

10:54:55 20 Q. Can you tell whether this was before Charles Taylor was  
21 President or after he was President?

22 A. I don't know.

23 Q. Very well. D-172. Again, Mr Sesay, can you tell when this  
24 photograph was taken?

10:55:30 25 A. No, my Lord, I don't know.

26 Q. Again, does this look like before Naama or after Naama  
27 days?

28 A. This was after Naama, a long time.

29 Q. Thank you. P-122F. Again, can you tell when this

1 photograph was taken?

2 A. No, I don't know.

3 Q. Can you tell whether it was before Naama or after Naama?

4 A. This was after Naama, a long time after Naama.

10:56:18 5 Q. So, Mr Sesay, from those photographs, can you tell whether  
6 Charles Taylor knew Momoh Dgiba before he came to Gbarnga or  
7 after - sorry, before he came to Naama or after Naama?

8 A. No. He did not know him when he was in Naama because, when  
9 he was in Naama, he was slim. When he was in Naama, Momoh Dgiba

10:56:50 10 was a slim guy, he was not a man then. He was a slim guy

11 because --

12 Q. Sorry --

13 A. Well, because we were of the same age group.

14 Q. Mr Sesay, my fault, maybe I didn't ask the question in as

10:57:04 15 precise terms as I promised.

16 My question was: From those photographs, can you tell  
17 whether Charles Taylor knew Momoh Dgiba from the time Momoh Dgiba  
18 was at Naama or from the time after Momoh Dgiba left Naama?

19 A. I believe that it was at the time that Momoh Dgiba left

10:57:33 20 Naama. That was the time Mr Taylor knew him.

21 Q. Very well. Thank you. That will be all in respect of  
22 those photographs.

23 Let's just stick with the photographs for the time being  
24 and look at D-51. Mr Sesay, you will recall the evidence that  
10:58:08 25 was read to you about Zigzag Marzah when Zigzag Marzah said that  
26 you gave him a girl - a woman, one Seibatu. Do you recall that  
27 evidence?

28 A. Yes, I recall.

29 Q. That was sometime in - according to his evidence, that was

1 in Kono. In your evidence, Mr Sesay, you said the only Seibatu  
2 you knew was Hawa's sister. Do I recall your evidence --

3 A. Yes, that was what I said.

10:59:02

4 Q. Sorry, I think I'm going too fast as well. Which Hawa were  
5 you talking about?

6 A. Hawa for Sam Bockarie.

7 Q. And do you know whether Zigzag Marzah had any relationship  
8 with that particular Seibatu?

9 A. Hawa or Seibatu?

10:59:22

10 Q. Seibatu.

11 A. No, he had no business with her.

12 Q. When you were in Kono, did you ever meet Zigzag Marzah in  
13 Kono?

14 A. No. Zigzag Marzah did not go to Kono when I was there.

10:59:46

15 Q. Now, this Seibatu, who was Sam Bockarie's wife's sister, do  
16 you know where she went when Sam Bockarie went to - moved over to  
17 Liberia?

18 A. All of them went.

11:00:14

19 Q. And do you know what became of her when she went to - what  
20 was she doing when she was in Liberia?

21 A. I did not know what she was doing. But when I went - at  
22 one time when I went to Sam Bockarie's house, I saw her there.

23 Q. And tell me something: When Sam Bockarie was in Liberia,  
24 when he was living in Liberia, did he have any relationship or  
25 any interactions with Zigzag Marzah?

11:00:38

26 A. Interpreter, you are talking about me. I think the lawyer  
27 is talking about Sam Bockarie.

28 Q. Sam Bockarie and Zigzag Marzah, did they have any  
29 interactions or any relationship.

1 A. I did not know because I only went to Sam Bockarie's house  
2 once.

3 Q. Now --

4 PRESIDING JUDGE: Mr Chekera, I have my eye on the clock.

11:01:18 5 We'll take the midmorning break now and reconvene at 11.30.

6 [Break taken at 11.01 a.m.]

7 [Upon resuming at 11.33 a.m.]

8 PRESIDING JUDGE: Mr Chekera, please continue.

9 MR CHEKERA:

11:34:10 10 Q. Mr Sesay, I was asking you questions about someone by the  
11 name Seibatu, who was Hawa's sister, and Hawa was Sam Bockarie's  
12 wife. Mr Sesay, do you know whether Sam Bockarie, when he moved  
13 to Liberia, whether he had any interactions with Benjamin Yeaten?

14 A. Yes.

11:34:37 15 Q. What was the nature of their interaction?

16 A. Well, he was almost a friend of Bockarie because at the  
17 time I went there when I visited Benjamin Yeaten, I met  
18 Sam Bockarie there.

19 Q. And what was the relationship between Zigzag Marzah and  
11:35:02 20 Benjamin Yeaten, if you know?

21 A. Well, I cannot give details about that but Benjamin was the  
22 boss for Zigzag.

23 Q. Very well. Let's look at D-51, please. Mr Sesay, you will  
24 recall I learned counsel opposite showing you D-51 in conjunction  
11:35:55 25 with the evidence he read to you of Zigzag Marzah, to try to  
26 establish that Zigzag Marzah used to frequent Sierra Leone and  
27 was indeed friends with Sam Bockarie. Do you remember that?

28 A. Yes, I recall.

29 Q. Can you tell from that photograph in which country it was

1 taken?

2 A. This should be Liberia.

3 Q. Why do you say that should be Liberia?

4 A. Because we did not have roads like these in Buedu.

11:36:53 5 Q. Very well. Thank you. That would be all with respect to  
6 D-51.

7 Let's look at a different topic, Mr Sesay. Let's talk  
8 about Daniel Tamba and, while we are at it, we will look at D-316  
9 and P-153A. Mr Sesay, if you can just give a year, when was it  
10 that Daniel Tamba left the RUF to go to Liberia?

11:37:25

11 A. It was in December of '99.

12 Q. And do you know what he did when he went to Liberia?

13 A. Well, I did not know what he was doing.

14 Q. With that - with that in mind, would you dispute the  
11:37:57 15 allegation by learned counsel opposite that he then joined the  
16 SSS?

17 A. Well, I wouldn't dispute that, because that was in Liberia.

18 Q. Very well. Let's look at D-316. I just want to draw your  
19 attention to the date, that's dated 9 November 2001, and you will  
11:38:49 20 recall, Mr Sesay, this is the document that lists Daniel Tamba as  
21 one of the members of the SSS from that document. Mr Sesay,  
22 I just want your answer. 2001, November, was Daniel Tamba still  
23 a member of the RUF?

24 A. No, no. From December 1999, Daniel Tamba no longer was  
11:39:22 25 member of the RUF; from January 2000 to November 2001, Daniel  
26 Tamba was no longer a member of the RUF.

27 Q. Very well. Let's look at P-153A. That was a photograph.  
28 You recall this photograph where you identified Daniel Tamba and  
29 Benjamin Yeaten?

1 A. Yes.

2 Q. Can you tell when that photograph was taken?

3 A. No, I don't know.

4 Q. Can you tell whether that photograph was taken when Daniel

11:40:21 5 Tamba was still a member of the RUF?

6 A. No. It was not at that time because at the time Daniel

7 Tamba was a member of the RUF he was not working with

8 Benjamin Yeaten.

9 Q. Very well. Thank you. That would be all with respect to

11:40:40 10 those photographs.

11 Let's move on to another topic, Mr Sesay. Let's talk about

12 the Guinea attacks or, rather, let's talk about the allegation

13 that RUF members were fighting in Liberia and in Guinea.

14 You indicated, Mr Sesay, in your evidence that certain

11:41:11 15 members of the RUF, during the disarmament, left and went to

16 Liberia?

17 A. Yes.

18 Q. And that some of them were indeed engaged in combat in

19 Liberia. In fact, you actually referred to evidence of a

11:41:34 20 different witness who confirmed that. I'm going to ask you about

21 one particular person. Do you know someone by the name John

22 Vincent?

23 A. Yes, I know him.

24 Q. John Vincent, when he left Sierra Leone, where did he go?

11:41:58 25 A. He went to Liberia.

26 Q. Do you know why he went to Liberia?

27 A. Well, I thought at that time that they did not want to join

28 me for the disarmament process, he did not want to disarm. That

29 was the reason why he went to Liberia.

1 Q. And what nationality was John Vincent?

2 A. He's a Liberian.

3 Q. When he went to Liberia, do you know whether he was engaged  
4 in combat in Liberia?

11:42:31 5 A. Well, at the time he went, I did not know.

6 Q. Besides John Vincent and Superman, were there other  
7 Liberian vanguards who went to - who went back to Liberia during  
8 the disarmament process?

9 A. Yes. Like CO Lion, CO Kailondo, all of them went - CO  
11:42:55 10 Gorgie, all of them went.

11 Q. And do you know whether any of those were engaged in combat  
12 in Liberia or on behalf of the Liberian government?

13 A. Yes, because like for Lion, I heard that he died in Kolahun  
14 at the time they were fighting against LURD. They were  
11:43:14 15 Liberians. So, when they went back to Liberia they joined the  
16 AFL.

17 Q. And at that time were they taking instructions from you?

18 A. No, no. They were not taking instructions from me.

19 Q. Very well, Mr Sesay, let's move on to a different topic.  
11:43:36 20 Let's look at D-84. Mr Sesay, I just have one or two questions  
21 in respect of that document. D-84, Mr Sesay, is a document that  
22 you allege was written by Gibril Massaquoi. Do you remember that  
23 document?

24 A. Yes, I recall.

11:44:37 25 Q. When did you first see that document?

26 A. It was during my trial.

27 Q. And who tendered the document?

28 A. It was the Prosecution that tendered it to the Court and my  
29 lawyers gave it to me to watch it. They tendered it as an

1 exhibit.

2 Q. When the Prosecution tendered that document as an exhibit,  
3 do you know what they were trying to establish?

11:45:25

4 A. Well, they were trying to establish that I had a command  
5 responsibility and that I had a link with Mr Taylor.

6 Q. So, Mr Sesay, just so that I understand you correctly, that  
7 was a document that was used against you by the Prosecution in  
8 your case?

9 A. Yes.

11:45:40

10 Q. Thank you. That would be all with respect to that  
11 document.

12 Mr Sesay, we are going to move backwards a bit and start  
13 with the issues that arose in your cross-examination right at the  
14 beginning, and we will follow, hopefully we will follow the dates  
15 chronologically.

11:46:09

16 Let's look at an issue that arose on 17 August. Mr Sesay,  
17 you will recall when counsel opposite was cross-examining you  
18 about the agreement between Foday Sankoh and Maada Bio to  
19 destabilise the elections?

11:46:35

20 A. Yes, my Lord.

21 Q. And you were referred to a document, if you recall, that is  
22 a - the document at tab 8, that has been marked MFI-19.

23 Mr Sesay, you will recall in your evidence you had indicated that  
24 the agreement between Maada Bio and Foday Sankoh to destabilise  
25 the elections was reached at Yamoussoukro? That was your  
26 evidence. Do you recall that?

11:47:10

27 A. Yes.

28 Q. And counsel showed you the document at tab 8 to prove you  
29 wrong because by the time Yamoussoukro - by the time Foday Sankoh

1 and Maada Bio went to Yamoussoukro the elections had already  
2 taken place. You recall that?

3 A. Yes.

11:47:48

4 Q. In your explanation, you indicated that even before  
5 Yamoussoukro, Foday Sankoh and Maada Bio had been in contact.  
6 I want us to discuss that aspect. Do you know when it was that  
7 Foday Sankoh and Maada Bio first started discussing the  
8 elections?

11:48:16

9 A. Well, I do not recall the exact date now, but that was what  
10 I knew, that Mr Sankoh and Maada Bio had been discussing - at  
11 first --

12 THE INTERPRETER: Your Honours, could the witness be asked  
13 to slow down.

11:48:32

14 PRESIDING JUDGE: Mr Sesay, you're going too fast again for  
15 the interpreter. Now, repeat your answer. You said at first  
16 Mr Sankoh and Maada Bio had been discussing.

17 Now, continue from there.

11:48:55

18 THE WITNESS: Yes, my Lord. I said at first Mr Sankoh and  
19 Maada Bio had been discussing through paramount chiefs like the  
20 late Bai Kurr, I mean late Bai Yorsoh in Magburaka and Paramount  
21 Chief Bai Kurr in Masingbi. Those were the first people that  
22 Maada Bio started using to talk to Mr Sankoh because he knew  
23 those were his brothers from Tonkolili District. So that was how  
24 their talks started. So they went on like that until the time  
25 they met in Abidjan, and Yamoussoukro.

11:49:20

26 Q. Sorry, before you continue could we have the names of the  
27 chiefs again?

28 A. The first one that I referred to was the late Paramount  
29 Chief Bai Yorsoh and the honourable Paramount Chief Bai Kurr.

1 MR CHEKERA: Madam President I'm going to ask the  
2 interpreter to assist.

3 PRESIDING JUDGE: Very well. Please, Mr Interpreter can  
4 you spell these two names.

11:49:54 5 THE INTERPRETER: Bai Yorsoh is B-A-I, one word, the next  
6 one is Y-O-R-S-O-H. And the next one is B-A-I, one word, the  
7 next is K-U-R-R.

8 MR CHEKERA:

9 Q. And if you know, Mr Sesay, what was Maada Bio's attitude  
11:50:20 10 towards the elections during these negotiations with Foday Sankoh  
11 through the offices of the two chiefs?

12 A. Well, what Maada Bio and Mr Sankoh agreed on, in fact Maada  
13 Bio's idea towards the election was negative, but it was only  
14 because of the pressure from the politicians and the  
11:50:42 15 international community, because even on the day of the  
16 elections, soldiers opened fire in Freetown, and Maada Bio wanted  
17 disarmament first; he said peace before elections. That was the  
18 agreement between him and Tom Nyuma and others.

19 Q. Maada Bio wanted peace before elections. And you said  
11:51:09 20 soldiers fired - opened fire in Freetown. Firstly, what soldiers  
21 and - okay, which soldiers opened fire in Freetown?

22 A. The Sierra Leone soldiers under Maada Bio, they opened fire  
23 in Freetown on the day of the elections.

24 Q. And why were they opening fire?

11:51:36 25 A. Well, they wanted to disturb the elections, but the  
26 civilian population concentrated and they wanted the election to  
27 carry on, they, together with the politicians.

28 Q. And what was Foday Sankoh's position with respect to the  
29 elections?

1 A. Well, Mr Sankoh also ordered attacks because he and Maada  
2 Bio had planned that - Maada Bio said if he was unable to stop  
3 the elections, he said then on the very day of the election,  
4 Mr Sankoh should attack Bo, Kenema, Makeni, and he will order the  
11:52:20 5 army in Bo, Kenema, Magburaka and Makeni to retreat and go back  
6 to Freetown so that the RUF will be able to take control of those  
7 towns. So it was just to disrupt the election so that the  
8 elections would not hold.

9 Q. And do you know if you know when was it that Foday Sankoh  
11:52:41 10 became aware of Maada Bio's position with respect to the  
11 elections?

12 A. Well, it was something they discussed before the elections.  
13 And even --

14 JUDGE LUSSICK: I'm sorry to interrupt, perhaps I should  
11:53:01 15 have asked this earlier, but I'm curious to know as to, Mr Sesay,  
16 how do you know what went on between Foday Sankoh and Maada Bio?  
17 You're talking about them planning various things in regard to  
18 the election, but how do you know all this?

19 THE WITNESS: Well, my Lord, at this time I was in Danane  
11:53:25 20 and Deen-Jalloh, who was the head of the delegation and his wife,  
21 his wife was Maada Bio's elder sister, so these arrangements were  
22 things that were done between Deen-Jalloh, Mr Sankoh and Maada  
23 Bio. And even at the time they met in Yamoussoukro, I heard it  
24 from Mr Sankoh himself.

11:53:50 25 PRESIDING JUDGE: I also want to seek clarification from  
26 you, Mr Sesay. Who was the Head of State in Sierra Leone just  
27 before these elections that we are talking about?

28 THE WITNESS: It was Maada Bio who was the Head of State.  
29 He was the chairman of the NPRC.

1 PRESIDING JUDGE: And who called for the elections to be  
2 held at this particular time?

3 THE WITNESS: Well, what I understood was that the  
4 politicians said they wanted elections.

11:54:28 5 PRESIDING JUDGE: What politicians?

6 THE WITNESS: Like the different political parties, the  
7 SLPP, the APC and other parties.

8 PRESIDING JUDGE: And your testimony is Maada Bio, being  
9 the incumbent President at the time, arranged to have an election  
10 but actually didn't want the election? Is this your evidence?

11 THE WITNESS: Yes, ma'am. What I understood from Mr Sankoh  
12 was that Maada Bio did not want the election at that time because  
13 he said he wanted peace before elections, but the people in  
14 Freetown were putting him under pressure and the international  
15 community too said they wanted the election so that Maada Bio  
16 could turn over to a civilian rule.

17 PRESIDING JUDGE: Very well. Please proceed.

18 THE WITNESS: And even Britain was pressurising him.

19 MR CHEKERA:

11:55:28 20 Q. Mr Sesay, maybe just to put that evidence into context, how  
21 had Maada Bio become the Head of State in Sierra Leone?

22 A. Well, Maada Bio was initially the vice-chairman to  
23 Valentine Strasser King who initially overthrew the APC  
24 government in '92. But later Maada Bio, and Tom Nyuma and others  
11:55:55 25 overthrew Strasser King in 1995. So when they overthrew Strasser  
26 King, Maada Bio then became the chairman.

27 Q. So Maada Bio was leading a military junta. Is that  
28 correct?

29 A. Yes, after he had overthrown Strasser.

1 Q. And what was the attitude of the Sierra Leoneans to that  
2 military junta?

3 A. Well, the Sierra Leoneans did not want military rule any  
4 longer, and they then wanted civilian rule. That's including the  
11:56:43 5 politicians themselves.

6 Q. What about the attitude of the international community to  
7 that military junta?

8 A. Well, Britain also wanted a civilian rule. They wanted the  
9 military to turn over to a civilian rule because they were the  
11:57:03 10 ones who sponsored the elections.

11 Q. Now, Mr Sesay, let's move on to a different topic. You  
12 will recall, Mr Sesay, counsel opposite suggesting to you that  
13 your evidence was tailored to suit Mr Taylor, and that you might  
14 have been influenced by Mr Taylor while he was in detention in  
11:57:43 15 Freetown. Do you recall that?

16 A. Yes, I recall.

17 Q. I'm going to refer you to this letter I have from the  
18 Registrar in connection with Mr Taylor's conditions of detention.

19 Madam Court Manager, you might want to assist me with the  
11:58:02 20 document I distributed earlier. I'll refer you specifically to  
21 paragraph 2. That's a letter dated 23 August 2010, to Courtenay  
22 Griffiths QC from the Registrar. If you look at paragraph 2:

23 "The former Registrar of the Special Court, Mr Munlo,  
24 issued a segregation order on 31 March 2006, upon request from  
11:58:44 25 the Prosecution pursuant to Rule 26(A) of the Rules of Detention.  
26 The segregation was ordered for the purposes of: (a), preserving  
27 security and good order in the detention facility and; (b),  
28 preventing any prejudice to or otherwise undermining the outcome  
29 of the proceedings against the detainee, Mr Taylor. It" - that

1 is the segregation order - "remained in effect until Mr Taylor's  
2 departure to The Hague."

3 You will recall, Mr Sesay, in your testimony you indicated  
4 that when you were in detention, you did not have access to  
11:59:32 5 Mr Taylor.

6 A. Yes, I recall.

7 Q. Just briefly explain to us what this segregation meant  
8 between yourself and Mr Taylor.

9 A. We were in another - in a different block and Mr Taylor was  
11:59:59 10 in a different block. And we never used to meet. We never used  
11 to see one another and we never used to discuss. And the place  
12 where we used to receive visitors, he never used to go there.  
13 The only place that he used to go that I also used to go was to  
14 the doctor. But at any time he was going to the doctor, they  
12:00:20 15 would drive him in a vehicle and they would pass through the  
16 other side. But at that time they will have to stop us, we will  
17 not be allowed to go to the doctor until the doctor was finished  
18 with him and he leaves. So I was never able to talk to him or  
19 see him.

12:00:37 20 And even in the recreation yard, the exercise yard, the  
21 blocks were separated. There were officers who were there  
22 guarding and watching us whilst we were at the exercise yard.  
23 They were there to keep security at the exercise yard. And in  
24 the building where we were, there were two line 1 officer and  
12:01:07 25 line 2 officers, and that was how we were located at the  
26 detention.

27 Q. And, Mr Sesay - a yes or no, will suffice - with those  
28 segregation measures in place, did Mr Taylor ever attempt to  
29 contact you?

1 A. No, no.

2 MR CHEKERA: Very well, Madam President, may this letter be  
3 marked for identification.

4 PRESIDING JUDGE: The letter from the Registrar entitled,  
12:01:41 5 "Conditions of detention of Mr Taylor while in Freetown" and  
6 dated 23 August 2010, is marked MFI-43.

7 MR CHEKERA: Thank you.

8 Q. While on that issue, Mr Sesay, it was also suggested to you  
9 that you might have received instructions from Mr Taylor through  
12:02:09 10 his counsel. Did you, Mr Sesay, receive any instructions on how  
11 to tailor your evidence to suit Mr Taylor's purposes through any  
12 one of Mr Taylor's lawyers?

13 A. No, no. None of his lawyers told me anything, that this is  
14 a message from Mr Taylor, no. Even the lead counsel, at the time  
12:02:39 15 he went to Rwanda, at the time he used to go to the prisons for  
16 three days, he used to show me my own testimony and he would tell  
17 me the areas he would want me to talk about, and he will tell me  
18 that he was not going to come to interview me. He said, "I will  
19 only give you the file of your testimony and these are the things  
12:03:03 20 that I will have to lead you on." And those were the only  
21 things.

22 It was only when I came here that you started asking me  
23 whether I knew this person or I knew this other person. That was  
24 the only time. But at that time it was only my own document.  
12:03:19 25 Then at that time now I came when you asked me if I know this  
26 person and I will say yes, then you would ask me how, then  
27 I explain and then you people would write.

28 PRESIDING JUDGE: Mr Sesay, talk normally like normal  
29 people talk. Nobody can possibly record what you're saying at

1 the speed at which you talk. In any event, it's your business.  
2 If your evidence is not captured, it's a waste of time, isn't it?  
3 I've told you at least more than a hundred times to slow down. I  
4 don't know why you don't slow down.

12:03:52 5 THE WITNESS: Thank you, my Lord.

6 MR CHEKERA:

7 Q. Let's take our time. I know you might be anxious to go  
8 back and I promise you you're not going to see this courtroom by  
9 next week, so just let's take our time.

12:04:05 10 You were asked in that context, Mr Sesay, of whether you  
11 knew someone by the name of Supuwood. Have you ever received any  
12 instructions from Supuwood, Mr Sesay?

13 A. No.

14 Q. Who is Supuwood?

12:04:31 15 A. I don't know this person.

16 Q. Very well. Thank you. Let's move to a different topic,  
17 Mr Sesay. Let's look at your evidence when you were quizzed  
18 about the death of Alice Pyne's child. I don't want us to go  
19 back to the gory details of that sad incident; I just want to ask  
12:04:54 20 you a few questions. When was it that you heard about the  
21 disappearance of the child, Mr Sesay?

22 A. After they attacked me in Makeni and killed some of my  
23 bodyguards, when I went to Buedu, that was the time I heard it.  
24 That was around April of '99.

12:05:21 25 PRESIDING JUDGE: Sorry, "After I was attacked in Makeni  
26 and killed some of my bodyguards?" Is that what the witness  
27 said? Was that what you said, Mr Sesay?

28 THE WITNESS: My Lord, when I went to Buedu, that was the  
29 time I heard it.

1           PRESIDING JUDGE: What did you say about the death of your  
2 bodyguards?

3           THE WITNESS: I said after I was attacked in Makeni by  
4 Superman and Gibriil Massaquoi and others, then I went to Buedu in  
12:05:54 5 '99. That was when I heard that Alice's child got missing.

6           THE INTERPRETER: Your Honours, the witness used a word  
7 that could mean "missing" or "died". Can he please clarify?

8           PRESIDING JUDGE: I've asked the witness at least twice.  
9 I'm not going to ask him again. Please continue, Mr Chekera.

12:06:18 10           MR CHEKERA:

11 Q. Mr Sesay, let's start by who attacked you and killed your  
12 bodyguards?

13 A. It was Gibriil Massaquoi, Superman and their followers.

14 Q. And you said in your response that was the time that you  
12:06:45 15 then moved to Buedu and heard about the death of - sorry, and you  
16 heard about the missing child. What did you hear in connection  
17 with the child, Alice Pyne's child?

18 A. I heard that Alice's child, she left the child with Seibatu  
19 who was with Hawa Mosquito. So she took the child to her mother,  
12:07:15 20 behind Buedu, behind Benduma. I don't know what happened, but  
21 they said the child got missing. That was the information that  
22 I got.

23 Q. Seibatu took the child with one Mosquito, is that what you  
24 said?

12:07:33 25 A. No. I said Seibatu took the child to her mother. Her  
26 mother was living in a village around Buedu, behind Benduma.  
27 That was what they said.

28 Q. Now, which Seibatu are you talking about who took the  
29 child?

1 A. The same Seibatu who was with Hawa Mosquito.

2 Q. And she took the child to her, as in Seibatu's mother? She  
3 took the child to her, that is Seibatu's mother?

4 A. Yes. She said the child was with Seibatu's mother.

12:08:15 5 Q. And then what happened when she took the child to Seibatu's  
6 mother - to her mother, rather, that is Seibatu?

7 A. Well, when I went to Buedu, the incident had already taken  
8 place. When I went there, that was the information I got.

9 Q. At the time that you went to Buedu and got this  
12:08:39 10 information, what was your relationship with CO Nya?

11 A. CO Nya and others were with Superman when they attacked me  
12 and they killed some of my bodyguards and they chased me up to  
13 Makali.

14 Q. So by the time you got to Buedu and heard about the missing  
12:09:07 15 child, you were running away from Superman and CO Nya and others?

16 A. Yes.

17 Q. And what was the relationship between CO Nya and Alice  
18 Pyne?

19 A. They were in Lunsar, Nya and others attacked me.

12:09:33 20 Q. Sorry, my question was what was the relationship between CO  
21 Nya and Alice Pyne?

22 A. Nya was Alice's husband.

23 Q. And who was the father of the child?

24 A. Nya.

12:09:57 25 Q. Now, Mr Sesay, you will recall counsel opposite quizzing  
26 you why you did not bother to ascertain the details of the  
27 missing child. With all the information that you've just given  
28 us, can you explain why, when you got to Buedu, running away from  
29 other people, CO Nya, you did not bother to find out what had

1 happened to his child?

2 A. I went to Buedu and the incident had already taken place,  
3 I just got the information. And at that time, Nya and others had  
4 attacked me. I had a wound in my toe when I got to Buedu, so  
12:10:41 5 I did not have interest in Nya's issue because they were chasing  
6 me to kill me at that time.

7 Q. Very well, Mr Sesay. Let's move on and deal with this  
8 topic. I don't want us to go into too much detail, so I'll ask  
9 you very specific questions and if you can assist me by giving  
12:11:05 10 specific answers because we have quite a lot of evidence, but we  
11 just need to put a few things into context.

12 Let's look at the topic relating to child soldiers. You  
13 yourself, Mr Sesay, you said in your evidence, you had children  
14 that were with you, yes?

12:11:27 15 A. Yes, in Kailahun.

16 Q. In Kailahun. What year was that?

17 A. That was 1993, '94.

18 Q. '93, '94, how many were they?

19 A. Well, about six of them, because there were the junior  
12:11:50 20 brothers and sisters of my bodyguards.

21 Q. We will come to that in a minute. There were six?

22 A. Yes, about that, six.

23 Q. How young was the youngest of the six?

24 A. At that time, the youngest one could have been around one  
12:12:14 25 year, and that is Ansu.

26 Q. And how old was the oldest?

27 A. The oldest among them would have been around 14 years in  
28 1993, late '93.

29 Q. And when we say they were with you, what do you mean? Were

1 they living under you? Or living with you?

2 A. They lived with me. We were in the same house, the same  
3 village as our brother in late 1993 up to the time I came to  
4 Giema in 1994.

12:13:02 5 Q. Yes?

6 PRESIDING JUDGE: Mr Sesay, this Ansu was a baby. Whose  
7 baby was Ansu?

8 THE WITNESS: That was Boys, Musa's mother, Yea Amie, that  
9 was his child. Ansu's big brother was Momoh, and Momoh should  
10 have been around 3 to 4 years at that time. And there was  
11 Momoh's elder one and he was called Alhaji.

12 PRESIDING JUDGE: I asked you who was the mother of this  
13 baby. I need to understand who was the mother of the baby.

14 THE WITNESS: Yea Amie. Ansu's mother was Yea Amie, that  
12:13:55 15 is Boys's mother.

16 PRESIDING JUDGE: Where was this mother at the time that  
17 Ansu was in your custody?

18 THE WITNESS: She was with me, Yea Amie was with me,  
19 because all of them retreated from Kailahun Town.

12:14:07 20 PRESIDING JUDGE: And how old was Ansu's mother?

21 THE WITNESS: Ansu's mother - even myself, I used to -  
22 I used to refer to her as "mother" because in Mende "Yea" means  
23 "mother". She was an elderly woman.

24 PRESIDING JUDGE: And where was her husband?

12:14:38 25 THE WITNESS: The husband had gone to Guinea at the start  
26 of the war. It was the woman who stayed behind at the house,  
27 together with the children. The husband went to Guinea and he  
28 returned after the war but I was told, when I was in detention,  
29 that they - that he died in 2005.

1           PRESIDING JUDGE: How did this woman come to be with you,  
2 she and her children, how did they come to be with you and your  
3 group?

4           THE WITNESS: My Lord, when Boys became my bodyguard in '93  
12:15:12 5 - in late 1993 - during the retreat the woman retreated with her  
6 son, that is Boys, and they went to the border; that was how they  
7 came to live with me, because her son was my bodyguard.

8           MR CHEKERA: May I continue? Thank you.

9 Q. Now, Mr Sesay, when those children were living in your  
12:15:42 10 house, what were they doing? Were they attending to any duties?

11 A. Well, they attended to their mother to, like to prepare  
12 food, like some of those who were big enough, like Alhaji, he  
13 would fetch water to her, to prepare food.

14 Q. Now, besides yourself --

12:16:18 15 A. And there was the uncle, Pa Sama.

16 Q. He was the uncle to the kids as well?

17 A. Yes, Pa Sama, yes.

18 Q. He was also living with you?

19 A. Yes, Pa Sama was with me too in Giema.

12:16:40 20 Q. Okay. My question was were you the only commander who had  
21 that arrangement where you had kids from other families living  
22 with them?

23 A. No. Other commanders too had their bodyguards' family  
24 members with them. Like, for example, in late 1993 Peter Vandi  
12:17:05 25 was my deputy. He too had - his father was with him, an old man,  
26 and his sister's children were with him as well.

27 Q. And these kids, for how long did they remain in your care?  
28 Or under you?

29 A. They were with me up to the overthrow of the AFRC, and

1 after the AFRC took power from the SLPP then I left, and the  
2 woman and her - and the man decided to return to Kailahun Town.  
3 So during the AFRC, they left Giema to their house in Kailahun  
4 Town, Pa Sama, Yea Amie and the children.

12:17:59 5 PRESIDING JUDGE: Mr Interpreter, when you say "they were  
6 with me up to the overthrow of the AFRC", did you mean "overthrow  
7 by the AFRC"?

8 THE INTERPRETER: Yes, your Honour.

9 THE WITNESS: Yes, my Lord, when they overthrew the SLPP.

12:18:16 10 MR CHEKERA:

11 Q. And Mr Sesay, when you say the woman and the man decided to  
12 return to Kailahun, who are you talking about?

13 A. I'm referring to Yea Amie and her husband's elder brother,  
14 that is Pa Sama, together with the children, they returned to  
12:18:37 15 Kailahun Town from Giema to their house Mofindor Road.

16 Q. Now, Mr Sesay, while on this topic, let's talk about RUF  
17 policy with respect to children. Was there any policy in the RUF  
18 relating to children?

19 A. Well, there was no policy for children to become child  
12:19:05 20 combatants but the RUF used to take children and train them, some  
21 of them became fighters; like in 1998 RUF established schools,  
22 and that continued up to the disarmament.

23 Q. At what point were children most used as combatants by the  
24 RUF? At what point during the war, if you can give a date, when  
12:19:30 25 this became prevalent?

26 A. That was during the jungle, from 1994 to '97.

27 Q. And these children who were used as combatants, what  
28 specifically were they being used for?

29 A. Well, when they would go to the battlefield, some of them

1 would go with the children, some of those who were the age of 15  
2 would fight and some of them would be at the PC Ground when the  
3 attack would be going on, and some guys would use them, they  
4 would use the children to carry their arms, because those were  
12:20:25 5 little soldiers, and others would be at the houses to do domestic  
6 chores for the RUF wives, and --

7 Q. In your evidence, under cross-examination, Mr Sesay, you  
8 talked about children being taken to the front line and you made  
9 reference to something that you referred to as the zoebush.

12:20:53 10 Firstly, when you talk of the front line, what are you talking  
11 about?

12 A. The war was in different stages. Like between '94 and '97,  
13 we would have the main road. That was the combat camp. Like, if  
14 the enemy would be one mile to the village, it would be the  
12:21:21 15 combat camp near the enemy. Then there they would establish a  
16 camp called the zoebush. The boys would be there with them.

17 PRESIDING JUDGE: The question was: When you talk of the  
18 front line, what are you talking about? Now, is that your  
19 answer? Is that your explanation of what a front line was?

12:21:47 20 THE WITNESS: My Lord, I said there were different stages  
21 in the war. Front line is where the battle takes place. That is  
22 what is a front line, because there were times if the enemy is,  
23 for example, in this village across this table, then the RUF is  
24 on the other side, then here we would have a combat camp and the  
12:22:09 25 people, that is the men who would be in the combat camp would be  
26 the stand-by for combat at any time, and then there will be the  
27 PC Ground, that is the rear, but front line is where the fighting  
28 takes place.

29 MR CHEKERA:

1 Q. So, Mr Sesay, let's just make sure that we get this right.  
2 The front line is where the combat is taking place, this is where  
3 the exchange of fire is happening, right?

4 A. Yes.

12:22:36 5 Q. And you say there is a zone after the combat camp - sorry,  
6 after the front line - what do you call that area?

7 A. We call that area PC Ground.

8 Q. PC Ground. PC Ground is just - sorry, PC Ground is behind  
9 the front line?

12:22:56 10 A. Yes.

11 Q. And you mentioned another area behind the PC Ground.

12 A. That is the zoebush.

13 Q. So what's happening at the PC Ground?

14 A. The PC Ground is where they will prepare food for the  
12:23:22 15 combat camp men, and the PC Ground, if somebody was at the combat  
16 camp and was not well, that person would be taken to PC Ground  
17 for treatment.

18 Q. And the zoebush, what's happening at the zoebush?

19 A. It was in the zoebush that the fighters used to sleep.

12:23:48 20 There are times they fight, their wives will come from the rear  
21 and they will spend three to four days with them, at times one  
22 week. They will be in the zoebush.

23 Q. And these child combatants, which zone or zones would they  
24 be deployed, of these three?

12:24:10 25 A. They would be at the PC Ground. Some of them will assist  
26 in preparing food. Some of them will be in the zoebush with the  
27 fighters' wives.

28 Q. And this practice, for how long did it persist?

29 A. This practice started from 1994 and it was - it continued

1 up to the disarmament.

2 PRESIDING JUDGE: The children that you said, Mr Sesay,  
3 were carrying arms for the combatants, the children you described  
4 as little soldiers, where in this relation to - where - which  
12:25:01 5 zone were these children, considering the zones that you've  
6 described, where would they be?

7 THE WITNESS: My Lord, they would be in the zoebush and  
8 they would also be in the PC Ground but when the time came for  
9 fighting and the enemy attacked the front line, the soldiers who  
12:25:20 10 had their guns would take the guns and they would go to the  
11 battlefield.

12 PRESIDING JUDGE: Yes, but I didn't ask you about the  
13 soldiers. I asked you about the little soldiers, the children.  
14 Those are the ones I asked you about. The ones that were  
12:25:36 15 carrying arms. Where were they located?

16 THE WITNESS: Those who were of the age of 15, they would  
17 go and fight but those who were not up to that age, they would  
18 have the fighters' arms or junior commandos' arms but when the  
19 fighting would start the fighters would take the arms from them  
12:26:02 20 because not all the fighters had arms.

21 JUDGE LUSSICK: Mr Sesay, you were asked was there any  
22 policy in the RUF relating to children and your answer was,  
23 "Well, there was no policy for children to become child  
24 combatants." But is it the case that there was no policy in the  
12:26:34 25 RUF one way or the other regarding the use of children as  
26 soldiers?

27 THE WITNESS: No, my Lord. I did not know of such a policy  
28 that - that it was a policy for children to become soldiers, no.

29 PRESIDING JUDGE: Was there a policy to prevent children

1 from becoming soldiers?

2 THE WITNESS: No, my Lord.

3 MR CHEKERA:

4 Q. So, Mr Sesay, in your evidence, some of these children who  
12:27:26 5 were in your evidence, around 15 or so, those who looked older  
6 than the rest, would actually go sometimes - would occasionally  
7 go to the front line?

8 A. Yes.

9 Q. And during the time that you, Mr Sesay, during the time  
12:27:53 10 that you led attacks, let's talk about, for instance, the attack  
11 on Kono, did you have children in your ranks who went to the  
12 front line when you attacked Kono?

13 A. I met children in Kono but I did not - they did not take  
14 part in the battle, they did not participate in the battle. They  
12:28:17 15 were with the women who prepared food at the PC Ground for the  
16 fighters and they used to fetch water at the PC Ground.

17 Q. We will talk about the children at PC Ground. I want to  
18 talk about you, from the time you left Buedu, to advance on Kono,  
19 did you take any children with you for that attack?

12:28:40 20 A. Well, some of my bodyguards' brothers went with me, like  
21 Boy George, Victor, some of their brothers went with me.

22 Q. And did they take part in the assault on Kono by yourself?

23 A. No. They did not take part because the arms which they  
24 carried were my bodyguards' arms, so when the time came for the  
12:29:10 25 attack, the arms were taken from them by my bodyguards.

26 Q. And when you got to PC Ground, you said there were children  
27 at PC Ground. Do you know the circumstances in which those  
28 children got to PC Ground?

29 A. Yes. Some of them were captured in Kono, some of them were

1 with their family members because around the PC Ground there were  
2 civilians.

3 Q. And were any of those children --

12:29:49

4 JUDGE LUSSICK: On that particular answer, I'm sorry to  
5 interrupt, Mr Chekera. I just wanted to clarify that.

6 You said, "some of them", referring to the children, "were  
7 captured in Kono". So are you saying the RUF used to capture  
8 children?

12:30:07

9 THE WITNESS: Well, my Lord, some of their family members  
10 had gone and they left them, and so they were - of their fighters  
11 in Kono. Some of them were family members of the RUF so they  
12 were staying at the PC Ground, my Lord.

12:30:26

13 PRESIDING JUDGE: Mr Sesay, what did you mean when you used  
14 the word "captured"? "Captured in Kono", when you were referring  
15 to these children?

16 THE WITNESS: What I mean, for example, if RUF went to a  
17 village and --

18 THE INTERPRETER: Your Honours, can the witness kindly slow  
19 down his pace and repeat this evidence.

12:30:46

20 PRESIDING JUDGE: Slow down, please, and repeat your  
21 answer. Explain what you meant by "captured".

12:31:09

22 THE WITNESS: My Lord, what I mean is that, like, when RUF  
23 was in Kono, at the PC Ground and if they went on a patrol and  
24 met people, family members, some of them will hide in the bush,  
25 they will take them from the bush and bring them to the PC Ground  
26 or maybe from the villages and they will bring them to the PC  
27 Ground, that is capture. That is what I mean.

28 PRESIDING JUDGE: In other words, take them against their  
29 will? That's what normally "capture" means. Can you confirm if

1 that is what happened?

2 THE WITNESS: Well, I was not in Kono.

3 PRESIDING JUDGE: It's either yes or no. We need to  
4 understand the word "capture." Is it yes or no? You're the one  
12:31:42 5 who used the word "capture", we are just seeking clarification  
6 from you. When you use the word "capture", can you confirm if  
7 you mean that these children were taken against their will? Yes  
8 or no?

9 THE WITNESS: Well, no, my Lord, because some of them were  
12:32:03 10 staying with the family members.

11 PRESIDING JUDGE: Yes, but the family members too would be  
12 captured, isn't this what you said?

13 THE WITNESS: Well, some of them were brought to the PC  
14 Ground because they didn't want them to stay in the bush on their  
12:32:24 15 own for Kamajors to attack them, so they wanted to bring them to  
16 the PC Ground to maintain security in the area.

17 PRESIDING JUDGE: Continue, Mr Chekera.

18 MR CHEKERA: Unless your Honours have other questions on  
19 the issue, I was going to move on.

12:32:46 20 PRESIDING JUDGE: I've said continue, please.

21 MR CHEKERA: Thank you.

22 Q. Mr Sesay, let's look at a different topic.

23 Mr Sesay, you will recall when you were under  
24 cross-examination, counsel asking you questions, a number of  
12:33:13 25 questions, effectively suggesting that the RUF had unfettered  
26 access into Liberia because you were receiving cooperation from  
27 Mr Taylor. You were referred, for instance, to D-186. Maybe we  
28 could look at D-186.

29 Mr Sesay, you will recall this was a letter that was shown

1 to you from Charles Taylor to President Tejan Kabbah, where  
2 Mr Taylor was reiterating his commitment to a non-aggression pact  
3 between Sierra Leone and Liberia in terms of the Mano River  
4 Union, and you were referred, Mr Sesay, in particular to  
12:34:54 5 paragraph 2, or the second paragraph. The paragraph was read out  
6 to you. I don't intend to read it out to you the paragraph  
7 again. But what counsel was putting to you, Mr Sesay, was that  
8 while Mr Taylor was committing or was purporting to commit to  
9 regional treaties, in the night he was supping with the devil,  
12:35:31 10 that is with you, the RUF, he was misleading President Tejan  
11 Kabbah into believing that he was committed to the peace process  
12 in terms of the peace treaty between the Mano River Union States,  
13 while all the while he was letting the RUF go in and out of  
14 Liberia.

12:35:51 15 Now, I'm just going to ask you a few questions in relation  
16 to this second paragraph because this paragraph, Mr Sesay,  
17 relates to Article 8 which provides that member states of the  
18 Mano River Union undertake to cooperate, to hand over militants  
19 from each other's governments who stray into neighbouring  
12:36:18 20 countries without authority. Do you understand what I'm saying?  
21 Article 8 relates to, in this context, Mr Taylor was undertaking  
22 to hand over any military or paramilitary forces from  
23 Sierra Leone who strayed into Liberia. That's what paragraph 2  
24 talks about.

12:36:46 25 Now, Mr Sesay, my question is: Was the RUF a member of the  
26 Sierra Leone military?

27 A. No.

28 Q. Was it a paramilitary force within the Sierra Leonean  
29 Government?

1 A. No.

2 Q. Now, Guinea, do you know whether Guinea is a member of the  
3 Mano river Union?

4 A. Yes.

12:37:24 5 Q. And, Mr Sesay, you've talked about certain members of the  
6 RUF. You talked about trade blossoming at the Guinean border,  
7 arms trading. What year was that, again, when you were trading  
8 arms to Guinean border with the Guinean soldiers?

9 A. That was from '92 to '98. The only thing that stopped it  
12:37:54 10 was the attacks, when they crossed over to Mofindor and they  
11 crossed over to Yenga and even after those attacks in  
12 October/November we still continued to do business with them at  
13 the crossing points, whilst they were still at Yenga.

14 Q. Now, Mr Sesay, besides those cross border trading, besides  
12:38:19 15 the cross border trading, did the RUF have any other access into  
16 Guinea?

17 A. Yes. The RUF used to go to Guinea. In fact, it was in  
18 Guinea that Mami Isatu Kallon used to go and do arrangements for  
19 ammunition and at any time RUF was going out, we used to transit  
12:38:42 20 through Guinea to go to Abidjan. We had people in Guinea who  
21 used to give lodging to our people who were travelling out of  
22 Sierra Leone, like in Gueckedou and Macenta.

23 Q. So the RUF could easily go in and out of Guinea?

24 A. Yes. They will just cross the river.

12:39:08 25 Q. And besides Guinea, the RUF was also crossing over into  
26 Ivory Coast, as you've mentioned?

27 A. Yes.

28 Q. Was there any restriction for the RUF - for the RUF, in  
29 terms of transit or crossing over into Ivory Coast?

1 A. No. There was no restriction, because our delegation was  
2 based in Danane. They will travel to Abidjan and they will  
3 travel to Danane, sometimes they will go to Guinea and they will  
4 come to Sierra Leone.

12:39:46 5 Q. And, Mr Sesay, when your delegation was in Ivory Coast, it  
6 was to the knowledge of the Government of Ivory Coast?

7 A. Yes. They knew about it.

8 Q. And were any RUF arrested in Ivory Coast?

9 A. No. The Ivorian government did not arrest any RUF member.

12:40:18 10 Q. Besides Mamiel who was arrested in Guinea, was there any  
11 other RUF member who was arrested in Guinea?

12 A. No. It was only Mamiel who was arrested and sent to  
13 Freetown.

14 Q. Very well. While on the same topic, Mr Sesay, this alleged  
12:40:51 15 easy access of the RUF into Liberia, you were referred to the  
16 incident involving Foday Kallon and how you went into Liberia to  
17 recruit former SLAs. You remember that?

18 A. Yes, I recall.

19 Q. And you said the SLAs who had fled to Liberia were in  
12:41:24 20 places like Vahun, Kolahun, and Foya. You recall that?

21 A. Yes, I recall.

22 Q. How far is Vahun from the Sierra Leonean border?

23 A. From Vahun to Bomaru is nine miles. So if you are talking  
24 about the border, then it's eight miles because from the border  
12:41:53 25 to Bomaru is one mile. So from Vahun town to Bomaru town is nine  
26 miles.

27 Q. And how far is Kolahun to the Sierra Leonean border?

28 A. Seventeen miles.

29 Q. And Foya, how far is it?

1 A. Seven miles.

2 Q. And besides the SLAs who had fled to Liberia at this time  
3 and were living by the border line, were there any other persons  
4 from Sierra Leone who were living along the border line at this  
12:42:36 5 time, that the SLAs fled to Liberia?

6 A. Yes, there were thousands of civilians who were in Vahun as  
7 refugees and there were hundreds of thousands of civilians also  
8 who were refugees in Kolahun from Sierra Leone.

9 Q. And how were the - how were these refugees crossing over  
12:43:04 10 into Liberia?

11 A. Well, at the time the intervention took place, when --  
12 THE INTERPRETER: Your Honour, could the witness be advised  
13 to slow down and repeat.

14 PRESIDING JUDGE: Mr Sesay, slow down and repeat your  
12:43:24 15 answer, please.

16 THE WITNESS: Yes, my Lord. I said at the time the  
17 intervention took place, that was the time the civilians from  
18 Kenema, from around Tongo, Segbwema, Mano Junction, up to Daru,  
19 and its surroundings, they crossed over to Liberia through  
12:43:51 20 Kailahun, Bomaru.

21 MR CHEKERA:

22 Q. What control measures were at the border posts at this  
23 time?

24 A. Well, do you mean on the RUF side or towards the Liberian  
12:44:07 25 side?

26 Q. Let's talk on both sides.

27 A. Well, there were securities on both sides, but the RUF side  
28 of the security knew that the people were running away from the  
29 ECOMOG and the Kamajors and the Liberian securities saw the

1 people in hundreds of thousands of people, they went as refugees.  
2 So they knew the people were going for rescue, for safety, in  
3 Liberia, to meet their family members. The people went together  
4 with their family members, children; there were many who crossed  
12:44:47 5 the borders.

6 Q. So --

7 JUDGE DOHERTY: Mr Sesay, are you saying that these  
8 hundreds of thousands of people who ran away for rescue were  
9 running only from the Kamajors, the ECOMOG and the Liberian  
12:45:02 10 security?

11 THE WITNESS: No. They were running away from Sierra Leone  
12 and going to seek refuge in Liberia, my Lord. That was during  
13 February of 1998 as a result of the attack by the ECOMOG and the  
14 Kamajors on Kenema, Tongo, Segbwema, Mano Junction, all of those  
12:45:24 15 areas.

16 MR CHEKERA:

17 Q. So those people, Mr Sesay, in their thousands were allowed  
18 access into Liberia?

19 A. Yes. They built a refugee camp in Vahun, they built  
12:45:47 20 another refugee camp in Kolahun.

21 Q. And when some of those people wanted to come back, were  
22 they being denied access to come back by the Liberians?

23 A. No. After the signing of the Lome Accord, the Liberians  
24 allowed them to return.

12:46:11 25 Q. So, Mr Sesay, during this time - just so that I get your  
26 evidence correctly - there are a lot of refugees along the  
27 Liberian border, Sierra Leonean refugees, and they can easily go  
28 in and out of Sierra Leone, is that your evidence?

29 A. Yes. That used to happen because even the trade that used

1 to take place at the borderlines, civilians used to come and meet  
2 them there and they used to trade with them.

3 Q. Yes, Mr Sesay, let's move on and deal with something else.  
4 Let's just quickly look at exhibit D-123G.

12:48:21 5 Mr Sesay, exhibit 123G is a photograph of an artillery  
6 piece that, according to Mr Taylor's evidence, was given to him  
7 by the RUF, and this exhibit was shown to you to prove that you  
8 were lying when you said that the RUF did not give any artillery  
9 pieces to Mr Taylor. Do you remember that?

12:48:51 10 A. Yes, I recall.

11 Q. Have you seen this artillery piece, or any artillery piece  
12 that looks like this, from the time you were in the RUF, did you  
13 see this particular artillery piece?

14 A. Yes. I saw one that looked like this.

12:49:14 15 Q. What - I don't know in military terms - what name do you  
16 give to this artillery piece in military terms?

17 A. Well, this should be a 105 or a 106, but I cannot be  
18 actually certain which exact one.

19 Q. You recall in your evidence you gave evidence of a 106 that  
12:49:44 20 was captured, which you said Isaac was using. Did you say it was  
21 being used by Isaac? I think you said Isaac.

22 A. Yes. I said it was Isaac and the late Kargbo who used it.

23 Q. That particular artillery piece that Isaac was using, do  
24 you recall when that was captured?

12:50:12 25 A. Yes. That was - that was in '92.

26 Q. Where was it captured?

27 A. At Baiima.

28 Q. Were there more than one pieces that were captured on that  
29 occasion?

1 A. No. We captured one piece, one 106, and a BZT. It was in  
2 the ambush.

3 Q. And that was the one that you say was then being used by  
4 Isaac in - the one that was captured, you said that was the one  
12:51:00 5 that Isaac was using?

6 A. Yes. I said that was what Isaac used to launch. He and CO  
7 Kargbo. That was what they used to go and launch at Mobai  
8 Junction.

9 Q. And do you know what happened to that particular piece  
12:51:15 10 eventually?

11 A. Well, that piece was with us. It was with us but later  
12 they were again recaptured from us at Baidu towards Koindu,  
13 including the BZT.

14 Q. So, Mr Sesay, my question to you is the piece you're  
12:51:36 15 talking about that Isaac was using and the one in D-7, are they  
16 one and the same piece or these are two different pieces?

17 A. Well, this was the particular type that Isaac and the other  
18 guy were - used to launch.

19 PRESIDING JUDGE: Mr Chekera, the witness said "they were  
12:52:03 20 again captured from us" at where?

21 THE WITNESS: At Baidu, on the borderline. That was where  
22 we were being pushed in 1993.

23 PRESIDING JUDGE: That is B-A-I-D-U? Is that how you spell  
24 that location?

12:52:23 25 THE WITNESS: Yes, my Lord.

26 MR CHEKERA:

27 Q. The one that Isaac was using was the one that was captured  
28 at Baidu from you in 1993?

29 A. That was what they captured from us at Baidu, but I heard

1 at one point that they captured this kind of weapon in Koindu at  
2 the time the RUF started the war in 1991, but the particular one  
3 that we captured at Baiima, that one we were using it.

12:53:04 4 PRESIDING JUDGE: Mr Sesay, what became of the weapon that  
5 you just described, the RUF captured in Koindu, the one that  
6 looks like the one in the photograph? What became of that  
7 weapon?

8 THE WITNESS: I heard that they captured one 105 in Koindu  
9 and that weapon was transported to Liberia, but the one that we  
12:53:31 10 captured in '93, that one remained with us.

11 MR CHEKERA:

12 Q. So, Mr Sesay, effectively you do agree with the Prosecution  
13 that the RUF did supply an artillery piece to Charles Taylor?

14 A. Well, that was at the start of the war in 1991.

12:53:58 15 Q. Very well. Let's move on to a different topic. Let's talk  
16 about the diamonds that you - that were taken from Johnny Paul  
17 Koroma, which you took to Burkina Faso - or, rather, Mr Sesay,  
18 let me rephrase my question - that you were meant to take to  
19 Burkina Faso and you eventually lost.

12:54:57 20 A. Yes.

21 Q. When you were sent to - when you were given instructions to  
22 go to Burkina Faso, you've indicated that your instructions were  
23 to go and meet up with Ibrahim Bah who would take you to General  
24 Diendere?

12:55:16 25 A. Yes.

26 Q. And when you were going to take the diamonds to - or,  
27 rather, let me rephrase. Who was going to hand over the diamonds  
28 to General Diendere?

29 A. Well, it was Ibrahim Bah.

1 Q. And what were the specific instructions when Ibrahim Bah  
2 hands over the diamonds to General Diendere? What were your  
3 instructions?

4 A. Well, the instruction was that Ibrahim Bah was to speak to  
12:55:57 5 - to talk to General Diendere for him to help us with ammunition  
6 because we were under pressure from the ECOMOG and the Kamajors.  
7 And he, Bockarie, did say that I should inform Ibrahim Bah about  
8 this so that he and General Diendere will be able to speak on the  
9 radio.

12:56:16 10 Q. General Diendere was going to speak on the radio with who  
11 after the handing over of the diamonds?

12 A. With Sam Bockarie. That Sam Bockarie will be able to talk  
13 to him on the radio so that everything that we would have been  
14 able to do would have gone through Ibrahim Bah so Ibrahim Bah  
12:56:46 15 would have brought them.

16 Q. Now, Mr Sesay, when you were instructed to go with these  
17 diamonds, were you given the diamonds and told that you were  
18 going to, on handing over the diamonds, receive X amount of  
19 ammunition or any amount of ammunition?

12:57:10 20 A. No. He did not tell me the amount of ammunition that I was  
21 to receive. When I would have arrived in Monrovia, Ibrahim Bah  
22 was to come and pick me up and we'd travel. And whilst we were  
23 there it was General Diendere who was supposed to tell us what he  
24 would be able to assist us with.

12:57:35 25 Q. I'm going to use a very legal term, Mr Sesay, and I hope it  
26 can be translated to you properly. The diamonds you took to  
27 General Diendere, were they consideration for a particular  
28 quantity of ammunition? Were they paying for a specific amount  
29 of ammunition?

1 A. No. I was just to travel with the diamonds myself and  
2 Ibrahim Bah, and what General Diendere will be able to give us he  
3 would have given us. But Bockarie did not actually tell me about  
4 any specific amount of ammunition, my Lord.

12:58:29 5 JUDGE LUSSICK: There's just something I want explained to  
6 me regarding that transaction. Mr Sesay, you were instructed to  
7 go to Burkina Faso. What were you doing in Freetown? I beg your  
8 pardon. I beg your pardon, of course. What were you doing in  
9 Monrovia?

12:59:02 10 THE WITNESS: Well, my Lord, that was where I was to wait  
11 for General Ibrahim who was supposed to pick me up. General  
12 Ibrahim was supposed to travel from Burkina Faso and pick me up  
13 in Monrovia and then he would travel with me.

14 JUDGE LUSSICK: But if you were going to Burkina Faso, what  
12:59:20 15 I can't understand is why did Ibrahim Bah have to travel all the  
16 way from Burkina Faso to pick you up in Monrovia when your  
17 destination was Burkina Faso in any event? Why didn't you go  
18 straight to Burkina Faso?

19 THE WITNESS: Yes, my Lord. It was Ibrahim Bah who was to  
12:59:44 20 pick me up in Monrovia so that we would have travelled to go.  
21 That was the instruction given to me because I had never  
22 travelled to Monrovia - I mean, sorry, I had never travelled to  
23 Burkina Faso and Bockarie said he had spoken to Ibrahim Bah and  
24 Ibrahim too had accepted that he was going to travel to pick me  
13:00:03 25 up in Monrovia.

26 JUDGE LUSSICK: So you did not know how to get to  
27 Burkina Faso by yourself. Is that what you're saying?

28 THE WITNESS: Well, my Lord, I knew how to tell someone  
29 that I wanted to travel to Burkina Faso, but the commander who

1 sent me said Ibrahim Bah should come and receive me from Monrovia  
2 for the two of us to travel and go. My Lord, I had no - I had no  
3 other option but for me to do what he told me to do, just to wait  
4 for Ibrahim Bah so that when he comes we'll travel.

13:00:46

5 MR CHEKERA:

6 Q. Mr Sesay, when you were sent with the diamonds, did  
7 Sam Bockarie tell you, "Take these diamonds to General Diendere  
8 and come back with ammunition"? Or, "You are going to take the  
9 diamonds and you're going to come back with ammunition"?

13:01:10

10 A. He told me that I was to travel to Monrovia and Ibrahim Bah  
11 was to meet me there and the two of us would go to Burkina Faso  
12 with the diamonds. And when we would have got to Burkina Faso,  
13 General Ibrahim would talk to Diendere and that he himself wished  
14 to talk to Diendere for him to talk to him to help us with

13:01:33

15 ammunition.

16 Q. Now, Sam Bockarie was going to - once you delivered the  
17 diamonds, Sam Bockarie was then going to talk to General Diendere  
18 for him to help you with the - with ammunition. Is that what  
19 you're saying?

13:01:59

20 A. Yes.

21 Q. You go first, you deliver the diamonds and then once you  
22 delivered the diamonds, Sam Bockarie talks to General Diendere on  
23 the radio concerning supply of ammunition. Do I capture your  
24 evidence correctly?

13:02:14

25 A. When we would have arrived in Burkina Faso, that is Ibrahim  
26 Bah and myself, Ibrahim Bah would have explained to  
27 General Diendere about my mission and Bockarie said he intended  
28 to talk to General Diendere to help with the ammunition that he  
29 could help us with.

1 Q. Now, from what you heard from Sam Bockarie, had he already  
2 agreed with General Diendere on the supply of ammunition before  
3 your trip to Burkina Faso? Was there a deal already before you  
4 were dispatched to go to Burkina Faso for supply of arms - sorry,  
13:02:59 5 ammunition?

6 A. Yes. I knew of a deal that had been on between Mr Sankoh  
7 and Diendere, like the ammunition that they brought to  
8 Sierra Leone in 1997 --

9 Q. Mr Sesay, I'm sorry, I'm just going to cut you there and  
13:03:15 10 try to assist you to focus on this particular - I'm talking about  
11 the trip that you were taking - that you were taking to  
12 Burkina Faso. This particular trip where Sam Bockarie sent you.  
13 Before he sent you, did Sam Bockarie tell you that he had already  
14 struck a deal with General Diendere and all you had to do was to  
13:03:38 15 deliver diamonds to General - to Ibrahim Bah?

16 A. No. They had not struck a deal yet. It was when I would  
17 have arrived then they would strike a deal. But from my  
18 understanding, Sam Bockarie sent me to him because Diendere had  
19 been dealing with Mr Sankoh.

13:04:02 20 PRESIDING JUDGE: Let me ask another question for  
21 clarification. Were Sam Bockarie's instructions to you,  
22 Mr Sesay, that you hand the diamonds to Ibrahim Bah or that you  
23 hand the diamonds to General Diendere?

24 THE WITNESS: I was to hand the diamonds over to Ibrahim  
13:04:29 25 Bah and we were to take them to General Diendere because it was  
26 Ibrahim Bah who was to take me.

27 PRESIDING JUDGE: Because if you were to hand the diamonds  
28 to Ibrahim Bah, who was then to hand them to Diendere, why was it  
29 necessary for you to travel to Burkina Faso yourself?

1 THE WITNESS: Well, my Lord, Bockarie wanted me to go with  
2 the diamonds so I too would be present with Ibrahim Bah where the  
3 diamonds would be presented to Diendere. That was why I was  
4 sent.

13:05:12 5 JUDGE LUSSICK: Mr Sesay, I think you've answered this  
6 question before but how long did you wait in Monrovia for Ibrahim  
7 Bah to arrive?

8 THE WITNESS: My Lord, I think it was between three to five  
9 days. Around that. I cannot be specific but I spent some days  
13:05:42 10 before the diamonds fell off me.

11 JUDGE LUSSICK: You said earlier you had no choice but to  
12 do what you were told and wait in Monrovia. But did these  
13 arrangements make any sense to you? The diamonds were going to  
14 Burkina Faso, according to your instructions. The ammunition  
13:06:04 15 that you sought was in Burkina Faso, and yet there you are  
16 waiting five days in Monrovia. Did that make sense to you?

17 THE WITNESS: Yes, my Lord. I was awaiting Ibrahim Bah's  
18 arrival. He was to take me along. That was what I was told by  
19 Bockarie, that I was to be in the hotel and to wait for Ibrahim  
13:06:31 20 Bah to take me along. And that is what happened exactly, my  
21 Lord.

22 MR CHEKERA:

23 Q. Mr Sesay, let's just talk about Ibrahim Bah a little bit.  
24 Did you know where Ibrahim Bah was before he came to Monrovia to  
13:07:05 25 pick you up?

26 A. Before he was to come and pick me up, he was in  
27 Burkina Faso.

28 Q. And in your dealings with Sam Bockarie or, rather, in  
29 Sam Bockarie's dealings with Ibrahim Bah, which you are privy to,

1 did Sam Bockarie trust Ibrahim Bah to take diamonds anywhere by  
2 himself?

13:07:58 3 A. Well, if Sam Bockarie trusted Ibrahim Bah he wouldn't have  
4 sent me, but he sent me to go along. That is an indication that  
5 he didn't want Ibrahim Bah to go alone, that's why he said  
6 Ibrahim Bah should pick me and go with me.

7 Q. Was there any instance where diamonds would be handed over  
8 to Ibrahim Bah alone and he would know what to do with them  
9 without another member of the RUF present?

13:08:19 10 A. No. That had not happened before this time that  
11 I travelled.

12 Q. Incidentally, Mr Sesay, you mentioned Ibrahim Bah at some  
13 point taking off with some of the proceeds from the sale of  
14 diamonds. When was it?

13:08:44 15 A. That was in October to November of 2000.

16 Q. What happened on that incident? Don't go into detail.  
17 Just briefly.

18 A. Well, the money that was to be given to him and he was to  
19 send the money to me, he held on to part of the money, \$60,000,  
13:09:08 20 and he did not give that money right up to date.

21 Q. Now, Mr Sesay, while still on the issue of the diamonds  
22 that were taken from Johnny Paul Koroma which you were supposed  
23 to take to Burkina Faso and you lost along the way, you will  
24 recall the evidence of TF1-371 being put to you on the quantity  
13:09:40 25 of the diamonds. You'll recall you had said in your evidence  
26 that they were worthless pieces, the only one that was worthy was  
27 a 14 carat - 13 or 14 carat diamond, and the rest were not of any  
28 significant value. Do you recall that?

29 A. Yes, I recall that.

1 Q. And evidence was put to you by counsel opposite that  
2 actually according to the evidence of 371, there were quite a  
3 number of - there were quite a number of plastics and the  
4 diamonds were in their thousands. You recall that?

13:10:30 5 A. Yes.

6 Q. When counsel opposite suggested that actually the diamonds  
7 were in their thousands. I want to refer you to the evidence of  
8 TF1-371, which counsel might have overlooked, concerning that -  
9 sorry, that's in the RUF trial. Concerning the amount of those  
10 diamonds, the quantity, and tell me whether you would agree with  
11 that. That's the transcript of 20 July 2006. That was closed  
12 session. So I'm not going to ask for it to be displayed. And  
13 that is at page 73.

14 MR KOU MJIAN: I would object to that, on the basis of the  
13:11:25 15 rule that evidence should be put to a witness so the witness  
16 could respond, any prior transcripts would have been available to  
17 Defence counsel during cross-examination.

18 PRESIDING JUDGE: I don't understand the nature of your  
19 objection because Mr Chekera is about to read the transcript.  
13:11:44 20 What is your objection?

21 MR KOU MJIAN: Well, it's very hard for me to say this in  
22 open session but my objection is based on the rule that you have  
23 to put evidence to a witness to get the witness's - the witnesses  
24 has a chance to respond.

13:12:03 25 PRESIDING JUDGE: I thought that's what Mr Chekera is about  
26 to do.

27 MR CHEKERA: Indeed.

28 MR KOU MJIAN: It's not this witness I'm talking about.  
29 He's saying there is a contradiction.

1           PRESIDING JUDGE: What is the nature of your objection,  
2 Mr Koumjian? You've lost me, really. What is the nature of your  
3 objection?

13:12:28 4           MR KOUMJIAN: Counsel had the opportunity, much earlier in  
5 the trial, the Defence, in general, I mean, to put any  
6 contradiction or any such evidence to another witness, and  
7 I can't say whether I recall whether they did or not but they  
8 should have at that time.

13:12:45 9           PRESIDING JUDGE: No, no, no. The contradiction or the -  
10 I think the contradiction that he now wants to put to the witness  
11 is to contradict you, Mr Koumjian. This is what I understand.  
12 Your suggestions, as the Prosecution. Not to contradict another  
13 witness but to contradict your suggestion. So am I right,  
14 Mr Chekera?

13:13:08 15           MR CHEKERA: Indeed.

16           PRESIDING JUDGE: Then the objection is overruled.

17           MR CHEKERA:

18 Q. Mr Sesay, you will recall there was a dispute as to the  
19 quantity of the diamonds, and counsel opposite suggested on the  
13:13:20 20 basis of the evidence of TF1-371 that actually the diamonds were  
21 in their thousands. And I'm just going to read to you part of  
22 the evidence of TF1-371, 20 July.

23           MR KOUMJIAN: I just want to correct. I think what I said  
24 is 1,832 diamonds, not in the thousands, that was from a  
13:13:47 25 document.

26           MR CHEKERA: I have no problem with the correction, thank  
27 you very much.

28 Q. The diamonds were over a thousand, Mr Sesay, according to  
29 I learned counsel opposite, and this is the evidence of 371 on the

1 same issue, on 20 July 2006, at page 73. I'll probably start at  
2 line 12:

3 "I had started out by asking you - that was a question - I  
4 had started out by asking you if you remembered if anything  
13:14:27 5 happened in Buedu and you've told us of the - of these events  
6 involving Alex Tamba Brima. Do you remember anything else  
7 happening when you arrived in Buedu?"

8 MR KOUMJIAN: I apologise but I can't find a transcript  
9 from 20 July 2006. Could I just ask counsel to check the date?

13:14:48 10 JUDGE DOHERTY: I was also going to ask which trial is this  
11 from, Mr Chekera?

12 MR CHEKERA: I'm sorry, it's from the RUF trial, I'm sorry.

13 MR KOUMJIAN: And the date is 20 July, 2006?

14 MR CHEKERA: Yes, page 73.

13:15:05 15 PRESIDING JUDGE: Perhaps you could indicate the line.

16 MR CHEKERA: Sorry, Madam President, I'm reading from line  
17 12.

18 PRESIDING JUDGE: This is the evidence of TF1-371?

19 MR CHEKERA: Yes.

13:15:28 20 PRESIDING JUDGE: Very well. But please read slowly,  
21 taking into account that the judges don't have the transcript in  
22 front of them.

23 MR CHEKERA: Yes, Madam President. My apologies. If I had  
24 known it would be difficult to locate I would have made copies.

13:15:42 25 The question at line 12 was:

26 "Q. I had started by asking you if you remembered if  
27 anything happened in Buedu and you've told us of these  
28 events involving Alex Tamba Brima. Do you remember  
29 anything else happening when you arrived in Buedu?"

1 A. Just another event that had to do with again  
2 dispossessing Johnny Paul Koroma of nine plastics of  
3 diamond.

13:16:24 4 Q. When you use the term 'nine plastics of diamond', what  
5 do you mean by that?

6 A. They were diamonds in small plastics, could have been  
7 around - sorry could have been hundred pieces of various  
8 grades that were in the possession of Johnny Paul Koroma."

9 The witness goes on, but I'm not interested in what the  
13:16:50 10 evidence that goes on after that. I'm only interested in the  
11 part where it reads: "They could have been around hundred pieces  
12 of various grades that were in possession of Johnny Paul Koroma."

13 Now, Mr Sesay, this new evidence - I refer to it as new  
14 because it was not referred to you earlier in your  
13:17:14 15 cross-examination - by TF1-371 that the diamonds that were taken  
16 from Johnny Paul Koroma were not in over a thousand but maybe  
17 around the hundred, is this consistent with your recollection of  
18 the diamonds that were taken away from Johnny Paul Koroma?

19 A. Yes. The diamonds - there was just one piece amongst them  
13:17:45 20 that was valuable but the others were small pieces, and they  
21 could be around that figure.

22 Q. And, Mr Sesay, maybe I'm the only one who is ignorant on  
23 diamonds. When we talk of small pieces numbering hundreds, what  
24 are we talking about in terms of size? If I gave you a piece of  
13:18:13 25 paper, would you be able to indicate the size of the small  
26 pieces, just so that we have an idea of what is referred to as  
27 small pieces in diamond terms?

28 A. Well, a small piece of diamond, some could be 25 per cent,  
29 50 per cent, 75 per cent, one carat.

1 Q. Sorry, Mr Sesay, maybe I'll just ask you to draw a small  
2 piece of di amond on a pi ece of paper because the more you talk of  
3 carats, the more you confuse me.

13:18:55 4 Madam President, may I ask Court Management to assist with  
5 a clean sheet of paper.

6 PRESIDING JUDGE: Yes, please, give the witness a piece of  
7 paper and a pen, a proper pen, not a felt tip.

8 MR CHEKERA: For the record, I should say I only know the  
9 carats on rings.

13:19:11 10 PRESIDING JUDGE: You're not the only one, Mr Chekera.

11 THE WITNESS: Do you mean I should draw a small piece of  
12 di amond, one or what?

13 MR CHEKERA:

14 Q. When you're talking of small pieces of diamonds, let's talk  
13:19:31 15 of the diamonds that were taken from Johnny Paul Koroma. If you  
16 could draw just a few, trying to approximate the size that were  
17 in the packet, just so we have an idea of what a small piece of  
18 di amond looks like.

19 Thank you. Could I just have a quick, closer look? Thank  
13:20:58 20 you.

21 PRESIDING JUDGE: Could I also ask the witness to indicate  
22 on this piece of paper, alongside the small pieces, the size of  
23 the 14 carat di amond.

24 MR CHEKERA:

13:23:59 25 Q. Maybe, Mr Sesay, if we could date it and sign it, I'm  
26 thinking of how to - Mr Sesay, on top, write on top of that -  
27 let's write "sample of small pieces of diamonds", sample as in  
28 S-A-M-P-L-E, "of small diamonds."

29 JUDGE LUSSICK: Mr Chekera, you've mentioned witness 371,

1 and the quantity of diamonds he was describing. But did 371 ever  
2 say that they were the diamonds that were lost by Issa Sesay?

3 MR CHEKERA: The evidence was taken from Johnny Paul  
4 Koroma.

13:25:31 5 JUDGE LUSSICK: Well, I'm correct, then, 371 never said  
6 that the diamonds taken from Johnny Paul Koroma were the diamonds  
7 lost by Issa Sesay in Monrovia; is that correct?

8 MR CHEKERA: I would not recall from the RUF trial  
9 transcript that I referred to. I would not say so.

13:26:02 10 Q. Sorry, Mr Sesay, "Sample of small pieces of diamonds, and  
11 one 14 carat".

12 Madam President, I don't know whether the description on  
13 the drawing of the diamonds is reflective enough.

14 PRESIDING JUDGE: Mr Chekera, we need to understand. This  
13:27:57 15 is the sample of diamonds and the one 14 carat, of what diamonds,  
16 of which diamonds are we talking about?

17 MR CHEKERA:

18 Q. Let's say, Mr Sesay, if you go back to, after the 14 carat,  
19 let's say approximating diamonds that were taken from Johnny Paul  
13:28:19 20 Koroma.

21 Mr Sesay - oh, sorry, on that piece of paper, after the,  
22 after "14 carat", write, "Approximating",

23 A-P-P-R-O-X-I-M-A-T-I-N-G, "approximating the diamonds that were  
24 taken to" - sorry, "taken from Johnny Paul Koroma."

13:29:03 25 A. Yes, but you told me to just write the type of small pieces  
26 of diamonds, but the pieces were much more than this. These that  
27 I have drawn here. They were about 100 pieces, including the 14  
28 carats.

29 Q. We will come to that. We'll deal with that. Just write

1 what I said and we'll put the qualification.

2 A. Okay.

3 Q. "Approximating the diamonds taken from Johnny Paul Koroma,  
4 in terms of size."

13:29:58 5 A. "In terms of"?

6 Q. "Size", S-I-Z-E. Okay, let's just see what you have  
7 written there.

8 MR CHEKERA: I hope that suffices, Madam President.

9 I request that that be marked for identification.

13:30:36 10 PRESIDING JUDGE: The piece of paper on which Mr Sesay has  
11 drawn various sizes signifying the diamonds that were taken from  
12 Johnny Paul Koroma is marked MFI-44.

13 MR CHEKERA:

14 Q. Now, let's stay on the topic of diamonds, Mr Sesay, and --

13:31:09 15 PRESIDING JUDGE: Mr Chekera, it is 1.30. We will continue  
16 after the luncheon break at 2.30. We will adjourn now.

17 [Lunch break taken at 1.31 p.m.]

18 [Upon resuming at 2.30 p.m.]

19 MR KOUMJIAN: Good afternoon, your Honours. I failed to  
14:32:44 20 note at the last break the change of appearance on the  
21 Prosecution bench. We are joined by Brenda J Hollis, and Kathryn  
22 Howarth has left us.

23 PRESIDING JUDGE: Thank you.

24 Good afternoon, Mr Chekera.

14:32:59 25 MR CHEKERA: Yes, Madam President, thank you. Just also to  
26 note that we are joined by Mr Anyah, and I also overlooked to  
27 announce Ms Hambrick just before the midmorning break.

28 PRESIDING JUDGE: Thank you. Please continue.

29 MR CHEKERA:

1 Q. Mr Sesay, we were discussing - we were on the topic of  
2 diamonds, and we were discussing the diamonds that were taken  
3 from Johnny Paul Koroma. Let's just stick with the topic of  
4 diamonds for the time being and look at a different aspect.

14:33:35 5 You will recall, Mr Sesay, you were referred to a document  
6 that is P-33B, if we may have a look at that, Mr Sesay.

7 While the document is being located, Mr Sesay, just a few  
8 questions, and if you can be as concise as possible.

9 When was the RUF first involved in diamond mining?

14:34:59 10 A. It was in '97, with Sam Bockarie in Tongo for the first  
11 time, around September.

12 Q. And before 1997, from the time that you were training at  
13 Naama, did Foday Sankoh issue or establish any policy with  
14 respect to diamonds in the RUF?

14:35:27 15 A. No. There was nothing about mining of diamonds in the RUF.

16 Q. At the time that you were training at Naama to the time  
17 that were you fighting within Sierra Leone, up to 1997, when you  
18 started mining diamonds, did Foday Sankoh say anything about the  
19 war in relation to the diamonds?

14:36:01 20 A. No.

21 Q. Now, Mr Sesay, you will recall that, if you look at P-33B,  
22 this was an exhibit that was shown to you of an interview by  
23 Charles Taylor to, I think it was a newspaper or a magazine  
24 called Le Monde, and you were referred to a particular passage or  
14:36:37 25 rather a particular sentence or phrase in the third paragraph  
26 from the top, where it was put to you by learned counsel opposite  
27 that even Charles Taylor considered that the war in Sierra Leone  
28 was about diamonds. Do you remember that aspect?

29 A. Yes, I recall.

1 Q. Before I refer you to this - to the full context in which  
2 that statement was made and ask for your comment, I don't want  
3 you to repeat your evidence. Just be as concise as you can be.  
4 When you were fighting in Sierra Leone, at least let's limit it  
14:37:24 5 up to 1997, from the time you took training in - at Naama, were  
6 you fighting for diamonds?

7 A. No, no.

8 Q. Again, just to put that answer into context, what were you  
9 fighting for? Don't give us a long answer. Just be as concise  
14:37:46 10 as possible.

11 A. Well, we were fighting to gain political power in  
12 Sierra Leone, to get the government.

13 Q. And, in terms of geographical location, or location, when  
14 you were fighting in Sierra Leone, what was or where was your  
14:38:13 15 ultimate destination? Where were you hoping to go finally, if  
16 you were to gain political control?

17 A. Well, it was Freetown, because that was our main target.

18 Q. Now, if you look at - let's look at P-33B, to the excerpt  
19 that was read to you by learned counsel opposite, and I just want  
14:38:45 20 to give you the full context of the excerpt in the context of  
21 what Charles Taylor was saying during this interview. The third  
22 paragraph from the top:

23 "Yes, I think the war in Sierra Leone is a war for  
24 diamonds, but not because Liberia wants those diamonds. We  
14:39:08 25 already have diamonds. The war is taking place because the  
26 British want those diamonds."

27 Mr Sesay, that was the full context in which Charles Taylor  
28 said the war in Sierra Leone was about diamonds. Would you agree  
29 with that assessment?

1 A. I agree with my own experience, because with my own  
2 experience since the war started in Sierra Leone in 1991, it was  
3 not about diamonds and even the APC did not say the war was about  
4 diamonds. And when the NPRC came in 1992 to early '96 they did  
14:39:56 5 not say the war RUF was fighting about diamonds, so it was just  
6 around 1997, 1998 with the SLPP that this issue of diamonds came  
7 up and now they started referring to the war issue as blood  
8 diamonds or the war was about diamonds but the war started in  
9 Sierra Leone since '91 to 1997. And that was the longest period  
14:40:20 10 in the war time but nobody spoke about diamonds. There was  
11 nothing about diamonds in the RUF. It was from '97, '98 to '99  
12 that we started hearing about blood diamonds and that the war was  
13 all about diamonds.

14 Q. Mr Sesay, just quickly, let's look at the parties who were  
14:40:44 15 mining over the course of the conflict in Sierra Leone. I am  
16 looking at the entire course from the time you started the war  
17 from Liberia to the time of disarmament. The RUF was mining  
18 diamonds at some point?

19 A. Yes.

14:41:03 20 Q. The AFRC was also mining diamonds at some point?

21 A. Yes.

22 Q. Were there any other parties who were mining diamonds in  
23 Sierra Leone?

24 A. Yes. Yes, the NPRC also. In fact, they were the ones who  
14:41:23 25 brought the Executive Outcomes who were a mercenary group who  
26 were fighting and mining in Kono. They brought heavy machines  
27 and they were doing mechanised mining.

28 Q. Do you know what the Executive Outcomes were from?

29 A. Yes. They were from South Africa. In fact, they had

1 helicopter gunships, they had tanks.

2 Q. And what period were they mining the diamonds in  
3 Sierra Leone?

14:42:09 4 A. Well, they came around - they came between '94 and remained  
5 in Sierra Leone up to the time that the AFRC came to power. They  
6 were still in Kono, the Executive Outcome. That was in '97.

7 Q. Okay. From '94 to '97, Mr Sesay, how many years of those?

8 A. I don't understand.

9 Q. You said they were mining, they came in 1994 and they were  
14:42:33 10 in Sierra Leone until - up to the time the AFRC came to power in  
11 '97, and I am saying from 1993 - sorry, from 1994 to 1997, how  
12 many years are those?

13 A. It is about three years and more.

14 Q. And it is your evidence that for that three year period  
14:43:03 15 they were mining in Sierra Leone?

16 A. Yes, yes. They were doing mining.

17 Q. And you said they had heavy machinery?

18 A. Yes.

19 Q. Besides the Executive Outcome, were there any other  
14:43:25 20 external or foreign parties who were involved in diamond mining  
21 in Sierra Leone at any point?

22 A. Yes, the NPRC also brought Israelis who were mining. They  
23 came with the mining company and they were mining for the NPRC.

24 Q. When was that?

14:43:50 25 A. That was between '92 to '96.

26 Q. And what period is that?

27 A. My Lord, it was during the reign of the NPRC.

28 Q. Sorry, my mistake. How many years of those that they were  
29 mining from '92 to '96?

1 A. I think it is four years.

2 Q. When you were fighting ECOMOG, was ECOMOG also mining?

3 A. Yes, yes, yes. ECOMOG was mining.

4 Q. What period was ECOMOG mining?

14:44:32 5 A. Well, since the time ECOMOG captured Kono in May up to  
6 December they were mining in Kono up to - that was in '98.

7 Q. Any other parties that were involved in mining, Mr Sesay?

8 A. Well, even the Kamajors too were mining.

9 Q. So, Mr Sesay, effectively all the warring parties in  
14:45:03 10 Sierra Leone at some point were involved in diamond mining?

11 A. Yes.

12 Q. Now, when the RUF was mining diamonds, what was the purpose  
13 for mining diamonds?

14 A. Well, that was to manager the welfare of the RUF.

14:45:33 15 Q. And do you know why the NPRC government were mining  
16 diamonds?

17 A. Well, I can say that was to maintain their government by  
18 then, the NPRC, because they brought mercenaries and they were  
19 fighting against us, yes, they were the ones that were fighting  
14:45:58 20 against.

21 Q. What about the Kamajors?

22 A. They also were doing it for themselves, for the Kamajors.

23 Q. ECOMOG, who were they mining for?

24 A. They also for themselves.

14:46:19 25 Q. Mr Sesay, at some point you mentioned in your evidence  
26 under cross-examination, you mentioned forces that you referred  
27 to as the Sandlines, is it?

28 A. Yes, the Sandlines, yes.

29 Q. Who were the Sandlines?

1 A. Sandlines, I understood that they came from Britain, they  
2 came from England.

3 Q. Do you know whether they were involved in mining?

14:46:59

4 A. Yes. The Sandline had a mining company that has later been  
5 changed into the Koidu Mining Holdings. That is the Sandline  
6 company.

7 PRESIDING JUDGE: Mr Chekera, when you say Sandline forces,  
8 were these fighting forces? You used the word "forces" under -  
9 on page 113, line 5.

14:47:19

10 MR CHEKERA: That might be my mistake. Let me rephrase my  
11 question - rather, let me put it to the witness to clarify.

12 Q. Mr Sesay, Sandlines, who were Sandlines?

14:47:43

13 A. Well, Sandlines was also a mercenary group that was a  
14 company. They used to supply President Kabbah's government with  
15 arms and ammunition and they had helicopters in Sierra Leone that  
16 used to airlift supplies to Kamajors at different locations and  
17 they were taking responsibilities for the Kamajors - movement of  
18 Kamajors from one place to the other.

14:48:08

19 Q. You have indicated that they were from, did you say  
20 England?

21 A. Yes, they said they were British.

22 Q. And do you recall when it is that they came to  
23 Sierra Leone?

24 A. Well, it was in '98.

14:48:23

25 Q. And when did they leave?

26 A. Well, they were with the Sierra Leone government, the  
27 previous government, and even the mining company that was  
28 operating, the Koidu Mining something - they owned that company.

29 Q. You said that they later became a company called - they

1 owned this company, Koi du Mining. What does Koi du Mining do?

2 A. It is a diamond mining company, they mine for diamonds.

3 Q. Are they still operating in Sierra Leone up to this day?

4 A. Well, I don't know for now because I am not in

14:49:23 5 Sierra Leone, I am now in Rwanda but before my arrest they were  
6 there. At the time President Kabbah was in power they were there  
7 because I used to hear about them, read about them in the  
8 newspaper.

9 Q. Now, Mr Sesay, bearing in mind that you have said there is  
14:49:48 10 - or, rather, before I continue with the question I was going to  
11 ask you, let me ask you another question. What sort of mining  
12 does Koi du Holdings do, in terms of --

13 A. They do kimberlite mining. They mine for diamonds in the  
14 kimberlite, that is deep mining.

14:50:08 15 Q. In lay terms, is that a small scale - is that small-scale  
16 mining or heavy duty mining?

17 A. It is a highly mechanised mining. That is the only way you  
18 can mine for kimberlite, heavy mining.

19 Q. Mr Sesay, bearing in mind the nature of the mining that's  
14:50:39 20 being done by Koi du Mining Company, formerly, Sandline or  
21 associated with Sandline, and bearing in mind your evidence that  
22 you have just said this is a British company, do you agree or  
23 disagree with Mr Taylor's assessment here that yes, there was a  
24 war about diamonds and that the British wanted those diamonds?

14:51:03 25 A. Well, I wouldn't dispute that.

26 Q. Now, Mr Sesay, during the --

27 PRESIDING JUDGE: Can I ask of Mr Sesay: When you say you  
28 don't dispute that, are you saying that the British were involved  
29 in the war? In the fighting?

1 THE WITNESS: Well, my Lord, yes, because they were the  
2 ones who attacked the West Side. I - it was comprised of British  
3 troops and we understood that at the time Sierra Leone was under  
4 embargo for arms and ammunition, they were the ones who supplied  
14:51:51 5 ECOMOG with ammunition in Sierra Leone. The ammunition came from  
6 Britain to fight against the AFRC and the RUF.

7 PRESIDING JUDGE: And this was with a view to getting their  
8 hands on the diamonds?

9 THE WITNESS: Well, when we saw Sandlines and when Sandline  
14:52:21 10 came, they got involved in the mining business and that had  
11 something to do with diamonds.

12 PRESIDING JUDGE: Yes, but I want to hear from you, what is  
13 the relationship between IMATT and Sandlines in relation to the  
14 diamonds.

14:52:37 15 THE WITNESS: IMATT is different from Sandlines, ma'am, my  
16 Lord. Sandlines came - IMATT came during the May 2000 incident.  
17 So they were different from the Sandlines. IMATT was not  
18 involved in mining but Sandlines was a mercenary that was  
19 accompanying with - by coming - so they were mining and so these  
14:53:03 20 are two different groups.

21 PRESIDING JUDGE: You said it was Sandlines was a mercenary  
22 that was accompanying what?

23 THE WITNESS: I said Sandline was a mercenary group that  
24 had a mining company in Sierra Leone and it was Sandline that was  
14:53:26 25 with the SLPP government in '98.

26 JUDGE DOHERTY: Mr Sesay, was IMATT not a training  
27 programme?

28 THE WITNESS: Yes, my Lord. Later they were the ones who  
29 trained the Sierra Leone Army. That was during the

1 re-integration, when they trained the Kamajors, the RUF into the  
2 national army. But when they came they were the ones who fought  
3 at the West Side. That was when 11 British troops were captured.  
4 So those were totally different from Sandlines, my Lord.

14:54:13

5 MR CHEKERA:

6 Q. Mr Sesay, I hope this is clear, but just maybe to put this  
7 beyond question. Sandline is a mercenary group from England?

8 A. Yes. They said they came from Britain.

14:54:36

9 Q. And it associated to a mining company that was mining  
10 diamonds in Sierra Leone?

11 A. Yes.

12 Q. Very well. Now, Mr Sesay, when the RUF was mining in  
13 Sierra Leone, what was the nature of the mining that was being  
14 done by the RUF?

14:55:00

15 A. The RUF mining was a manual kind of - I don't know how you  
16 call it, is it alluvial mining or what, but it was manual type of  
17 mining.

18 Q. And you will recall that evidence was put to you, Mr Sesay,  
19 that actually RUF received some machinery from Liberia. What  
14:55:24 20 sort of machinery did the RUF have, if any?

21 A. Well, for me, the only different people that I knew that  
22 came with the RUF were the few ULIMO men that Abu Keita brought  
23 with him, that is his Mandingo men that came with, that were not  
24 in arms, and Senegalese and others who were ex-ULIMO fighters.

14:55:52

25 Q. Sorry, Mr Sesay, it might be my problem. Maybe I wasn't  
26 clear in my question. What sort of machinery, if any, did the  
27 RUF have for mining?

28 A. Well, the RUF, since '99, there were no machines. It was  
29 when Ibrahim Bah and others came between December and January

1 2000, then we repaired an old Caterpillar, but the Caterpillar  
2 did not work well. It used to get persistent breakdowns. So RUF  
3 did not do mechanised mining. They were only doing manual  
4 mining, and it used the bailing machines to bail out the water.

14:56:57 5 Q. Mr Sesay, if you can give us a very concise answer, if you  
6 are capable. At your peak, that is the RUF, what was the output  
7 of - what was the output of the diamonds you would get in a  
8 month?

9 JUDGE DOHERTY: Mr Chekera, when you say what they would  
14:57:24 10 get in a month, my understanding is there was more than one  
11 location. Is that in the conglomerate locations?

12 MR CHEKERA: Maybe I could just say it would appear - let  
13 me - maybe to lead up to that question, let me ask a few  
14 questions.

14:57:40 15 Q. Mr Sesay, during the time that the RUF was mining for  
16 diamonds, what locations were you mining in?

17 A. Well, we were mining in Kono, and later we were mining in  
18 Tongo, from 2000 to 2001.

19 Q. So 2000 to 2001, you were mining both in Kono and in Tongo?

14:58:06 20 A. Yes. But when the disarmament took place in September in  
21 Kono, the mining stopped in 2001. But during these mining  
22 periods, we had the rainy season that, let's say, starts from  
23 June to October, and at that time the --

24 THE INTERPRETER: Your Honours, could the witness be asked  
14:58:33 25 to slow down.

26 MR CHEKERA:

27 Q. Mr Sesay, just slow down and just finish off what you were  
28 going to say, and then I will stop you there.

29 A. I said, between June and October is the rainy season, and

1 during the rainy season we only go and remove the upper dirt and  
2 then we get the dirt from there and take it to the riverside and  
3 then we wash it, because it was during the rainy season. So we  
4 will need bailing machines and we will need petrol, we will need  
14:59:13 5 engine oil. And in some areas, you can remove the gravel, you  
6 wash it, you don't find anything there.

7 Q. Very well. Now, Mr Sesay, during the time that you were  
8 mining, both in Kono and in Tongo, were the diamonds taken to a  
9 central location? Was there would be place where all the  
14:59:35 10 diamonds would be brought to, or one person to whom they would be  
11 brought?

12 A. Yes. That was to me. Like, between May to October, when  
13 they used to give me the diamonds, or maybe they wash the dry  
14 dirt, they take it to the riverside to wash it, they will bring  
15:00:02 15 them to me, and I used to sell them sometimes to Alhaji Backareh  
16 for 10 to 15 thousand, and I would keep the remaining to buy  
17 medicine and food for the RUF.

18 PRESIDING JUDGE: You would sell them to who?

19 THE WITNESS: I said sometimes I used to sell some to  
15:00:19 20 Alhaji Backareh, my Lord.

21 PRESIDING JUDGE: Can you spell that name, Mr Interpreter.

22 THE INTERPRETER: Yes, your Honours. It is

23 B-A-C-K-A-R-E-H.

24 PRESIDING JUDGE: And the first was what?

15:00:37 25 THE INTERPRETER: Alhaji.

26 MR CHEKERA: That should be easy.

27 Q. Now, Mr Sesay, my question - let me go back to my question.  
28 When you were the central location or the central point for the  
29 collection of diamonds that were being mined under your regime,

1 there were months which were bad and there were months which were  
2 particularly good. Let's talk of the good months. How much  
3 would you say was the highest you realised from diamonds during  
4 the time that you were collecting diamonds that were being mined  
15:01:20 5 from both Kono and Tongo?

6 JUDGE LUSSICK: You mean the highest amount of diamonds or  
7 the highest amount of money earned from the diamonds?

8 MR CHEKERA: Let me put it in money terms to make it  
9 easier.

15:01:34 10 Q. How much did you realise, the highest amount of money you  
11 realised, from the sale of diamonds when you were in custody of  
12 the diamonds for the RUF?

13 A. Well, that was the diamond that I sold in March of 2001,  
14 which was \$135,000.

15:01:59 15 Q. During that month, did you just sell that one diamond, or  
16 you sold others?

17 A. No. I said there was one amongst them that was 52 carats  
18 that cost \$52,000, and the remaining put together, all was  
19 \$135,000, so it was not a single diamond.

15:02:29 20 Q. During the - you've given evidence, Mr Sesay, that you  
21 controlled the diamond mining areas for about 15 months. You  
22 recall that from cross-examination?

23 A. Yes.

24 Q. Were there months that you went without - were there months  
15:02:46 25 that you didn't find any diamond?

26 A. Yes. There were months during which we only removed the  
27 upper dirt and we get the dirt from underneath, or maybe we would  
28 get the dry dirt, we take it to the river to wash it. That was  
29 between June to October. At that time, we only used to carry the

1 dry dirt to the riverside to wash it, because, at that time, it  
2 was expensive, the mining was expensive. It was difficult to  
3 bail out the water.

4 Q. We will come back to that in a minute, Mr Sesay.

15:03:28 5 Mr Sesay, you just mentioned diamond mining in Tongo. When  
6 did you say that you started diamond mining in Tongo?

7 A. I said 2000.

8 Q. You will recall, Mr Sesay, that you were shown exhibit  
9 P-150, which I - would contradict that account. Maybe we could  
15:03:57 10 look at exhibit P-150.

11 Mr Sesay, that document, you will recall, that is a logbook  
12 of diamond mining operations allegedly, diamond mining operation  
13 in Tongo, and counsel opposite specifically referred you to part  
14 of that document that related to diamond mining in Tongo between  
15:05:34 15 around February/March of 1999. You remember that aspect?

16 A. Yes, I recall.

17 Q. And you were quick to dismiss this document as a forgery.  
18 You will recall that?

19 A. Yes, I do recall.

15:05:55 20 Q. Now, why do you discount this document, which is in the  
21 possession of the Prosecution, purportedly contradicting you, why  
22 do you discount it as a forgery?

23 A. Well, within the entire RUF, everybody knew that there was  
24 no mining going on in Tongo in 1999, and there was only one  
15:06:23 25 mining commander that we had in 1999, and the Prosecution brought  
26 him as a witness against me, and when he was asked, he too said  
27 so, that there was no mining going on in Tongo throughout '99.  
28 And no other insider spoke about mining in my trial. So if the  
29 mining commander for the RUF and myself knew that there was no

1 mining going on there, so I know that this document was forged.  
2 It is false, because such a mining never took place in Tongo  
3 Field in '99.

15:07:14

4 Q. Do you know who prepared this document, Mr Sesay, that you  
5 dismiss as a forgery?

6 A. Well, when I was in detention, I had a cousin, he was a  
7 soldier, an AFRC member. He --

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

15:07:45

10 PRESIDING JUDGE: Mr Sesay.

11 THE WITNESS: Yes, my Lord.

12 PRESIDING JUDGE: Please repeat your answer, slowly.

15:08:06

13 THE WITNESS: My Lord, I said when I was in the detention  
14 in Freetown, one captain Musa Jalloh, a soldier, once said to me  
15 that had he gone to Colonel Alpha, who too was an AFRC but he  
16 used to mine for the RUF in Tongo Field. He said the Prosecution  
17 had rented a house for Colonel Alpha in Babadori --

15:08:32

18 MR CHEKERA: Mr Sesay, just before you continue, I just  
19 want to check with counsel opposite whether we are not infringing  
20 on any protected witnesses in this evidence.

21 MR KOUMJIAN: I wouldn't - I don't know of any protected  
22 witness being mentioned in the evidence, and obviously the  
23 witness hasn't talked yet about a witness. He hasn't said anyone  
24 was a witness.

15:08:50

25 MR CHEKERA: Very well. I just wanted to be careful.

26 Q. You were talking about a Colonel Alpha, Mr Sesay, you said?

27 A. Yes.

28 Q. Yes. Let's pick it up from there.

29 A. So Musa Jalloh said to me that the Prosecution had rented a

1 house for Colonel Alpha in Babadori, and Colonel Alpha was  
2 preparing lies about mining in Tongo Field regarding diamonds,  
3 and he was preparing false documents.

15:09:31 4 Q. Do you know whether exhibit P-150 is one such document,  
5 Mr Sesay?

6 A. This one in the present --

7 Q. Yes.

8 THE INTERPRETER: Your Honours, can counsel kindly wait for  
9 the interpretation.

15:09:43 10 MR CHEKERA: I am sorry.

11 Q. Sorry, Mr Sesay. Let's start again. Sorry. My apologies.

12 Mr Sesay, let's start with the question again. Do you know  
13 whether P-5 is one such document, one of the documents that you  
14 say was forged by Colonel Alpha?

15:10:05 15 A. Well, I cannot be precise now to say that this one was  
16 forged by Colonel Alpha, but this is one of the forged documents  
17 because this one is not an authentic document. It is not a true  
18 document because the places where they said mining were going on,  
19 at that time there was no RUF in that area. Even so, if RUF  
15:10:35 20 wasn't there, how could they have been mining there? How could  
21 RUF have prepared documents about mining in a place where they  
22 were not mining?

23 Q. Now, Mr Sesay, when did you first see exhibit P-150?

24 A. Here, because in my trial they did not show any - any  
15:11:02 25 exhibit about mining here. I don't know about this exhibit. Is  
26 it exhibit P-19? I don't know. But there was no exhibit about  
27 diamond mining in Tongo in 1999, in Tongo Fields. No, there was  
28 nothing like that.

29 Q. In your case, Mr Sesay, were you accused or charged with

1 mining in Tongo Field in 1999?

2 A. Well, 1999, the evidence that was adduced about mining was  
3 about '97 and 2001.

4 Q. Sorry, I wasn't talking about the evidence. I am talking  
15:11:47 5 about allegations. Were there allegations against you in your  
6 case that the RUF was mining in Tongo in 1999?

7 A. Well, I don't recall that area of the indictment.

8 Q. Very well. And the evidence that was brought against you  
9 in your case, you have just indicated there was no evidence about  
15:12:15 10 mining in Tongo Fields in '99?

11 A. Yes. The evidence is about '97. More of '97 regarding  
12 Tongo. The only people who spoke about mining in Tongo Field  
13 were the insiders, about 2000, but it was not about '99.

14 Q. You said one of the witnesses, I am not sure of the  
15:12:48 15 protective measures in place, or maybe you should not tell me the  
16 name - one of the witnesses you said in your case on allegations  
17 of mining you said was the commander of - the RUF mining  
18 commander?

19 A. Yes. I cannot call out the name, but if we're saying the  
15:13:13 20 RUF mining commander it would be easy for him to be picked out,  
21 because he was the only commander for the RUF at that time. He  
22 was the only one there. And when he was asked, he said there was  
23 no mining going on in Tongo because Kamajors were attacking  
24 there, and that was true in '99.

15:13:34 25 MR CHEKERA: I am going to tread carefully here. Counsel  
26 opposite, I hope I am not treading on protected witnesses.  
27 Before I proceed, maybe I could just ask for the name to be  
28 written on a piece of paper.

29 MR KOUMJIAN: Well, I think what Mr Sesay knows is that TF1

1 number, 367, and I have no problem with counsel using that  
2 number.

3 MR CHEKERA: Very well.

4 MR KOUMJIAN: But I would point out that the document  
15:14:01 5 before the witness was an exhibit in the RUF case, exhibit 42 in  
6 the RUF case, P-150.

7 MR CHEKERA: Very well. That will be noted.

8 Q. Mr Sesay, let's just stick to the - let's just stick to the  
9 pseudonym 367, TF1-367. That was the witness you were talking  
15:14:34 10 about who testified against you in the RUF case?

11 A. Yes.

12 Q. And what did he say about mining in Togo in 1999?

13 A. Well, he was asked about mining in Togo in '99 and he  
14 said, he said, "No, do you want Kamajors to go and kill me?" He  
15:14:59 15 said we were not mining in Togo at the time because Kamajors  
16 were attacking at that time. And that is the fact, there was no  
17 mining going on in '99 in Togo.

18 Q. And who was the custodian of official documents relating to  
19 mining in the RUF during the time that you were in charge?

15:15:30 20 A. That's the mining commandant - the mining commander.

21 Q. Would that be the same person, 367?

22 A. Yes, 367 was the authorised person to have custody of the  
23 diamond documents from '97, '98, to February - to 2000. But from  
24 February 2000, he was not the one any more.

15:16:01 25 PRESIDING JUDGE: Mr Chekera, are we talking about the  
26 mining commander in Kono, or what are we talking about?

27 MR CHEKERA: Let me clarify that, thank you.

28 Q. 367, Mr Sesay, he was mining commander in which location?

29 A. For Kono, because he was the mining commander for Kono. He

1 was in Kono because there was no mining in Tongo in '98 or '99.

2 THE INTERPRETER: Your Honour, can the interpreter make an  
3 correction. The expression "diamond documents" is to be "mining  
4 documents".

15:16:40 5 PRESIDING JUDGE: Right. Okay, if I may inquire further,  
6 is this the person whose names were written on MFI-5? You  
7 remember the witness was asked previously to write some names of  
8 a mining commander in Kono. Can you please check.

9 MR CHEKERA: Let me please check, Madam President.

15:17:27 10 PRESIDING JUDGE: If Madam Court Manager could find MFI-5  
11 and show this to the witness just to confirm. Is this the person  
12 we are talking about now?

13 THE WITNESS: Yes, my Lord, he is.

14 MR CHEKERA:

15:18:15 15 Q. Now, Mr Sesay, when RUF started mining in Tongo Fields who  
16 was the mining commander?

17 A. Well, Mr Sankoh first sent Akim from Kono, he went to  
18 Tongo. And from there he withdrew Akim to Freetown. And I sent  
19 Colonel Banya there, he was the brigade commander there and at  
15:18:59 20 the same time he was supervising the mining. He was there. And  
21 thereafter I sent Peleto and Peleto became the mining commander  
22 there.

23 Q. Mr Sesay, I just want you to help us tie the names to  
24 specific time frames. Let's start with Akim. When was he mining  
15:19:20 25 commander, if you can just give a time frame?

26 A. That was around March to April. That was when he went to  
27 Tongo, 2000, around March. Then Mr Sankoh withdrew him to  
28 Freetown and Mr Sankoh asked me to send some other person around  
29 early April. And I sent Colonel Alpha and he went there from

1 April to sometime in 2000. And I sent Peleto there around  
2 September/October of 2000. And I sent Peleto there.

3 Q. Now you also mentioned someone called Colonel Banyu, did  
4 you?

15:20:24 5 A. No. He was a brigade commander. He was not a mining  
6 commander.

7 Q. And the Colonel Alpha that you sent from April - sorry,  
8 from the time that you - yes, that was around April - is this the  
9 same Colonel Alpha that you later heard was forging documents?

15:20:51 10 A. Yes, he is.

11 Q. Now, Mr Sesay, let's go back to the question that we were  
12 dealing with; the amount of money that you realised from the  
13 diamond mining.

14 Mr Sesay, you will recall that the Prosecution would  
15:21:09 15 dispute your numbers in their estimation from an expert report,  
16 exhibit P-19, if we may just look at exhibit P-19.

17 Maybe, Mr Sesay, it might not be necessary actually to have  
18 a look at it. It is quite a voluminous document. I will just  
19 tell you what it is all about.

15:21:37 20 Mr Sesay, you will recall you were referred to some  
21 evidence by learned counsel opposite which suggested that during  
22 the 15-month period that you, Mr Sesay, were in charge of the  
23 mining of diamonds within the RUF, you should have realised  
24 something in the region of 60 million to 80 million American  
15:22:07 25 dollars from the diamonds that were mined during that period. Do  
26 you recall that evidence?

27 A. Yes, I do recall.

28 Q. And, Mr Sesay, those numbers, the 60 million to 80 million  
29 US dollars, were based on expert evidence from eminent people

1 within the diamond industry, including eminent companies like De  
2 Beers which are quite involved in diamond mining. Very briefly,  
3 Mr Sesay, what do you say? During the 15 months that were you in  
4 charge of the diamond mining Sierra Leone, you should have gotten  
15:22:50 5 money in the region at the very least of \$60 million over the 15  
6 months that you were mining.

7 A. Well, that is a big lie. The mining that we did, it's like  
8 comparing death and sleep. If you are referring to a month like  
9 this, that is a very strange thing. RUF people wouldn't hear  
15:23:23 10 about mining, about the mining that we are doing. This can be  
11 really strange to them. That's what I'm saying. It's the same  
12 propaganda that the SLPP was running about the mining business.  
13 It is the same thing that is continuing. We never dreamt of such  
14 a thing.

15:23:39 15 Q. Mr Sesay, you will recall that you were referred to the  
16 evidence of a Defence witness who said that you were receiving  
17 all the diamonds and there was nothing in the RUF to show for  
18 those diamonds. In other words, you were the sole beneficiary of  
19 the proceeds of this 60 million or so. Mr Sesay, where is the 60  
15:24:07 20 million?

21 A. I did not receive those quantities of diamonds that were up  
22 to that amount of money. The money that I got as compared to the  
23 ones that I have been referred to here is like comparing death  
24 and sleep. These were just industrial diamonds that I received.  
15:24:28 25 You know, like the RUF will talk about 300 pieces of diamond and  
26 when you go and sell them you'll get \$10,000 to \$15,000. These  
27 were black or coffee colour diamonds. These are diamonds that we  
28 got from just dry dirt.

29 THE INTERPRETER: Your Honours, the witness has used an

1 expression that he needs to explain the meaning, "overkick". The  
2 interpreter does not know what that means.

3 PRESIDING JUDGE: What do you mean, Mr Sesay? You said,  
4 there are the diamonds we got from dry dirt, and then what else  
15:25:03 5 did you say?

6 THE WITNESS: I said from overkick.

7 THE INTERPRETER: Your Honours, can the witness - can the  
8 witness kindly explain the expression "overkick", it is not a  
9 common Krio word.

15:25:27 10 PRESIDING JUDGE: Yes, can you please explain what you mean  
11 by "overkick", the interpreter doesn't understand. So can you  
12 explain to us.

13 THE WITNESS: My Lord, overkick is dirt that had been  
14 washed before the place where they had done mining, it is kind of  
15:25:44 15 rewashing it and doing mining there again. Something that has  
16 been mined before, it is kind of you are re-mining in the same  
17 place. So you take the same dirt that had been mined before you  
18 take it and rewash it and to get some diamonds from that. That  
19 is what we refer to as "overkick."

15:26:07 20 MR CHEKERA:

21 Q. Now, Mr Sesay, I don't want to spend too much time on this.  
22 Maybe just to help us understand, I have already referred you to  
23 the evidence as it was put to you by learned counsel opposite,  
24 that obviously the money that you were realising didn't go to the  
15:26:26 25 RUF and the only logical conclusion that counsel drew us to is  
26 that the money went to yourself and to Charles Taylor. I am  
27 going to ask you first: What do you have, Mr Sesay, to show that  
28 you were receiving these millions of dollars from the proceeds of  
29 diamonds that were being mined in Sierra Leone?

1 A. Well, even my colleague RUF, like the witness whom the  
2 Prosecution lawyer was referring to, I don't know if that was a  
3 Defence lawyer that referred to me - that I was the one selling  
4 the diamonds and the Sierra Leoneans did not benefit anything  
15:27:08 5 from the diamonds. That Defence witness, the two of us were  
6 together, up to the time we created the office in Freetown and up  
7 to my arrest he used to visit me, up to 2007 elections. That was  
8 when we had some misunderstanding. He knows that I don't have  
9 anything. While I was in detention, he knew that even to  
15:27:32 10 maintain my family, to take care of my children, I had to sell my  
11 vehicle to take care of my children. I have nothing. Even if my  
12 children are to go to school, it is family members and friends  
13 who assist.

14 Q. Well, Mr Sesay, according to the Prosecution theory you  
15:27:51 15 have nothing because you gave the diamonds to Charles Taylor.  
16 Now, what I want you to explain is why you would give the  
17 diamonds to Charles Taylor and let your kids live on charity.

18 A. Well, that is the question. So how would I like Mr Taylor  
19 much more than my father? When I was in detention, whatever they  
15:28:19 20 gave to me for my visitors, what I sent to my parents for food.  
21 How would I like Mr Taylor much more than my father? Even my  
22 mother when she was sick.

23 THE INTERPRETER: Your Honours, can the witness kindly  
24 repeat this slowly.

15:28:38 25 PRESIDING JUDGE: Just pause. Even your mum, when she was  
26 sick, please continue from there. We didn't hear what else you  
27 said.

28 THE WITNESS: I said my mother was sick in Makeni and they  
29 sent to me and when they sent a message to me, I told my lawyers,

1 I said, "Do they have anything?" and that my mother was sick. So  
2 what helped was she gave a statement as a Defence witness  
3 regarding what transpired between Pa Kabbah and myself and it was  
4 the WWS who assisted, they took my mother to her hospital until  
15:29:19 5 her death. So how would I take diamonds to Mr Taylor and my  
6 parents and my family, my children are suffering and I will not  
7 say it? Mr Taylor is a Liberian, I am a Sierra Leonean. What  
8 kind of interest would I have in him?

9 Q. Mr Sesay, according to the Prosecution theory, he was your  
15:29:44 10 Papay, that is why, and you respected Foday Sankoh and possibly  
11 Taylor more than your own father, you heard that from the  
12 Prosecution.

13 A. May the Lord forbid. I would not respect Mr Taylor more  
14 than my father. I would not have any blessings from Mr Taylor.  
15:30:10 15 It is only for my father and my mother that I would have  
16 blessings, nor would I have blessings from Mr Sankoh. Mr Sankoh,  
17 when I told him to do what I thought was right, he refused. I  
18 could not continue my loyalty to him because if you suggest to  
19 somebody and he doesn't listen to you.

15:30:31 20 Q. Very well, Mr Sesay, let's turn to another topic. Let's  
21 turn to the Freetown invasion.

22 You will recall, Mr Sesay, that counsel opposite spent  
23 quite a great deal of time on this topic. And before asking you,  
24 Mr Sesay, I just want you to understand what counsel was  
15:30:53 25 suggesting to you.

26 Mr Sesay, you have said in your evidence-in-chief that the  
27 Freetown invasion was purely AFRC effort. And what counsel  
28 opposite said to you or was trying to put to you in  
29 cross-examination was that that was all lies; in fact, the RUF

1 and the AFRC worked together during the Freetown invasion. A  
2 number of propositions were put to you that I am going to go  
3 through with you in greater detail. But I want you to understand  
4 counsel's position and then, from there, we will try to explain  
15:31:34 5 and see whether you agree with counsel's position.

6 Learned counsel opposite's position is that you were lying  
7 about the Freetown invasion, the RUF was in it as much as the  
8 AFRC and that is why you, for instance, went as far as Waterloo  
9 to reinforce the AFRC and cut off the Guineans from Port Loko and  
15:31:56 10 give them passage out of Freetown when they were boxed in  
11 Freetown. Do you understand that?

12 Now, let's start with the time that you left Buedu to go to  
13 Makeni. Your instructions, when you left Buedu, to go to Makeni  
14 - sorry, to go to Kono, that is your evidence, your instructions  
15:32:21 15 before you left Buedu to go to Kono were to attack Kono?

16 A. Yes, it was to attack Kono.

17 Q. When did that plan mutate to the plan to go and to proceed  
18 to Makeni?

19 A. It was because the ECOMOG ran away. That's why.

15:32:49 20 Q. Where did the ECOMOG run away to?

21 A. They ran away to Nimikoro and later they went to Tongo and  
22 the others went to Sewafe, when they crossed the river they went  
23 to Baama Konta.

24 Q. Now, ECOMOG, having fled Kono, why did you then proceed to  
15:33:15 25 Makeni?

26 A. Well, it was because we wanted to control more space - to  
27 have more control of other land, that's why we went to Makeni.  
28 And ECOMOG was on the run. Initially we were running away from  
29 them and if the table then turned then we would chase them

1 wherever they were going from places that we wanted, so we went  
2 there.

3 PRESIDING JUDGE: Mr Interpreter, could you spell for us,  
4 Baama Konta.

15:33:56 5 THE INTERPRETER: Yes, your Honour. It's B-A-A-M-A, one  
6 word, Konta is K-O-N-T-A.

7 MR CHEKERA:

8 Q. So, Mr Sesay, the tables turned. Initially you were the  
9 one running away from ECOMOG and now the ECOMOG are running away  
10 from you so you decided to gain more territory. You got as far  
11 as Makeni?

12 A. Yes.

13 Q. And you are fighting against ECOMOG. Who else were you  
14 fighting against at this time, besides ECOMOG?

15:34:30 15 A. The Kamajors, the CDF and the SLAs, who were fighting  
16 alongside the ECOMOG.

17 Q. And, Mr Sesay, at this time we have another group, the  
18 AFRC, that's around the Koinadugu axis, as you put it. Who are  
19 they fighting at this time?

15:34:52 20 A. There was the AFRC that was in Koinadugu District and RUF,  
21 STF and there was the other set of AFRC who were around the Port  
22 Loko District at this time. Before I captured Makeni they had  
23 captured Waterloo. That is the AFRC under SAJ Musa's command and  
24 there was the other set of AFRC in Koinadugu, that what was under  
15:35:21 25 Brigadier Mani's command and RUF Superman. Then there was  
26 Bropleh STF.

27 PRESIDING JUDGE: Mr Interpreter, were you saying there was  
28 the other "set" of AFRC?

29 THE INTERPRETER: Yes, your Honour.

1 MR CHEKERA:

2 Q. Mr Sesay, let's just understand these groups more clearly.  
3 Musa and his group, that's one. We have Brigadier Mani and  
4 Superman, is that another group?

15:35:52 5 A. Yes.

6 Q. General Bropleh, STF. Is that another group?

7 A. Yes, but they were operating together, the three of them,  
8 Bropleh, Superman and Mani.

9 Q. Let me understand this, Mr Sesay, because this is very  
10 important. We have got those three groups operating together?

11 A. Yes, sir.

12 Q. A joint - do you have a joint commander?

13 A. Well, each of these groups had commanders for their group.  
14 Superman was commander for the RUF. Mani was commander for the  
15 AFRC and Bropleh was commander for the STF, so the three of them  
16 were working together with their men.

17 Q. And who were they fighting?

18 A. They were fighting against ECOMOG and the CDF.

19 PRESIDING JUDGE: You said Bropleh was a commander for who?  
15:36:59 20 THE WITNESS: For the STF, my Lord.

21 MR CHEKERA:

22 Q. Now, Mr Sesay, we have got these three groups fighting  
23 together and they are fighting ECOMOG. Do you know what brings  
24 these three groups together? Why are they - they are separate  
15:37:22 25 groups fighting together. Do you know what brings the three  
26 groups together?

27 A. Well, the three groups were in the Koinadugu District.  
28 They were in Koinadugu District. So all of them came together to  
29 attack Makeni.

1 Q. And at the time that they attack Makeni, where are you and  
2 the RUF?

3 A. Myself and the RUF from Kono, we were - we were moving  
4 towards Magburaka when they attacked Teko Barracks, when they  
15:38:07 5 were not successful they then withdrew back to Binkolo, the RUF  
6 then came and captured Magburaka and the RUF from Kono advanced  
7 on Makeni. That was the time Sam Bockarie called Superman and  
8 spoke to Rambo that the two of them should link-up and then we  
9 all attacked Teko Barracks.

15:38:36 10 Q. The three groups that are working together, I just want to  
11 understand this, are they working under Sam Bockarie?

12 A. No, no, no. The only time Superman then started taking  
13 instructions from Bockarie again was during the attack on Teko  
14 Barracks in December of 1998. But from August to that December  
15:39:01 15 of '98, Superman was not taking instruction from Sam Bockarie.  
16 Brigadier Mani was not taking instruction from Sam Bockarie.  
17 General Bropleh was not taking instruction from Sam Bockarie. So  
18 even when Superman now started taking instruction from  
19 Sam Bockarie again, they, the others were not taking instruction  
15:39:23 20 from Sam Bockarie.

21 Q. Mr Sesay, I just want to understand this clearly. So what  
22 you're saying is that these are separate groups, separate  
23 leadership and what brings them together is this common desire to  
24 attack ECOMOG in Makeni. Is that what you're saying?

15:39:41 25 A. Yes. Before they came to Makeni, after SAJ Musa and  
26 Superman got the infight, SAJ Musa went and joined Gullit. The  
27 three groups stayed and were working together in Koinadugu, even  
28 before they planned to come and attack Teko Barracks in Makeni.

29 Q. So you then take over Makeni?

1 A. Yes, we took over Makeni. We took over Makeni. But I also  
2 did not instruct Brigadier Mani, nor did I instruct General  
3 Bropleh, no.

15:40:33 4 Q. Very well, Mr Sesay. When you take over Makeni, do you  
5 know where Musa and his groups are at that point?

6 A. Well, at that time I did not know that he was dead, but I  
7 heard that they were around Waterloo.

8 THE INTERPRETER: Your Honours, could the witness be asked  
9 to repeat the last tail of his testimony.

15:40:57 10 PRESIDING JUDGE: Mr Sesay, could you repeat the last bit  
11 of your answer, please.

12 THE WITNESS: My Lord, I said it was on Focus, when they  
13 said the troops had attacked and captured Waterloo and that was  
14 the very troop that captured Benguema, that is the AFRC.

15:41:24 15 MR CHEKERA:

16 Q. And when SAJ Musa dies at Benguema, where are you,  
17 Mr Sesay, and your RUF crew?

18 A. We were in Makeni. I was in Makeni.

19 Q. When you move from Makeni, where do you go? I am still on  
15:41:56 20 you, Mr Sesay.

21 A. Well, I was in Makeni. I was in Makeni.

22 Q. Did you eventually leave Makeni to go anywhere else?

23 A. Yes. I used to go to Magburaka, Makali, Masingbi, and  
24 sometimes I will go to Kono and return.

15:42:21 25 Q. Now, when Superman is now taking instructions from  
26 Sam Bockarie, you said from the time he is now in Makeni, he is  
27 now taking instructions from Sam Bockarie, right?

28 A. Yes, but when the AFRC attacked Freetown, Superman also was  
29 ready to take the Port Loko route and then move to Lungi. So

1 Sam Bockarie gave the go-ahead for Superman, Rambo to take that  
2 flank because Gullit spoke with Sam Bockarie and Gullit accepted  
3 what Sam Bockarie told him. And when Bockarie heard that they  
4 had taken over Freetown, Bockarie also said that Superman should  
15:43:09 5 go towards the Port Loko area and attack Lungi Airport, but the  
6 attack on Port Loko was not successful.

7 Q. That's the part I want us to discuss in closer detail,  
8 Mr Sesay.

9 Superman in Makeni now starts taking instructions from  
15:43:26 10 Sam Bockarie. Sam Bockarie gets into contact with Gullit. When  
11 do they - when does Superman - sorry, let me start again. When  
12 does Sam Bockarie and Gullit establish contact?

13 A. Well, it was before the attack on Freetown. After Gullit  
14 had called SAJ Musa - I mean, sorry, Bockarie, and informed him  
15:44:00 15 that SAJ Musa was dead. But at that time Bockarie did not  
16 believe. So he told Gullit that - because when he asked him, he  
17 said, "Where?" He said, "At Benguema." Bockarie then told him  
18 that he should wait so that he will inform us in Makeni so that  
19 we will put a strong group together to go and assist him to  
15:44:19 20 attack Freetown. But Gullit did not wait for that. Gullit went  
21 on with the attack. So they went on to attack Freetown.

22 Q. Let's just dismantle that, Mr Sesay, because this is very  
23 important and this is a part I want us to expand on. Gullit and  
24 Sam Bockarie established contact when SAJ Musa dies. What is the  
15:44:46 25 nature of the arrangement, if you know, that they get into, that  
26 is Gullit and Sam Bockarie? What arrangement did they strike or  
27 what arrangement did they agree on, if you know, or if there was  
28 any, during the time that Gullit contacted Sam Bockarie?

29 A. Well, what I heard later was that they said when SAJ Musa

1 died, that was the time Gullit called Sam Bockarie and informed  
2 Sam Bockarie that they had captured Benguema and that SAJ Musa  
3 was dead. So he said they wanted to move to go and attack  
4 Freetown. And then Sam Bockarie told him that they should wait  
15:45:28 5 there "so that I will coordinate my men in Makeni, I will inform  
6 them, so that they will be able to join you so that you carry on  
7 with the attack." But Gullit did not wait for that. They then  
8 went and attacked Freetown.

9 Q. This arrangement for Sam Bockarie and Gullit to then  
15:45:56 10 combine forces and attack Freetown, is this in an express  
11 agreement that from now, from that point, from Benguema, is there  
12 an agreement, express, as in Gullit and Sam Bockarie agree that  
13 from Benguema we are going to attack Freetown together? Is there  
14 that arrangement, from what you know, if you know?

15:46:21 15 A. Well, there wasn't any arrangement like that, because what  
16 - from what I understood, Sam Bockarie asked Gullit to wait, but  
17 Gullit did not wait. So, when they did the attack, Sam Bockarie  
18 no longer had interest. That was why Sam Bockarie said the RUF  
19 should go towards Port Loko and go to Lungi, and that if they  
15:46:44 20 were going to capture Freetown, we also must capture Lungi. So,  
21 since then, Sam Bockarie did not have interest, because Gullit  
22 did not wait for what Sam Bockarie had asked him to.

23 Q. Now, Mr Sesay, I want you to - with that answer in mind, I  
24 want you to then explain, because what the Prosecution suggested  
15:47:07 25 to you was that actually, when Sam Bockarie instructed Superman  
26 to go and attack Port Loko and proceed to Lungi, this was all  
27 part of the plan to attack Freetown; that was designed to cut off  
28 reinforcement into Freetown on the part of ECOMOG and its allies.  
29 Do you follow what I'm saying? Or do you want me to repeat?

1 Because this is very critical.

2 A. No. I understood. If the RUF actually had plans to  
3 reinforce Freetown, there was no need to go and attack Port Loko.  
4 We could have just captured the Gberi Bridge. After capturing  
15:48:02 5 the Gberi Bridge, nobody would have left Port Loko to come to  
6 Freetown. Gberi Bridge is a very strategic and long bridge, you  
7 see, but if you are going to attack Port Loko and then advance -  
8 our main interest was the airport, not Port Loko town itself,  
9 because if you want to cut off a supply line, the easiest thing  
15:48:28 10 to do was to just capture Gberi Bridge, because when you capture  
11 Gberi Bridge, you have cut off the supply line between Port Loko  
12 and Freetown.

13 Q. Mr Sesay --

14 JUDGE DOHERTY: Mr Chekera, have we got a location for  
15:48:42 15 Gberi Bridge?

16 MR CHEKERA: That's exactly what I was trying to explore,  
17 and if you notice, I'm actually also trying to locate a map that  
18 could assist us in that regard. I hope there will be one.

19 PRESIDING JUDGE: In the meantime, Mr Interpreter, can you  
15:48:58 20 spell for us Gberi?

21 THE INTERPRETER: Yes, your Honour. It's G-B-E-R-E.

22 PRESIDING JUDGE: Thank you.

23 MR CHEKERA: Madam President, while I try to locate a map,  
24 maybe I could just explore from the witness.

15:49:41 25 Q. Mr Sesay, if you are coming from Freetown, after Waterloo  
26 you go past Gberi Junction to go to Waterloo - sorry, to go to  
27 Port Loko. Let's take it from - let's take from Waterloo. Which  
28 is the next town, if you are going to Waterloo - sorry, if you  
29 are going to Port Loko from Waterloo, where do you go next? Just

1 give me the major towns. I don't want the small towns in  
2 between.

3 THE INTERPRETER: Your Honours, the witness's microphone is  
4 not activated.

15:50:27 5 PRESIDING JUDGE: Mr Sesay, can you face us? Because when  
6 you do this, facing counsel, the interpreter won't hear what  
7 you're saying. So give your answers facing the Bench, please.  
8 Repeat your answer.

9 THE INTERPRETER: Your Honours, it is still not activated.  
15:50:50 10 I can see the light on, but we can't hear anything from him.

11 MR CHEKERA: Mr Sesay, just try to speak into the mic. It  
12 appears your microphone is not working.

13 PRESIDING JUDGE: Mr Interpreter, can you hear anything?

14 THE INTERPRETER: We can't hear anything. Something must  
15:51:18 15 have been manipulated, your Honour.

16 PRESIDING JUDGE: Are you sure, Mr Interpreter, you are  
17 tuned in on the right channel?

18 THE INTERPRETER: Yes, your Honours, that is where we have  
19 been all this while.

15:51:46 20 THE WITNESS: Can you get me now, sir?

21 THE INTERPRETER: Yes, I am getting now.

22 Yes, your Honours, I am getting him clearly now.

23 PRESIDING JUDGE: Mr Chekera, ask your question again and  
24 get an answer.

15:52:00 25 MR CHEKERA: Thank you.

26 Q. Mr Sesay, while I try to locate a map that could assist us,  
27 I just want you to help us with your evidence and try to locate  
28 where this bridge is in relation to Port Loko and Waterloo.

29 A. When you travel from Waterloo, you come to RDF, that is,

1 and from RDF, Sumbuya, you go to Mile 38, and from Mile 38, you  
2 come to Masiaka, and from Masiaka, you come to Gberi Bridge.  
3 That is where the bridge is. They call the bridge Gberi Bridge.  
4 Across on the Masiaka-Waterloo side, there is a high hill there,  
15:52:51 5 and across the Port Loko side is a flat land, you see. And it's  
6 a long bridge and it is very narrow. On the other side there is  
7 no side-guard. When vehicles reach there, a vehicle is coming  
8 from Port Loko end and the other coming from the Freetown end,  
9 one would have to wait until the other crosses before it also  
15:53:16 10 comes over to cross, because the Gberi Bridge is very narrow.

11 That is the Gberi Bridge.

12 Q. So, Mr Sesay, the Gberi Bridge is between Masiaka and Port  
13 Loko, somewhere between Masiaka and Port Loko?

14 A. Yes, but it's purely between Masiaka and Gberi Junction.

15:53:44 15 That is where you have the Gberi Bridge. It is the Rokel River.  
16 It is long.

17 Q. And so, from Masiaka, you get to Gberi Junction, and from  
18 Gberi Junction, you cross the bridge towards Port Loko; is that  
19 correct? Just correct me if I am wrong.

15:54:11 20 A. No, sir. From Masiaka, you cross the bridge, the Gberi  
21 Bridge, and then you come to Gberi Junction. From Gberi  
22 Junction, you are going to Port Loko.

23 Q. Okay, that's clear. Okay.

24 JUDGE DOHERTY: Mr Chekera, if I understand correctly, the  
15:54:31 25 bridge is a one-way bridge.

26 MR CHEKERA:

27 Q. Is that so, Mr Sesay, it's a one-way bridge?

28 A. Yes, my Lord, it's a one-way bridge.

29 Q. And Mr Sesay, which river is the bridge over?

1 A. Rokel River.

2 Q. Mr Sesay, I am going to give you a map here and see if it  
3 can be of assistance in trying to locate this bridge. That's the  
4 best I can do, with your permission, Madam President?

15:55:06 5 PRESIDING JUDGE: Mr Interpreter, can you please spell  
6 Rokel, please.

7 THE INTERPRETER: Your Honours, it is R-O-K-E-L.

8 MR KOUJIAN: Rokel Creek is marked on one of the maps  
9 which I believe is --

15:55:19 10 MR CHEKERA: S3-C, is that the one you are looking at?  
11 S3-C?

12 PRESIDING JUDGE: Can you first give the map to the witness  
13 for him to find his bearings. After he has found the bridge or  
14 the river then he can point it out to us on the overhead.

15:56:13 15 MR CHEKERA:

16 Q. Mr Sesay, you understand your assignment? We're trying to  
17 locate the bridge, Gberi Bridge, or Rokel River in relation to  
18 Port Loko.

19 A. Yes, after Masiaka. But what the lawyer just told you, on  
15:56:40 20 the map that he has it is clearly shown there and it is marked,  
21 in fact.

22 MR CHEKERA: Mr Koumjian, I might ask your assistance, your  
23 map, is that map S3-C?

24 MR KOUJIAN: I believe so. The Rokel Creek is marked and  
15:57:06 25 the point where the road crosses is marked as Ferry on this map,  
26 F-E-R-R-Y

27 MR CHEKERA: It appears it is the same map.

28 Q. Mr Sesay, if you can find the Rokel Creek and where it is  
29 marked Ferry?

1 A. Yes. I have seen the Ferry.

2 Q. Now, is that where the bridge is, to your knowledge of the  
3 geography of the area?

4 A. Yes. This is where the bridge is.

15:57:58 5 Q. Now, make sure you note where the bridge is, Mr Sesay,  
6 because we will move the map over to the overhead projector and  
7 ask you to point it out for the Court. So just look at the map  
8 carefully, locate the bridge, because I am also going to ask you  
9 to locate Port Loko and to locate Gberi Junction and Waterloo on  
10 that map, so if you can just familiarise yourself with those  
11 locations; the bridge, Gberi Junction, Port Loko and Waterloo.

12 A. Yes, I have seen it.

13 Q. If you can hand it over to Madam Court Manager to put on  
14 the overhead, and maybe if you can move over so that you can mark  
15:58:50 15 - you can indicate on the map. Mr Sesay, if you can point for us  
16 where the bridge is on that map.

17 A. The bridge is around here. Around here. Because this is  
18 the Rokel River. It is crossing over here. So the bridge should  
19 be around here, between Masiaka and Gberi Junction. It should be  
15:59:45 20 around here. This is Gberi Junction and this is Masiaka. So the  
21 Gberi Bridge should be here.

22 Q. And, Mr Sesay, while we are on the map, can you please  
23 locate for us where Port Loko is in relation to the bridge?

24 A. This is Port Loko.

16:00:10 25 Q. Can you point sideways so that your hand doesn't block your  
26 - yes, thank you.

27 A. Okay. This is Port Loko, sir. This is Port Loko. This is  
28 Gberi Junction. This is Gberi Bridge. And this is Masiaka.  
29 This is the road that comes down, Okra Hills, to Songo, to

1 Waterloo.

2 Q. Now, let's just keep that map on for a while, Mr Sesay, and  
3 just try to understand your evidence.

4 The RUF that went to attack - sorry - okay, you might just  
16:00:47 5 have to move. The RUF that went to attack Waterloo were coming  
6 from where?

7 A. They came from Gberi Junction. They came from Gberi  
8 Junction.

9 Q. And in your evidence, your evidence was that if you wanted  
16:01:11 10 to cut off ECOMOG reinforcement into Freetown all you had to do  
11 was to take the bridge?

12 A. Yes, because if you put a blockage, like for instance, you  
13 use old vehicles, you come and park them across the bridge, and  
14 across towards Waterloo you will be on top of the hill, you will  
16:01:39 15 be at the advantageous side. You will have more advantage than  
16 the people who were coming from the Port Loko area, because they  
17 would be downwards and you will be almost on top of the hill, you  
18 see.

19 MR CHEKERA: Madam President, I will probably seek your  
16:01:57 20 assistance whether it will be necessary to put some markings on  
21 that map to assist you locating the bridge. It is very faint in  
22 mine, but if your Honours --

23 PRESIDING JUDGE: It's up to you, Mr Chekera. It's your  
24 evidence. You said that you have a number of places that are  
16:02:13 25 relevant to this particular piece of evidence.

26 MR CHEKERA:

27 Q. Mr Sesay, let's just look at the map again and just try to  
28 put some markings and possibly put it into evidence, just to  
29 understand your aspect of the evidence on this issue. Let's mark

1 where the bridge is, Mr Sesay. If you can use a distinct - yes,  
2 let's use that and just mark - just put an X where you would  
3 reckon the bridge is?

4 A. You want me to put an X?

16:02:54 5 Q. Yes, where you think the bridge is.

6 A. Yes, sir.

7 Q. And if you could also circle where Waterloo is. Sorry,  
8 just hang on. Let me start again. The group that attacked - the  
9 Superman group that attacked Port Loko and failed was coming from  
10 Gberi Junction, you said? Sorry, Mr Sesay, before you mark just  
11 confirm that the group came from Gberi Junction?

12 A. Yes. The group came from Lunsar and from there it came to  
13 Gberi Junction and they launched the attack on Port Loko, but  
14 because they were unsuccessful, they were in the defensive  
15 position. Sam Bockarie instructed them to come back and take the  
16 route to Waterloo. So the group withdrew from Port Loko to Gberi  
17 Junction before taking the road through Gberi Bridge to Masiaka.

18 Q. Very well, Mr Sesay. Let's circle Lunsar where the group  
19 came from. Let's just put a circle around Lunsar. And let --

16:04:18 20 A. No, no.

21 Q. And let's circle Port Loko.

22 PRESIDING JUDGE: Why did the witness say, "No, no"? Why  
23 are you saying, "No, no"?

24 THE WITNESS: No, I did not say no.

16:04:39 25 MR CHEKERA:

26 Q. You were captured as saying, "No, no." Maybe that was just  
27 a mistake. So you've circled Lunsar, you've circled Port Loko.  
28 Now, maybe before I continue, Mr Sesay, how many routes are there  
29 from Lunsar to Port Loko?

1 A. From Lunsar to Port Loko it's the main road, that's the  
2 only road, because the other road, except we pass through Gbinti  
3 and that's very far. This one is from Lunsar, you come to Gberi  
4 Junction. From Gberi Junction you go to Port Loko.

16:05:27 5 Q. Now I just want you with that mark to trace that route,  
6 that one road, from Port Loko all the way to Masiaka - sorry, to  
7 Lunsar. Sorry. To Lunsar, where they started. Let's just trace  
8 that road, the one road you said is most accessible. Just follow  
9 that one road with that one marker so we can tell which road it  
16:05:55 10 is from Lunsar all the way through the bridge to Port Loko.

11 A. No, when you come from Lunsar you don't have to pass  
12 through the bridge to go to Port Loko. When you come from Lunsar  
13 you go to Gberi Junction and from there you go to Port Loko.

14 Q. Let's mark the road, the one road that you said if you had  
16:06:15 15 blocked the bridge it was impossible for ECOMOG to pass. Let's  
16 mark the road from there, from Port Loko to the bridge.

17 A. Well, from Port Loko you come to Gberi Junction and from  
18 Gberi Junction you take the road to the bridge to Masiaka.

19 Q. Yes, let's have that. Let's have that route marked.

16:06:51 20 A. I've marked it.

21 Q. Sorry, if we could just have a quick look at what you've  
22 mark, because I don't have the map I have no clue.

23 Now, Mr Sesay, the bridge - the cross on the bridge doesn't  
24 quite appear. Could you put another - a different mark or even -  
16:07:28 25 put a different colour just to put a cross on the bridge so that  
26 we can see where the bridge is.

27 Now somewhere at the bottom of that map, Mr Sesay, where  
28 there is space enough to write, can you put the same cross in  
29 that colour and next to the cross write "Gberi Bridge". Is it

1 Gberi? Sorry, somewhere - yes, where there is enough space to  
2 write. Where there is clear space for you to write we want to  
3 put a legend to show that the X you put relates to the bridge.

4 Now, let's just have a quick look, Mr Sesay. I was hoping  
16:08:47 5 we could wind-up today, so let's just see.

6 PRESIDING JUDGE: Mr Chekera, your instructions to the  
7 witness, I am looking at page 150, you said, "Now, I just want  
8 you to, with that marker, trace the road from Port Loko all the  
9 way to Lunsar." Is that what the witness did, according to that

16:09:23 10 map? And then you said to him: "When you come from Lunsar" -

11 no, this is what he answered: "When you come from Lunsar you  
12 don't have to pass through the bridge to go to Port Loko. When  
13 you come from Lunsar you go to Gberi Junction and from there you  
14 go to Port Loko." So then you said to him: "Let's mark the one

16:09:53 15 route that you say if you had blocked the bridge was impossible  
16 for ECOMOG to pass. Let's mark the route from there, from Port  
17 Loko to the bridge." Is that what the witness has done?

18 MR CHEKERA:

19 Q. Now, Mr Sesay, you have marked the distance from Masiaka to  
16:10:20 20 Gberi Junction. Can you mark from there to Port Loko to complete  
21 the loop all the way to Port Loko?

22 PRESIDING JUDGE: Mr Chekera, what did Masiaka have to do  
23 with this journey?

24 MR CHEKERA: No, we have kept Masiaka out. We have - we  
16:10:37 25 are now trying to connect the loop from Port Loko to the bridge.

26 PRESIDING JUDGE: Yes, but you asked him to mark, and  
27 obviously he has marked something from Masiaka. That's why I'm  
28 asking you, what does Masiaka have to do with anything? This is  
29 misleading us.

1 MR CHEKERA: Yes. Actually, Madam President, you are  
2 right. My - the instructions - what he has marked is actually  
3 what we would want to reflect on the map, not Masiaka because  
4 Masiaka has nothing do with it, as you correctly point out.

16:11:14 5 PRESIDING JUDGE: But he has marked a route from Masiaka.  
6 That's the point I am making.

7 MR CHEKERA:

8 Q. Mr Sesay, just put that map back, because I can't quite see  
9 it from - Mr Sesay, the marking you have is from what place to  
16:11:35 10 what place?

11 A. You told me to mark from Gberi Junction, that is here, to  
12 Masiaka, through the bridge.

13 Q. Yes --

14 PRESIDING JUDGE: Mr Sesay, there is no point you pointing  
16:11:51 15 at the screen. Move over to the overhead and give your --

16 THE WITNESS: I am sorry, ma'am.

17 PRESIDING JUDGE: And give your evidence so that we can see  
18 what it is that you are illustrating.

19 THE WITNESS: My Lord, my lawyer told me to mark from Gberi  
16:12:14 20 Junction through the bridge to Masiaka and that is what I did,  
21 from Gberi Junction through the bridge, here, the bridge is  
22 locating here, and to Masiaka down here.

23 PRESIDING JUDGE: And what does that signify, the route  
24 that you just showed us, what does that signify?

16:12:34 25 THE WITNESS: The importance is just a bridge. The bridge  
26 is the importance. And across the bridge, you can stay from  
27 across here and you can see across because the bridge, there is a  
28 hill here, across the bridge towards Masiaka.

29 PRESIDING JUDGE: Mr Sesay, let me ask you this question

1 again: When you put a blue line from Masiaka all the way up to,  
2 and I can't see the city, what is that city?

3 MR CHEKERA: It is Gberi Junction.

16:13:10

4 PRESIDING JUDGE: Yes, Gberi Junction, that blue line, what  
5 does that represent?

6 THE WITNESS: Well, my Lord, I was instructed by the lawyer  
7 to draw the route from --

8 MR CHEKERA:

9 Q. Mr Sesay, let's just pause there. Let me try to assist.

16:13:25

10 Mr Sesay, if you had to block ECOMOG from coming to attack your  
11 position, either in Freetown or in Waterloo, you said you would  
12 block the bridge.

13 Now, my question is: Which most immediate route would the  
14 ECOMOG had taken if they were going to reinforce Freetown from  
15 Port Loko?

16:13:50

16 A. If they were to come from Port Loko to Gberi Junction and  
17 through Gberi Bridge and on to Masiaka and they would come down  
18 to Waterloo and down to Freetown.

19 Q. Now, with that in mind, you have marked, Mr Sesay, from  
20 Gberi Junction to Masiaka. Can you finish that loop from Gberi  
21 Junction to Port Loko to finish that route that you've just  
22 described? Sir, can you mark the rest of the route from Port  
23 Loko.

16:14:08

24 Now, Mr Sesay, let us me just make sure that we understand  
25 your evidence before we try to mark this document.

16:14:51

26 ECOMOG has got - or rather the Guineans are based in Port  
27 Loko. You said there was a big Guinean contingent at Port Loko.

28 A. Yes.

29 Q. And you are saying in your evidence that if the sole

1 purpose for the attack on Port Loko by RUF was to block  
2 reinforcement from Port Loko, the easiest way for you would have  
3 been to block the Gberi Bridge; is that correct?

4 A. Yes. I said the attack on Port Loko was not to stop  
16:15:40 5 ECOMOG. I said the attack on Port Loko, if the RUF were  
6 successful to get Port Loko, they were to advance to Lungi but if  
7 the RUF only wanted to block the reinforcement for supply not to  
8 come to the Guineans, it would have blocked Gberi Junction, it  
9 wouldn't have attacked Port Loko but blocked Gberi Junction so  
16:16:04 10 the reinforcement wouldn't have come down to Freetown.

11 Q. So, now, Mr Sesay, we just want to understand the markings  
12 on the map. The markings on the map represent the route that  
13 ECOMOG would have taken - sorry, the Guinean contingent at Port  
14 Loko - would have taken the most immediate route, let me be  
16:16:24 15 faithful to your evidence, the most immediate route that the  
16 Guineans at Port Loko would have taken if they were to reinforce  
17 Freetown would have been to cross over the Gberi Bridge. And the  
18 route that you have marked from Port Loko across the Gberi Bridge  
19 to Gberi Junction, that was the most immediate route they would  
16:16:47 20 have taken. And your evidence is, if your sole purpose was to  
21 block that advance you would have laid an ambush over the bridge;  
22 is that correct?

23 A. Yes. If our purpose was to come and reinforce Freetown or  
24 was to join the attackers in Freetown. If we were to block the  
16:17:14 25 reinforcement from the attack in Freetown, I said we were only to  
26 set the ambush at this Gberi Bridge, there was no need for us to  
27 attack Port Loko. But the RUF also had intention to go to Lungi,  
28 that's why the RUF attacked Port Loko, so it would have moved to  
29 Lungi from there.

1 Q. We will come to your object for wanting to take over Lungi.  
2 So now let's just go back to that map, and if you could write at  
3 the bottom of it, as usual, sign it and date it and we'll see  
4 what we can write to reflect the markings there.

16:18:05 5 A. What should I write?

6 Q. Let's start by - if you can sign at the bottom. Or is  
7 there space at the bottom or maybe at the back of - yes. If you  
8 can maybe - let's describe the route and say a route that would  
9 have been taken "R-O-U-T-E" "that would have been taken by

16:18:35 10 Guinean forces at Port Loko to provide reinforcement at  
11 Freetown".

12 A. By the Guineans in Port Loko?

13 Q. "To provide".

14 A. I would like you to begin again, the route that were taken  
16:19:12 15 by the Guineans in Port Loko.

16 Q. "That would have been taken by the Guineans in Port Loko to  
17 provide reinforcement in Freetown and the position that would  
18 have been taken by the RUF at the Gberi Bridge" - the position  
19 that would have been taken by the RUF.

16:20:19 20 PRESIDING JUDGE: I thought you said Gberi Junction. Isn't  
21 that what he said?

22 MR CHEKERA: The bridge.

23 PRESIDING JUDGE: Mr Sesay, did you say that the RUF would  
24 have laid ambush at the bridge or at the junction?

16:20:37 25 THE WITNESS: At the bridge. Should have just blocked the  
26 bridge. I should put - set an ambush across.

27 MR CHEKERA:

28 Q. At the bridge to block the reinforcement?

29 A. I would like you to go over that again and the position

1 that could have been, what?

2 Q. "That would have been taken by the RUF at Gberi Bridge to  
3 block the reinforcement" then let's sign it and date it - at the  
4 bottom sign and date it somewhere.

16:21:47 5 PRESIDING JUDGE: Mr Chekera, if I might inquire from you.  
6 This would have been the position during what time frame?

7 MR CHEKERA: Yes, thank you.

8 Q. Mr Sesay - okay, just sign and date and then we will come  
9 back to the legend that you were putting there.

16:22:16 10 Mr Sesay, after, "To block the reinforcement" let's say,  
11 "During the time" after reinforcement let's continue writing on  
12 that. After - remember you wrote, "At Gberi Junction to block  
13 the reinforcement", I want you to add on a few more lines after  
14 that sentence, to make the sentence continue, "During the time  
16:22:53 15 that the RUF attacked Port Loko."

16 Mr Sesay, hold your pen right there and then I will ask you  
17 a question. When was it that Superman attacked Port Loko and  
18 failed? The attack on Port Loko.

19 A. It was the very week that the AFRC attacked Freetown.

16:23:31 20 Q. I know what the date is but I want it to come from you.  
21 What date was it, what month and year was it?

22 A. That was January 1999.

23 Q. Let's write, "In January 1999." Have you finished? Maybe  
24 if we could have a quick look at what you have written.

16:24:27 25 I guess that will suffice, subject to any observations from  
26 your Honours.

27 PRESIDING JUDGE: I just want to understand this evidence.  
28 This is - let me call it what I think it is. It's conjecture on  
29 the part of Mr Sesay. It's not something that actually happened,

1 is it?

2 MR CHEKERA: Yes, Madam President. This is his response to  
3 the suggestion that the RUF attacked Port Loko to block ECOMOG  
4 reinforcement on Freetown. That was the proposition by I learned  
16:25:04 5 counsel opposite. And his response is depicted in this document,  
6 that if that were the case, then they would not have gone that  
7 far; they would have just blocked the bridge.

8 PRESIDING JUDGE: Mr Sesay, whilst we are on this map, are  
9 you saying that that was the only possible scenario, that if the  
16:25:30 10 RUF wanted to block the Guinean ECOMOG, the only way they could  
11 do it was blocking them at Gberi Bridge? There was no other way  
12 to do it?

13 THE WITNESS: Yes, my Lord, because it's Gberi Bridge that  
14 was the easiest obstacle to create in front of the Guineans,  
16:25:58 15 instead of attacking Port Loko, if that was the purpose.

16 PRESIDING JUDGE: What if the RUF wanted to capture some  
17 ammunition, and perhaps that would have been the objective of  
18 attacking ECOMOG at Port Loko? Is that a possible scenario?

19 THE WITNESS: If RUF wanted to have ammunition, yes, ma'am,  
16:26:28 20 RUF could have attacked Port Loko because they wanted ammunition.  
21 But at that time it was that the RUF wanted Port Loko and to  
22 advance on to Lungi. That was the purpose at that time.

23 JUDGE LUSSICK: And, Mr Chekera, you did say earlier that  
24 you were going to come back to the reason why the RUF wanted to  
16:26:53 25 take Lungi.

26 MR CHEKERA: Yes, yes. I was going to pursue that line of  
27 questioning. And just to indicate that, from the observations by  
28 I learned Madam President, the response is entirely conjecture,  
29 based on a proposition that is in itself not fact, that was put

1 to the witness by the Prosecution.

2 PRESIDING JUDGE: Very well. Proceed.

3 MR CHEKERA: I was going to ask that that document be  
4 marked for identification.

16:27:27 5 PRESIDING JUDGE: The map of Sierra Leone, as marked by the  
6 witness, Issa Sesay, showing the route that the Guineans at Port  
7 Loko would have taken in providing reinforcement in Freetown in  
8 January 1999, and the position of the RUF - the position that the  
9 RUF would have taken at Gberi Bridge to block them, that is  
16:27:54 10 marked MFI-45.

11 MR CHEKERA: Thank you, Madam President.

12 Q. Now, Mr Sesay, I had put to you a proposition by the  
13 Prosecution that your attack on Port Loko was designed to block  
14 reinforcement from Port Loko to Freetown, and you said in your  
16:28:20 15 response that was not the purpose; if that were the purpose, the  
16 easiest thing for you to do would have been to block Gberi  
17 Junction. And we have gone into detail on that and we have  
18 marked the map.

19 Now, you said when Gullit decided not to wait for the RUF  
16:28:40 20 to come and reinforce him for a joint attack on Freetown,  
21 Sam Bockarie ordered Superman to proceed to Port Loko, to Lungi .  
22 Do I capture your evidence correctly so far?

23 A. Yes. If Superman was able to capture Port Loko, he was to  
24 advance - to have advanced to Lungi.

16:29:11 25 Q. Now, the question, Mr Sesay, that then arises is: Why was  
26 Sam Bockarie eager for the RUF to control Port Loko and, if they  
27 succeed, move on and control Lungi?

28 A. Well, because Gullit disagreed with Sam Bockarie's proposal  
29 to wait for the RUF. Gullit did not wait. That's why

1 Sam Bockarie also wanted the RUF to move and advance to Lungi  
2 Airport. So, while Gullit and others would have been in  
3 Freetown, they would have been in Lungi.

4 Q. Now, let me ask the question differently, and that will  
16:29:59 5 answer the proposition from learned counsel opposite. The attack  
6 on Port Loko, and the contemplated attack on Lungi, was it  
7 designed to provide relief to the AFRC who were in Freetown? In  
8 other words, was it designed to keep the ECOMOG engaged so that  
9 the AFRC in Freetown would have it easy with the ECOMOG that were  
16:30:27 10 in Freetown?

11 A. No. That was not the reason, because the RUF too -  
12 Sam Bockarie did not want Gullit and the others to have the  
13 names. The RUF - in the AFRC could get Freetown, the RUF also  
14 could get Lungi, because at that time ECOMOG and others were on  
16:30:54 15 the run. So he thought the guys would be able to capture  
16 Freetown, and if that was the case, then the RUF too would have  
17 been able to capture Lungi.

18 Q. Mr Sesay, let me just make sure I understand your answer  
19 here, because it is very important. You will recall the learned  
16:31:10 20 justice was also quite eager for you to explain this carefully.  
21 You say then Sam Bockarie did not want Gullit and others to have  
22 names. Can you explain what that means in --

23 A. If they were able to capture Freetown - because they were  
24 moving, and ECOMOG was running away from them. So it would have  
16:31:33 25 been that the AFRC would have captured Freetown on their own.  
26 That was the plan. So that was why the RUF too wanted to capture  
27 Lungi on their own.

28 PRESIDING JUDGE: Mr Chekera, we have come to the day's  
29 end. I suppose you will continue tomorrow.

1 MR CHEKERA: Thank you. I hope to wind up tomorrow.

2 PRESIDING JUDGE: Very well.

3 Mr Sesay, we are nearly at the end of your testimony, which  
4 we hope we will complete tomorrow, but in the meantime you are  
16:32:15 5 not to discuss your evidence with anyone.

6 The Court adjourns until tomorrow at 9 o'clock.

7 [Whereupon the hearing adjourned at 4.33 p.m.  
8 to be reconvened on Thursday, 27 August 2010  
9 at 9.00 a.m.]

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## I N D E X

### WITNESSES FOR THE DEFENCE:

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