

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

THURSDAY, 17 MAY 2007  
9.27 A.M.  
TRIAL (AMENDED)

TRIAL CHAMBER I

Before the Judges:	Bankole Thompson, Presiding Pierre Boutet Benjamin Mutanga Itoe
For Chambers:	Mr Matteo Crippa Ms Nicole Lewis
For the Registry:	Ms Advera Kamuzora
For the Prosecution:	Mr Peter Harrison Ms Penelope-Ann Mamattah Ms Shyamala Alagenda
For the accused Issa Sesay:	Mr Wayne Jordash Ms Sareta Ashraph
For the accused Morris Kallon:	Mr Melron Nicol-Wilson
For the accused Augustine Gbao:	Mr John Cammegh

1 [RUF17MAY07A- SM]

2 Thursday, 17 May 2007

3 [The accused present]

4 [The witness entered Court]

09:19:19 5 [Open session]

6 [Upon commencing at 9.27 a.m.]

7 PRESIDING JUDGE: The trial is resumed. We are advised  
8 that the technology is now in order and functioning properly.

9 But there is one thing I need to mention. The stenographers  
and

09:49:03 10 the interpreters are again requesting or appealing to Mr Sesay  
to

11 try as much as possible to speak slowly and audibly so that  
the

12 testimony can be recorded faithfully and accurately. They are

13 concerned about the quality of the translation and also the

14 quality of the recording. I am sure we will all do the best  
we

09:49:34 15 can.

16 Learned counsel, continue with the presentation of your

17 case.

18 WITNESS: ISSA HASSAN SESAY [Continued]

19 MR JORDASH: Thank you, Your Honour.

09:49:46 20 Q. Good morning, Mr Sesay.

21 A. Yes, good morning, Mr Jordash.

22 Q. Are you feeling ready to continue?

23 A. Yes.

24 Q. Let me ask you about some allegations concerning alleged  
09:50:16 25 offences. It was alleged by a witness that civilians were  
forced  
26 to carry logistical materials, including rice and ammunition,  
27 across the Moa River to the front lines in Kono from Kailahun  
28 during 1998. Are you aware of that?  
29 JUDGE ITOE: First of all, Mr Jordash, who was this

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1 witness? And secondly, I thought -- well, as far as rice and  
2 condiments and so on are concerned we have not heard his  
reply.  
3 But as far as ammunitions are concerned we heard his reply  
4 yesterday and it was very detailed.

09:51:15 5 MR JORDASH: I agree.

6 JUDGE ITOE: Yes.

7 MR JORDASH: I simply put that in there because the same  
8 witness made the same allegation.

9 JUDGE ITOE: That's fine. May we have the pseudonym of  
09:51:24 10 this witness, please.

11 MR JORDASH:

12 Q. 371. Obviously, in your answer, do not reveal the  
identity

later 13 of 371. If you need to, then we can go into closed session  
14 on.

09:51:47 15 A. Well, I did not know about this, that they were forcing  
16 civilians from Kailahun to carry rice and condiments across  
the 17 Moa, no. Because even when -- when I was going it was the RUF  
18 unarmed men that carried the condiments and food.

19 Q. Are you aware of the frequency in which rice and  
condiments 20 were taken from Kailahun to Kono during 1998?

09:52:19 21 A. Well, I was in Pendembu and those who had been, the  
supply 22 was from Buedu to Kailahun Town then to the Moa River. But I  
did 23 not know that it was civilians that had been carrying the  
food. 24 It was our fighters who were unarmed men that had been  
09:52:43 25 transporting food to Kono.

26 Q. But before -- how many weeks was it before you went to  
27 Pendembu?

28 THE INTERPRETER: Your Honours, would learned counsel  
put 29 the question again? The interpreter did not get it.

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1 MR JORDASH:

2 Q. How many weeks was it before you went to Pendembu?

3 A. Well, we arrived late February or early March when we  
4 arrived at Buedu '98. Then March, I was in Buedu; April  
Bockarie

09:53:24 5 sent me and when I came I went to Pendembu -- Monrovia, when I  
6 came I went to Pendembu.

7 Q. So how many weeks in total were you in Buedu before you  
8 were sent to Liberia?

9 A. Well, I would say about five to six weeks.

09:53:45 10 Q. Right. So during that time were you aware of any  
supplies  
11 going to Kono?

12 A. Well, during that time, no. Bockarie did not supply --  
had  
13 not been supplying rice.

14 Q. Well, had he been supplying anything?

09:54:08 15 A. Well, supply had not been going to Kono during that  
period.

16 Q. Do you know why not?

17 A. Well, I did not see that he sent rice or condiments in  
18 March.

19 Q. Okay.

09:54:33 20 JUDGE ITOE: But you asked him whether he knows why.

21 MR JORDASH: He had been --

22 JUDGE ITOE: Mr Jordash, am I right?

23 MR JORDASH: Yes.

24 JUDGE ITOE: You did, didn't you?

09:54:46 25 MR JORDASH: Yes. Yes, I did.

26 Q. Did you know why -- why was it supplies were not going  
at

27 that stage?

not  
that  
28 A. Well, I said during that time Bockarie -- Bockarie had  
29 started supplying rice and condiments to Kono because during

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it  
1 five to six weeks he took ammunition to Superman in Kono. But  
2 was done by unarmed men; but it was not a lot of ammunition.  
supplies  
3 Q. Well, were there any requests from Kono to provide  
4 other than ammunition during that time?

09:55:32  
request  
5 A. Well, yes. It was Superman, yes, he would make a  
6 and when he made request Bockarie himself would tell him to  
send  
7 the men to the Moa River while he would send the other  
officers  
8 to take the ammunition to the Moa River.

or  
9 Q. I think there might have been a translation difficulty  
10 you are not addressing your mind to the question. What I am  
11 asking for is: whether there was a request for supplies other  
12 than ammunition?

13 A. Well, that was later. But during this time it was only

14 ammunition supply that Superman asked for.

09:56:18 15 Q. All right. Okay. Thank you. And how did you know  
this?

16 A. Well, I was in Buedu during that time.

17 Q. Well, how did you know it, though?

18 A. Well, when Superman sent the request, Bockarie talked  
about

19 it, and Bockarie told his bodyguard commanders, Sabado to take  
a

09:56:39 20 vehicle --

21 THE INTERPRETER: Your Honours, would the witness go --  
22 repeat the last segment of his testimony.

23 Q. Sorry, Mr Sesay. I think we are going to have to slow  
down

24 even more. Repeat your answer, and I think do it slowly.

09:57:07 25 A. I said, Bockarie, when he took the ammunition from his  
26 store -- to his veranda -- it was not a secret. I had to know  
27 because you asked me -- how I managed to know.

28 Q. Thank you. On this subject, it's alleged by the  
29 Prosecution that following the retreat, the intervention,  
there

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1 were tens, hundreds, thousands maybe, the allegations are

2 unclear, of people who were abducted and brought eventually to  
3 Kailahun. Are you aware of these people being resident within  
4 Kailahun?

09:58:22 5 A. Well, what I knew, they were family members of the  
6 retreating troops. They were the ones that went with them  
from  
7 Freetown here to Masiaka, Makeni to Kono.

8 Q. Are you aware of a large number of strangers living in  
9 Kailahun in 1998 from other parts of Sierra Leone?

09:58:49 10 A. Yes. I knew that people came from Kenema, thousands of  
11 them, and a few of them stayed in Kailahun. Others crossed  
and  
12 went to Liberia. And some who came with their family members  
13 from Kono, they stayed in Kailahun. But it was not a large  
group  
14 of civilians which could referred to as thousands. No.

09:59:20 15 Q. Are you able to estimate -- I know that it may be too  
big a  
16 question, but are you able estimate how many strangers of this  
17 kind were there as part of the population?

18 A. Well, I cannot show a figure because I was not a G5  
19 commander who would be able to register all those that went to  
09:59:48 20 Kailahun, you see, but the civilian population, even when the  
jet  
21 had been attacking, a lot of them went to Liberia.

22 Q. Well, what do you mean they went to Liberia? When did  
they  
23 go to Liberia?

24 A. Well, especially in March, a lot of civilians went to  
10:00:07 25 Liberia because thousands of people who retreated from Kenema,  
26 Segbwema, Daru, they all crossed by Bomaru to -- to Liberia.

27 Q. So they were allowed to leave RUF territory?

28 A. Yes. Yes. Because the crowd was too much. It was  
29 difficult for the RUF to stop them, and the population was too

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1 heavy for them to live within Kailahun.

Kailahun

2 Q. Do you know where these strangers who remained in

3 lived?

10:00:53

4 THE INTERPRETER: Your Honours, would learned attorney  
5 repeat the question.

6 MR JORDASH:

7 Q. Do you know where these, I suppose, displaced people in  
8 Kailahun lived?

not

10:01:10  
been

9 A. Well, we did not have a displaced camp. Kailahun did

Buedu,

11 living in the villages like Balahun, Dodo Kortuma, around

towns,

12 and some villages around Kailahun Town. Because the main

from

13 especially like Kailahun, the civilians, avoided that area

heavy

14 March because the jet had had to -- the jet had had to drop

10:01:48 15 cluster bombs there.

16 Q. And were these people living freely in these places?

17 A. Well, the only thing which was -- which was the system  
was  
18 the pass system, whereby the pas was like a sort of identity  
to  
19 identify yourself -- which village or which town you were  
living.

10:02:18 20 But, minus that, civilians had been living --

21 Q. And so they were socially mixing with Kailahun  
residents;  
22 is that right?

23 A. Yes, it's a fact. They all had been mingling together  
24 because all of them had been staying in the same villages.

10:02:38 25 Q. So would the Kailahun residents be able to speak about  
26 these displaced people, in your view?

27 A. Yes, they would be able to talk about that.

28 Q. Thank you.

29 MR JORDASH: I think to be as cautious as one can be, I

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1 have to apply to go into a closed session.

2 PRESIDING JUDGE: For how long? About--

3 MR JORDASH: About at least the rest of the morning.

4 PRESIDING JUDGE: Very well then. Then we will ask the  
10:03:37 5 members of the public to retire until the afternoon session.  
6 Thank you. Madam Courtroom Officer, could you have the  
7 technology switched on for closed session hearing. Thank you.  
8 Mr Jordash, we will now hear your application.

9 MR JORDASH: The application is to go into a closed  
session  
10:05:56 10 so that I can ask Mr Sesay about allegations made by TF1-366,  
11 TF1-371. I will also seek to make reference to TF1-078, TF1-  
071,  
12 although that might be possible to do in open session.

13 PRESIDING JUDGE: Yes.

14 MR JORDASH: But because it's linked to the wider  
questions  
10:06:31 15 of allegations made by 366 and 371. It would be quite tricky  
to  
16 compartmentalise it and then I will move into, or I will seek  
to  
17 move into asking Mr Sesay about the training base at Bunumbu,  
and  
18 the allegations made by 362, 363, 093, and 141. And I  
anticipate  
19 that Mr Sesay's answers will necessarily have to deal with the  
10:07:14 20 respective roles of those witnesses, and those roles would  
21 identify a particular person. That's my application.

22 PRESIDING JUDGE: Thank you. Counsel for the second  
23 accused, any objection to that?

24 MR NICOL-WILSON: No objection, Your Honour.

10:07:34 25 PRESIDING JUDGE: Counsel for the third?

26 MR CAMMEGH: I support the application, Your Honour.

27 PRESIDING JUDGE: Thanks. And Prosecution counsel?

28 MR HARRISON: There is no objection. I was just  
checking

29 the numbers, though. If one of them is 363 --

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1 PRESIDING JUDGE: 363.

2 MR HARRISON: I am just not sure if that is one of the  
3 witnesses.

4 PRESIDING JUDGE: Mr Jordash, could you --

10:07:58 5 MR JORDASH: Sorry.

6 PRESIDING JUDGE: -- rectify that.

7 MR JORDASH: 263.

8 PRESIDING JUDGE: 263, yes. Thank you.

9 This is the ruling of the Chamber, on the closed session  
10:08:08 10 application of the Defence, having heard the application and  
the

11 reasons advanced in support thereof the Chamber grants the  
12 application. A detailed ruling will be given on the  
resumption

13 of open session. We will now proceed, Mr Jordash.

14 [At this point in the proceedings, a portion of the  
10:08:20 15 transcript, pages 10 to 58, was extracted and sealed under  
16 separate cover, as the proceeding was heard in a closed  
session]

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1 [Open session]

2 MR JORDASH: Can I just make --

3 PRESIDING JUDGE: We have not been advised yet.

4 MS KAMUZORA: Your Honours, the Court is in open  
session.

12:43:48 5 PRESIDING JUDGE: We are in open session, Mr Jordash.

6 Let's proceed.

7 MR JORDASH: Can I just raise one translation issue?

8 PRESIDING JUDGE: Please do.

of 9 MR JORDASH: I want to clarify the answer to the issue  
12:44:01 10 SLAs that came with Fonti Kanu. Ms Ashraph heard Mr Sesay  
say:  
It 11 These are the ones Sam Bockarie told me to send to the base.  
12 was translated as: These are the ones that Bockarie told me  
to 13 go with to the base, which is quite different.  
14 PRESIDING JUDGE: Mr Interpreter?  
12:44:20 15 MR JORDASH: Foday Kallon, sorry. Not Fonti Kanu.  
16 PRESIDING JUDGE: Yes. Mr Interpreter, would you --  
attorney 17 THE INTERPRETER: Your Honours, would the learned  
18 put the question to the witness again.  
19 PRESIDING JUDGE: They are asking that you put the  
question 20 to the witness again.  
12:44:33 21 MR JORDASH:  
22 Q. What was your instruction Mr Sesay concerning the SLAs  
who 23 came --  
24 MR KAMUZORA: Your Honours, we are in open session; is  
that 25 okay?  
12:44:48 26 PRESIDING JUDGE: Yes. Was this an answer given in  
closed 27 session?  
28 MR JORDASH: But it's -- I think it's --  
29 PRESIDING JUDGE: Innocuous? Harmless situation.

1 MR JORDASH: Well, I hope so.

2 PRESIDING JUDGE: All right. Well, let's proceed then  
on

3 that assurance.

4 MR JORDASH:

12:45:02 5 Q. What was the instruction given concerning the 12 SLAs?  
The

6 instruction to you.

7 A. When Foday Kallon came with the SLAs, 12 of them to  
8 Pendembu. I informed Sam Bockarie and Sam Bockarie sent  
9 instructions that I should send them to the training base so  
that

12:45:19 10 MPs would escort them to take them to the training base, in  
11 Bunumbu; that was my answer.

12 PRESIDING JUDGE: Right. Does that accord with your  
wish?

13 MR JORDASH: With Ms Ashraph's hearing.

14 PRESIDING JUDGE: Very well, thanks. Well, let's  
proceed

12:45:35 15 now.

16 MR JORDASH:

17 Q. Sam Bockarie came back from his journey; did he bring  
18 anything with him?

19 A. Yes. He came with -- he came with ammunition and some  
12:45:52 20 items, with medicines.

he

21 Q. Well, let's try to be as accurate as possible. What did

22 come back with? How much ammunition did he come back with?

23 A. Well, the ones that I saw were 45 boxes of AK rounds.

24 Q. Yes.

12:46:16  
and

25 A. Twenty, 20 boxes of HMG rounds, 20 boxes of G3 rounds

26 one --

slow.

27 THE INTERPRETER: Your Honours, would the witness go

28 PRESIDING JUDGE: Let's have that part of your answer

29 again, Mr Sesay.

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of

1 THE WITNESS: I said with -- My Lords, I said 45 boxes

one

2 AK rounds, 20 boxes of HMG rounds, 20 boxes of G3 rounds and

3 box of RPG rockets that contains six rockets. That was the

Those

4 ammunition, with medicines and condiments with cigarettes.

12:47:30

5 are the things that he brought with the rice.

6 Q. What happened after he returned?

7 A. Well, when he came, I explained yesterday that when he

8 came, when he arrived, he killed Foday Kallon. Then, the next

9 day, he called me, Mike Lamin, Pa Rogers, Prince Taylor and  
him,  
12:48:16 10 Bockarie, then we drove -- he drove. He drove the jeep, his  
own  
11 jeep. Then he drove to a place where the civilians would sit  
12 down during the time of the jet. They called the place  
13 Waterworks. It was just a mile from Buedu, on the road to  
14 Liberia. On the road to Dawa. So when we arrived there he  
told  
12:48:45 15 us because it was he and Pa Rogers who went on the trip and Pa  
16 Rogers himself was amongst us. Then he told us that the trip  
17 that I told you about, that I was going to Burkina Faso, these  
18 are the items that I had got including money, which was  
\$20,000.  
19 He said he was led by Jen Jere and they met the head of state  
in  
12:49:10 20 Burkina Faso, President Blaise. He was the one that gave them  
21 these provisions on behalf of Foday Sankoh.  
22 Q. Did anything else get said at the meeting?  
23 A. Yes. Mr Lawyer, let me just explain. So when he has  
told  
24 us this he said, well, this ammunition, he would dispatch me  
to  
12:49:36 25 go attack Kono. So he was thinking about how many boxes of  
this  
26 ammunition he would give me. He said after that he would  
arrange  
27 with Mike Lamin. He said when I left to go to Kono he would  
28 arrange with Mike Lamin and the other commanders, how they  
should  
29 attack Segbwema and other areas. So he said the next 48 hours  
I

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1 should leave Buedu to go to Kono. So I said okay. So that  
was  
2 the discussion that we had. We drove and came back to Buedu.  
3 Q. And what did you do after you arrived in Buedu?  
4 A. Well, when I arrived in Buedu, I told my boys, I said:  
12:50:32 5 Well, the general said that we were to go to Kono. I said:  
So,  
6 in the next 48 hours we, those that were going, my boys,  
should  
7 get ready to go. Then I showed the others --  
8 Q. Who are your boys?  
9 A. My bodyguards.  
12:50:51 10 Q. And you were saying you showed the others -- what were  
you  
11 about to say?  
12 A. Well, I told my bodyguards that the next 48 hours we  
would  
13 leave Buedu to go to Kono on the instructions of Sam Bockarie  
and  
14 then I said I told Isiaka he should stay with my wife while  
the  
12:51:21 15 others went with me. So they -- when the day came for me to  
of  
16 leave Buedu Bockarie gave me 15 boxes of AK rounds, ten boxes  
17 HMG rounds, five boxes of G3 rounds, and the RPG rocket, he  
18 opened it. He gave me four rockets. He said the two should  
be

should 19 with him, and he drafted a plan on a paper how the attack  
12:52:07 20 take place in Kono, how the group should be divided and how to  
that 21 attack Koidu Town. Then he said Kallon and I should go. At  
Kallon 22 time Kallon was in Pendembu, Morris Kallon. So he called  
23 from Pendembu. Kallon came to Buedu. So he instructed Kallon  
24 saying that he should join Issa for this attack on Kono.  
12:52:38 25 Q. Let me just ask you when did Kallon --  
26 A. Yes.  
27 Q. -- come to Pendembu?  
28 A. Kallon went to Pendembu in late August 1998, from Buedu,  
29 after he had gone, undergone punishment. It was then that

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late 1 Bockarie deployed him to join me in Pendembu. So it was in  
2 August '98 that Kallon went to Pendembu.  
3 MR JORDASH: Can Mr Sesay repeat his last two sentences  
4 because we think something has been missed out in the  
12:53:29 5 translation.  
6 Q. Could you repeat what you just said, Mr Sesay, please?

Bockarie's

7 A. I said -- I said Kallon went to Pendembu on Sam

8 instructions from Buedu, in late August 1998.

9 Q. And you also said something about punishment?

12:53:57 10 up.

A. Yes, he was under punishment in Buedu. He was locked

there

11 He was there for about two, Bockarie locked him up. He was

to

12 for two weeks. Then when he released him, he instructed him

13 join me in Pendembu.

to

14 Q. Did you have anything to do with Kallon coming to Buedu

12:54:18 15

be under punishment?

should

16 A. No. During the time when Bockarie ordered that he

arrived

17 report to Buedu from Kono I did not know. It was when he

anything

18 in Buedu, that was the time that I knew. I did not have

19 to do with that.

12:54:32 20

Q. Did you have any authority to recall anyone from Kono?

21 A. Absolutely no. I did not have any authority to instruct

22 anybody or to report to Pendembu or to me. And even if you

23 listen to the Prosecutor's witnesses, even Mike, when Bockarie

24 instructed Kallon --

12:55:06 25

THE INTERPRETER: Your Honours, the interpreter wants

26 Mr Sesay to --

position.

27 PRESIDING JUDGE: Let us go back to the original

28 Let's see if you can repeat all what you just said before they

29 lost you.

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1 MR JORDASH: Could I -- I think it might have been the  
2 point when you mentioned CO Rocky. That's where he lost --

3 PRESIDING JUDGE: That is okay. Yes, all right, yes.

4 MR JORDASH: I think you lost from that point.

5 THE WITNESS: Yeah, okay. Well, I will start it again  
so

6 that the interpreter can understand. I said -- I said I did  
not

7 have any instructions to withdraw somebody from Kono and if,  
if

8 -- I mean the Prosecutor came with insiders, even [REDACTED]  
who

9 said that it was Bockarie who instructed Rocky CO from Kono,  
so

10 that he could report to Buedu. It was Bockarie who instructed  
11 Kallon to report to Buedu from Kono.

12 MR JORDASH: Can I just stop you there. There is no one  
in

13 the public gallery, so no damage has been done, but the name -  
-

14 JUDGE BOUTET: Yes, but it's on the broadcast system.

15 PRESIDING JUDGE: Yes.

16 JUDGE BOUTET: And the gallery is one part of it.

17 PRESIDING JUDGE: Yes, we are taking risks.

18 MR JORDASH: Well, I am not sure we are taking risk. I

the  
19 think just it was an accident or if that can be redacted from  
20 transcript. I don't think there was any intention or it was a  
21 pure accident.  
22 Q. We are in open session; remember that, Mr Sesay?  
23 A. Okay, I forgot.  
24 Q. No, I understand. It's understandable, I hope.  
25 MS KAMUZORA: Your Honour, may we be guided on what  
exactly  
26 has to be redacted from the transcript?  
27 PRESIDING JUDGE: Which part, Mr Jordash?  
28 MR JORDASH: The name of the witness.  
29 PRESIDING JUDGE: The name just --

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think.  
1 MR JORDASH: The learned officer has got the part, I  
2 PRESIDING JUDGE: All right. Okay.  
3 MR JORDASH: Okay. So we were in open session.  
4 THE WITNESS: Okay.  
5 MR JORDASH:  
6 Q. Okay, I think we've dealt with that. So let's go back  
to  
7 the preparations to Koidu.

8 A. But I just wanted to complete this '98 that I did not  
have  
9 any authority to recall anybody from Kono, and if you saw the  
10 ones that were called from Kono by Bockarie, they did not pass  
Bockarie  
11 through Pendembu. So if it was like a chain of command,  
from  
12 would send instructions to me, then I would order these men  
But  
13 Kono to Pendembu. From Pendembu I would send them to Buedu.  
14 that was not how it operated. The thing worked, Buedu was the  
15 central [as interpreted].

16 PRESIDING JUDGE: Right. Take it from there.

17 THE WITNESS: Yes, My Lord. My Lord, everything was  
being  
18 directed by Bockarie in Buedu. He would order people straight  
about  
19 from Kono to Buedu without my knowledge. I would only hear  
20 it through people.

21 MR JORDASH:

22 Q. Okay. Right. So, preparations for Koidu, I think you  
said  
23 Kallon came from Pendembu?

24 A. Yes.

25 Q. What happened then?

26 A. So when he came, Bockarie ordered him saying that he  
should  
27 join Issa to go and attack Kono and, in fact, from today you  
are  
28 colonel; you are -- you are BFI. BFI; battlefront inspector.  
29 Q. Who was BFI?

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1 A. Kallon. That was before we left. Like we were leaving  
2 this afternoon for Kono, the morning of that afternoon. That  
was  
3 the time that Kallon reached at Buedu. That was the time that  
4 Bockarie promoted him to colonel. He said he was BFI. Then  
5 Bockarie said: I will give you a little money. He gave me  
\$300.  
6 So out of the \$20,000 that he had had, he gave me \$300; he  
gave  
7 Kallon \$200. Then, as we were talking, in three minutes'  
time,  
8 he told Kallon again. He said, "Borrow me the \$100. I will  
give  
9 it to you." So, at the end of the day he did not give it  
back.  
10 So Kallon had \$100 and he left it with his family and I also  
left  
11 it with my own family. So we loaded the ammunition into the  
12 pick-up. Then all of us drove with Mike Lamin from Buedu to  
13 Luawa Boama.  
14 Q. How many fighters did you go with?  
15 A. Well, Mike Lamin gave some of his bodyguards and my own  
16 bodyguards. Bockarie himself also gave about three to four of  
17 his bodyguards. Then all of us left Buedu. But we did not  
call

bodyguards.

18 for reinforcement from the front lines. Only these  
19 And I and Kallon, we were the ones that left Buedu and went to  
20 Luawa Boama but, before that, Bockarie had sent instructions  
21 Rambo in Kono, so that he could dispatch unarmed men who would  
22 receive us at the Moa River.

to

23 Q. Did you answer the question how many men you went with?

or

24 A. Well, I just called the commanders, and the men they  
25 provided. But I would not be able to recall whether it was 20  
26 30 men. I would not be able to recall the exact number but we  
27 were not up to, we were not up to 30, who, we that left Buedu  
28 go on the attack on Kono.

to

resume

29 PRESIDING JUDGE: Well, let us recess for lunch and

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1 at 2.30 p.m.

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

3 [RUF17MAY07C - MC]

4 [Upon resuming at 2.37 p.m.]

14:38:40 5 PRESIDING JUDGE: Mr Jordash, let us continue with the  
6 trial.

7 MR JORDASH: Thank you, Your Honour.

8 Q. Good afternoon, Mr Sesay?

9 A. Yes. Good afternoon, Mr Jordash.

14:39:00 10 Q. Now, I want to try to take this step by step, if  
necessary,

11 minute by minute.

12 JUDGE ITOE: Or second by second.

13 MR JORDASH: Absolutely.

14 Q. And take us through your attack on Koidu. So that's  
where

14:39:39 15 I want us to go. So, the first thing, what was the plan or  
what

16 were the instructions given to you by Bockarie?

17 A. Well, Bockarie gave me instructions to attack the ECOMOG  
18 and the CDF in Koidu Town.

19 Q. What was the objective of the proposed attack?

14:40:20 20 A. Well, at that time, we were at war with the ECOMOG and  
the

21 government of Sierra Leone. They had a civil defence forces.

22 Q. Was there a discussion about what would happen after the  
23 attack on Koidu Town?

24 A. No. We hadn't any discussion about what should happen

14:40:50 25 after the attack on Koidu.

26 Q. Did Mr Bockarie lay out how this attack should take  
place?

27 A. Yes. Mr Bockarie knew Koidu Town very well and he  
showed

28 me the areas, which we wrote on paper, as to how to divide the  
29 group for those areas and the ambush.

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1 Q. Did he propose how many people should take part in this  
2 attack?

3 A. Well, he only said all the men in Kono should take part  
in  
4 the attack. They should carry out the attack.

14:41:41 5 Q. Was it clear to him or you, at that time, what kind of  
6 numbers of men were in Kono, belonging to the RUF?

7 A. Well, Kono? There were armed men there. He himself  
knew  
8 that he had commanders in Kono. He had troops in Kono, RUF  
9 troops in Kono.

14:42:08 10 Q. Did he have an idea how many?

11 A. Yes. Because he was the one who appointed the brigade  
12 commander who was there, who was Rambo.

13 Q. And who was the brigade commander.

14 A. The name of the brigade commander --

14:42:34 15 THE INTERPRETER: The interpreter is sorry he would like  
16 the witness to come back because the name was missing on the  
way.

17 MR JORDASH:

18 Q. Could you repeat what you just said, Mr Sesay?

19 A. Yes. I said the brigade commander in Kono was Rambo and  
14:42:54 20 his adviser was Peter Vandj. Because from August to November  
21 1998, it was Isaac Mongor who was appointed by Mosquito as

22 commander. So, in November, Mosquito said Isaac should go to  
23 Pendembu while Rambo should take over as brigade commander.

And

24 Peter Vandi was appointed by Bockarie as Rambo's adviser.

14:43:42 25 Q. So, what kind of numbers did you understand were going  
to  
26 be taking part in the attack?

27 A. Well, during this time when Bockarie sent me from Buedu,  
I  
28 did not know the total number of armed men that were in Kono  
but  
29 in Kono, Bockarie had made Kono, from August rather, from  
August

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1 as a brigade.

2 Q. And what did that mean in terms of numbers?

3 A. Well, that, you would know that the number, there were  
men  
4 there, there were troops there, because we were calling 400  
men,

14:44:37 5 we had regarded 400 men as battalion. So where you had up to  
6 four battalions which made up a brigade, then there were  
troops

7 there. But all of them were not armed. There were a lot of  
them

8 that were unarmed men.

9 Q. And in brief, what was Bockarie's plan, as to how to  
14:45:06 10 execute the attack?

11 A. Well, Bockarie told me that I should divide the group.  
One

12 group should come from the road, coming from the Guinea  
Highway,

13 through Kuyor, to Hill Station. Then the other group should  
come

14 from the DO Barracks, from the Tombodu direction in order to  
14:45:41 15 attack the DO Barracks. The other group should come from --  
the

16 other group should come from the Kimberlite way, the road from  
17 Gandorhun, in order to attack Koidu Town. And the other group  
18 should come straight and attack the Five-Five spot.

19 Q. And who were to lead the various groups, as you  
understood

14:46:21 20 it? Did Bockarie give instructions about that?

21 A. Well, Bockarie just said the commander, the commanders  
were

22 in Kono. So when I arrive, I was to appoint the commanders  
that

23 were to lead the various groups.

24 Q. When you set off, then, towards Koidu --

14:46:49 25 A. Yeah.

26 Q. Sorry, I'm hearing whispering which is putting me off.  
Did

27 the ammunition go with you?

28 A. Yes. As I said before lunch, I said we drove in a pick-  
up

29 and Mike Lamin's jeep and my own vehicle to Luawa Boama from

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men 1 Buedu and manpower came from Kono, the fighters; the unarmed  
2 came to receive us at the Moa River.

3 Q. Who came to receive you from the Moa River?

sent 4 A. They came from Kono, from the Superman Ground. Rambo

14:47:49 5 them. Mosquito had sent a message from Buedu before the day  
we 6 left for Rambo to dispatch unarmed with armed men escort.

know 7 Q. Listen to the question: Who, which armed men, did you  
8 them?

and 9 A. Yes. They were the fighters from Kono, the armed men  
14:48:13 10 the unarmed men, in order for them to carry the load.

11 Q. Was the load carried?

12 A. Yes. They carried the loads and we went to Kono, at  
13 Superman's ground.

14 Q. Just very briefly, how long -- where did you go to?

14:48:46 15 A. Well, we went straight to Superman Ground, although we  
16 spent two days on the way before we reached the Superman  
Ground.

Court? 17 Q. Did anything happen on the way, of interest to the

18 A. Well, we walked and went there. Nothing happened on the  
19 way.

14:49:19 20 Q. Was there a name for the operation?  
21 A. No. The operation hadn't any name. It was just an  
attack  
22 on Koidu Town.  
23 Q. There has been, I think, maybe two or three witnesses  
who  
24 claimed it was called Operation No Living Thing?  
14:49:44 25 A. No. No. That was not it; I told you that. Operation  
No  
26 Living Thing, it was only one time that I heard it over the  
air.  
27 Q. Now, where did you go to in Koidu -- in Kono?  
28 A. Well, I said we went to Superman Ground.  
29 Q. What time of the day did you arrive?

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1 A. Well, we arrived there because we slept at Woama. We  
2 arrived there about 11.00 to 12 midday.  
3 Q. What did you do when you first arrived?  
4 A. Well, when I arrived there, Peter Vandi lodged me in his  
14:50:45 5 own place and --  
6 Q. Just a -- sorry. Describe the scene when you arrive;  
what  
7 is the scene which you see?

8 A. Well, when I arrived, all the fighters that were on the  
9 ground at the camp, everybody was happy. They came -- a lot  
of  
14:51:19 10 them came and greeted me and the other bodyguards, Kallon,  
11 and our bodyguards.  
12 Q. Were there civilians in the camp? Did you observe that  
13 when you arrived?  
14 A. Well, that very day, no. I think it was during the  
second  
14:51:44 15 or third day when civilians came there and greeted me.  
16 Q. So you meet Kallon and you meet Vandi and what is it  
that  
17 is discussed?  
18 A. Well, I and Kallon went together. I did not meet Kallon  
19 there.  
14:52:07 20 Q. Sorry, you meet Vandi and what did you discuss?  
21 A. I met Vandi, I met Buston Flomo who was Rambo, and the  
22 other junior commanders. But that evening they just greeted  
me  
23 and I asked them about the ground and I told them that I had  
to  
24 rest for a day. And, after that, let Rambo call all his  
14:52:40 25 battalion commanders with their adjutants, so that they could  
26 come for a meeting at the Superman Ground. I forgot; I  
requested  
27 for the battalion adjutant, the battalion commander, and one  
28 officer. So I told Rambo that he should send this message to  
his  
29 four battalions that he had in Kono so that they could come  
for

Ground. 1 the meeting on the third day, when I arrived at Superman

2 Q. Well, besides military persons, did you meet anyone else  
3 there?

members. 4 A. Well, it was only the fighters with their family

14:53:47 5 There were no civilians in that zoo bush; except the combat  
6 medics.

7 Q. So were there any civilians there under RUF control?

8 A. Well, yes. They used to live but they were not within  
9 Superman's Ground. They were outside Superman's Ground. I  
don't

14:54:23 10 know whether it was PC Ground.

11 Q. Sorry, my fault, Mr Sesay. What was the last sentence?

12 A. I said yes, there were civilians but they were not  
within

13 Superman's Ground because on the very third day some civilian  
14 heads came and greeted me at Superman Ground.

14:55:03 15 Q. Who came to greet you, can you recall?

16 A. Yes, I can recall. It was the G5 commander. I don't  
know.

17 The -- I believe I don't -- I will just stop at the G5  
commander.

18 I believe you know what I am trying to say.

19 Q. Are you worried about identities?

14:55:42 20 A. Yes. I would just write this down so I will call the

21 others.

22 MR JORDASH: Sorry, before I pass this on --

23 Q. Before I pass this on, are there other names of people  
you

24 met who you would like to write down as well; would that save  
us

14:57:09 25 time?

26 A. Yes. Yes, okay.

27 Q. Thank you.

28 PRESIDING JUDGE: Mr Jordash, are you exhibiting it?

29 MR JORDASH: I'm wondering if it's going to be safer to

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1 apply to go into closed session.

2 PRESIDING JUDGE: Advise us.

3 MR JORDASH: Yes. Can I apply to go into closed  
session,

4 please?

5 PRESIDING JUDGE: Right. And how long would we be in  
6 closed session, about.

7 MR JORDASH: About ten minutes only.

8 PRESIDING JUDGE: Very well.

9 MR JORDASH: 15 minutes maybe.

10 PRESIDING JUDGE: Yes. Can we ask members of the public  
to

11 retire for about --

12 MR JORDASH: Can I say 25 minutes, just in case?

13 PRESIDING JUDGE: -- members of the public to retire for  
14 about 30 minutes. And Madam Courtroom Officer, shall we  
revert

15 to closed session.

16 [At this point in the proceedings, a portion of the  
17 transcript, pages 74 to 77, was extracted and sealed under  
18 separate cover, as the proceeding was heard in a closed  
session]

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1 [Open session]

2 MS KAMUZORA: Your Honour, court is safe to resume in  
the  
3 open session.

4 PRESIDING JUDGE: We are back in open session. May you  
5 proceed, counsel.

6 MR JORDASH: Thank you.

7 Q. Were there any other meetings before the attack?

8 A. It was only one meeting. When the various battalion  
9 commanders came, and they --

10 THE INTERPRETER: The interpreter is sorry. Can the  
11 witness come again, please?

12 MR JORDASH: Repeat what you just said, please, Mr  
Sesay.

13 THE WITNESS: I said: It was only one meeting that took  
14 place. Because that between me and the civilians was not a  
15 meeting; one meeting took place. I and the various battalion  
16 commanders and the staffs at the brigade headquarters and --

and  
17 we that went held the meeting before the attack on Koidu.

18 Q. So can you just name some of the people who was at the  
19 meeting, please?

20 A. Of course I'm able to do so. I'm able. Myself, Morris  
21 Kallon, Peter Vandi, Rambo, Buston Flomo; his nickname is  
Rambo.

22 Then you -- you had Akim Turay the battalion commander at  
23 Gandorhun; then you had Kailondo, one of the battalion  
24 commanders; and you had T KeKeh, a commander from Tombodu;  
then

25 you had Short Bai Bureh, commander from Yomadu. So these were

26 the commanders with the unit commanders. We held the meeting.

27 Q. And what took place at the meeting?

28 A. Well, in the meeting I greeted them. I explained to  
them

29 the message and the mission Sam Bockarie had sent me on and I

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1 expected them to cooperate towards the attack. But I told  
them

2 that I had come with the ammunition that were given to me by  
3 Bockarie that should be used to carry out the attack. And I  
made

4 laws; I told them that anybody that captured, be it a Kamajor,  
a

5 CDF, an ECOMOG, an SLA that was with the ECOMOG, they  
shouldn't

6 kill a prisoner of war. I said anybody that they captured,  
they

7 should report that person. Then I said this --

8 Q. Should do what, the person?

9 A. I said anybody that was captured during the attack, the  
10 ECOMOG and the CDF, they should bring them to me. They were  
not

11 allowed to kill any man that had surrendered during the course  
of

12 the battle.

13 Q. Did you say this at the meeting?

14 A. I said this in the meeting, and I did talk about other  
15 things after this.

16 Q. What else did you say at the meeting?

17 A. I said, they shouldn't kill a civilian. I don't want to  
18 hear about amputations. And I don't want to hear that they

burnt

19 a house, that somebody burnt down a house. I said we should

go

20 and fight the enemies and not the civilians. And even the  
21 enemies that we were fighting against, if the man surrendered,

22 you should collect the arm from him and not to kill him. And

I

23 said any fighter that I caught killing a civilian, I, myself,

24 would kill that fighter. So these were the rules that I made

25 during that meeting. I told them that these were the standing

26 orders for the attack in Koidu. A fighter should not shoot

27 behind when you were aware that there was a brother ahead of

you.

28 Q. Sorry, go over that last answer, please. What do you

mean?

29 A. I said a fighter should not fire when he was aware that

his

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1 companions were ahead of him. I said all of them should be  
2 together to shoot facing the target. But he should not stay  
3 behind and shoot when his companions were ahead of him; then  
he  
4 kill his brothers.

5 Q. And what were to be the target?

6 A. I said the target were the enemies that we were  
fighting.

7 The targets were the CDF and the ECOMOG. Those were the  
targets.

8 Q. Where were those targets?

9 A. Well, these targets were in Koidu Town. And during this  
10 time, Koidu Town, it was only the ECOMOG and the CDF that  
11 occupied there.

12 Q. How did you know that?

13 A. Well, what the commander whom I met at the brigade,  
Rambo,  
14 that was what he told me and, indeed, when I came to Koidu,  
that  
15 was what I observed, because there were no houses for  
civilians  
16 to live in. They had burnt down this town since May. The  
whole  
17 city had been burnt down.

18 Q. When you say "burnt down," were there any buildings  
there?

19 A. Well, the only buildings that were there were the storey  
20 buildings, but to say single flats; all of them. All of them  
21 were burnt down. So it was those few buildings that were  
storey  
22 buildings which were occupied by the Nigerians and the CDFs.  
23 They themselves built booths in Koidu Town in the various  
areas.

Guinea

24 For instance, the road towards Gandorhun, the road towards

25 Highway, Tankoro Junction. That was how they were.

26 Q. Well, after the meeting what happened?

27 A. Well, after the meeting -- during the meeting I told  
28 Kallon, I said: Kallon, well, you knew that Mosquito said we  
29 should cut the supply lines before the attack.

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1 THE INTERPRETER: The interpreter is sorry. Would the  
2 witness repeat the last part of his testimony?

3 MR JORDASH: Take this section slowly. Repeat what  
4 just said.

5 THE WITNESS: I said during the meeting, because you  
6 me after the meeting what happened, yes. But it was during  
7 meeting that we planned with the various battalion commanders  
8 were to lead the attacks. Then I told Kallon that, you know  
9 Bockarie had told us that we should cut off the supply lines.

10 Then --

11 Q. What were the supply lines?

you

12 A. Well, like, for instance, the ECOMOG, they had a  
13 headquarter in Makeni; they had headquarters in Kono. So, if  
14 were between them, it means you've cut off the main road that  
15 linked them, then reinforcement could not come in. That's  
16 refer to as supply lines.

what I

17 Q. Was a particular commander given that job to cut that  
18 supply line?

the

19 A. Yes. It was Kallon who led the ambush mission. He was  
20 senior man in the group that went on the ambush. So I stayed  
21 with the men who were to carry out the attack on Koidu.

22 Q. So, Kallon led this attack?

After

23 A. Well, it wasn't like an attack. It was an ambush.

as

24 Gold Town it was an ambush. So if reinforcement was coming so

then

25 to reinforce their brothers in Koidu Town during the attack,

not

26 he would be able to stop them on the way, so that they will

27 be able to reach. That was why he went.

28 Q. Were any other commanders sent anywhere else?

29 A. Yes. Rambo, he was to attack the guys' headquarters,

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at  
1 according to what he told me, that the ECOMOG's headquarters  
2 Five-Five Spot, he was the man that was responsible for  
3 attacking  
4 there, very close to the Tankoro junction by the petrol  
5 station.

6 Q. Anybody else sent anywhere?

7 He  
8 A. Well, Kailondo, he came with the group from Kimberlite.  
9 was the commander; the road from Gandorhun.

10 Q. Anyone else?

11 A. Tikeke, he came from the Tombodu area in order to attack  
12 the DO Barracks.

13 Q. And anyone else?

14 A. Well, the -- the brigade major, he -- he led where I and  
15 Peter Vandi were, from the Guinea Highway through Kuyor on to  
16 Hill Station, The Big.

17 Q. And you?

18 A. Well, I belonged to that group. I, Peter Vandi --

19 THE INTERPRETER: The interpreter is sorry. The  
20 interpreter is sorry. There is something that is not clear in  
21 the witness's testimony as to who was leading.

22 PRESIDING JUDGE: Mr Sesay.

23 THE WITNESS: Yes, My Lord.

24 Who  
25 PRESIDING JUDGE: Clarify that for the interpreters.  
26 was leading?

27 the  
28 THE WITNESS: Yes, My Lord. The brigade major. He was  
29 and  
30 big. He led the group in which we were, the group in which I

25 Peter Vandí belonged.

26 JUDGE BOUTET: What's the brigade major? Who is he?

27 THE WITNESS: Well, the brigade major, My Lord, he was  
the  
brigade  
28 2IC to the brigade commander. He was the deputy to the  
29 commander. He was the brigade major.

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1 JUDGE BOUTET: So you -- the deputy to the brigade  
2 commander, you call him the brigade major? That's, in your  
3 language, that's what it is? I'm just trying to understand.

4 THE WITNESS: No. The brigade major, My Lord. He was  
the  
5 deputy to the brigade commander.

6 JUDGE BOUTET: I thought that's what I had asked you, if  
he  
7 was. But you seem to see a difference in what I said. So the  
8 brigade major was a deputy to the brigade commander; that is  
what  
9 you're saying.

10 THE WITNESS: Yes, My Lord.

11 JUDGE BOUTET: Who was he? Who's that person?

12 THE WITNESS: Well, they called him The Big, Lansana

13 Sheriff. But aka, The Big, the Big Rebel.

14 JUDGE BOUTET: So this is not the personal name you had  
15 mentioned before?

16 THE WITNESS: The brigade major?

17 JUDGE BOUTET: The Big, or whatever name you use.

18 THE WITNESS: Well, My Lord, I said I called the names.

19 JUDGE BOUTET: I'm just asking if it was a name of a  
person  
20 you had named before, Mr Sesay, that's all.

21 THE WITNESS: No, sir. He was among the brigade staff,  
22 sir. Because the brigade staff were the people that were in  
the  
23 -- at the headquarters, and he was among them.

24 JUDGE BOUTET: That's okay. You are confusing me more  
than  
25 you're helping me on this, because now you're talking about  
26 brigade staff. What's the brigade staff?

27 THE WITNESS: My Lord, it was because you said I had not  
28 called --

29 JUDGE BOUTET: Where were they? Were they in Kono when  
you

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1 arrived there?

and

The

those

the

Because

headquarters,

there.

the

junior

2 THE WITNESS: My Lord, that was where they were. I have  
3 named the people that we came with from Kailahun. I said I  
4 Kallon and our bodyguards, including Bockarie and Mike's  
5 bodyguards, but all the other people, we met them in Kono.  
6 ones that I said that they were the brigade staff, My Lord,  
7 were the people that were based at Superman Ground which was  
8 brigade headquarters, sir.

9 JUDGE BOUTET: But did they attend your meeting?  
10 you did describe a meeting you had with what you called the  
11 battalion commanders and the brigade commanders, as such. You  
12 described yourself, Kallon, Peter Vandi, Rambo and so on. So  
13 were these people also at that meeting?

14 THE WITNESS: Yes, My Lord. At the brigade  
15 that was where the meeting took place. All of them were  
16 The Big was there, sir.

17 JUDGE BOUTET: Thank you.

18 THE WITNESS: Thank you, sir.

19 MR JORDASH:

20 Q. This brigade major, was he superior to the adviser to  
21 brigade commander?

22 A. Well, no. He was junior to the brigade adviser and  
23 to the brigade commander.

24 Q. How could he be 2IC to the brigade commander?

25 A. Well you said , the brigade commander. He was the 2IC.

26 The 2IC was subordinate to the brigade commander.  
27 Q. But wouldn't the adviser be the 2IC?  
28 A. No. The brigade adviser was advising the brigade  
29 commander, and the brigade major was a deputy to the brigade

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1 commander.

2 Q. Okay. So was there an attack on Koidu Town?

3 A. Yes. We went on the attack.

4 Q. How long -- when did the attack take place? Do you know  
5 the date and the time it started?

6 A. Well, after the meeting I said we should give Kallon a  
day,

7 because he had to walk on to Yormandu, on to Sandia before he  
8 surfaced on the main road. So, we said, after the one day --

9 Q. I think you might have to repeat what you just said.

10 A. I said after the meeting, then I said, I told the men we  
11 should give a day to Kallon, one day, because he had to walk a  
12 distance before he could reach his destination. So, after the  
13 one day, then the next morning we should launch the attack at  
14 6.00 a.m. in the morning, and I think that was the 16th of  
15 December 1998.

16 Q. And how long did the attack take place? How long did it

17 take?

from

18 A. Well, we arranged that when this first group, the men

19 the Kimberlite area, when they open fire, the other group will

20 respond and the other group will respond from the other side.

21 That was how it was. We fought from 6.00 a.m. to 7.00 p.m.

22 before we were able to capture Koidu Town.

23 Q. What time was Koidu Town captured?

24 A. 7.00 p.m.

25 Q. Were there any prisoners of war?

the

26 A. Yes. We captured 12, 12 Nigerian soldiers, ECOMOG and

27 CDFs. The CDF were about 50.

28 Q. What happened to them?

29 A. Well, the CDF, they stayed in Koidu Town. I said the

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told

1 Nigerian ECOMOGs should be escorted to Superman Ground. I

him,

2 the MP commander to take care of them, they should stay with

the

3 and they should provide food for them in the evening. I mean

prepare

4 following morning, because that night they were unable to

5 food. But they slept at Superman Ground during that night.

6 Q. Who was the MP commander?

7 A. Mohamed Jalloh, alias Ojallay.

8 Q. Why was the -- why were the ECOMOG separated from the  
other  
9 prisoners of war?

10 A. Well, I said they should carry the Nigerian soldiers to  
the  
11 MP. I said let the CDF stay in Kuyor. There was one house in  
12 Kuyor. That was where I said they should stay. That was  
where  
13 they slept that night.

14 Q. How were they treated?

15 A. Well, as far as I, who was the commander, I provided  
food  
16 for them. I treated them nicely. Nothing went wrong with  
them.

17 Q. Were there any civilians seen or taken captive or  
present  
18 in Koidu Town, as it turned out?

19 A. Well, just look at the time that the fight took place,  
from  
20 6.00 a.m. to 7.00 p.m., the civilians were not in Koidu Town.  
21 They were at Koakoyima, out of Koidu Town. They were based in  
22 Koakoyima. So, during that time the civilians with the  
ECOMOG, a  
23 lot of them withdrew.

24 Q. Before we move to that, just describe where ECOMOG were,  
25 besides in Koidu Town, where were they based?

26 A. ECOMOG? They were based at the Five-Five Spot at the  
27 petrol station. All the houses that were around there, they  
28 occupied them. And they built some booths which they  
occupied.

29 Q. And you have mentioned civilians at Koakoyima; is that

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1 right?

2 A. Yes, yes.

3 Q. Koakoyima is to the west of Koidu Town; is that right?

east,

4 A. Yes, yes. I think so. Well, I -- I wouldn't to say

know

5 west, north or south. But I will just tell you that if you

at

6 Koidu Town, and you look at the Five-Five Spot, and you look

stand

7 the distance from Five-Five Spot to Koakoyima, even if you

effective

8 there with an AK and fire a shot, the shot will not be

reach

9 to kill a civilian at Koakoyima. An AK round will not even

10 that distance, from Koidu Town to Koakoyima.

How

11 Q. What kind of base were the civilians in at Koakoyima?

12 were they living?

13 A. So, before I attacked Kono?

14 Q. Yes.

15 A. Well, except I'm to talk based on the information I got

16 from people after the attack of Kono. But I can't tell you  
17 before I got into Koakoyima.

18 Q. Please do, and just say who you got the information  
from,  
19 if you can remember.

20 A. Well, after we had captured Koidu Town, the troops  
advanced  
21 to Koakoyima. Most of the people went into the bushes. But  
the  
22 next day people began coming out, and those who came out, when  
23 they were captured, they said the civilian population was  
based  
24 in Koakoyima; that was where they were. And ECOMOG did not  
allow  
25 civilians to go to Koidu Town if you were not going there to  
mine  
26 for the ECOMOG.

27 Q. What happened to the civilians during the attack?

28 A. Well, the civilians, during the course of the fight they  
29 left Koakoyima. It was after we had captured Koidu Town, the

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1 ones that did not retreat with the ECOMOG, they started coming  
2 out from the bushes and they stayed in Koakoyima throughout  
the

and

3 war, until the end of the war, and nothing happened to them,

4 there were not even many.

by

5 Q. Let's just deal with -- first of all, what you mean the  
6 civilians who retreated with ECOMOG? Describe what you mean  
7 that.

When

8 A. Well, the civilians, a lot of them retreated with the  
9 ECOMOG, through Jiama Nimikoro some of them came to Sewafe.

10 they realised that the road was blocked, they crossed through  
11 Jiama Sewafe to Boama Konta.

to?

12 Q. And which direction is that? Which way does that lead

District,

13 A. The one from Nimikoro went towards Tongo. The one from  
14 Jiama Sewafe, it went towards Baoma Konta. And Baoma Konta, I  
15 think that -- I think that is located in Kenema or Bo

did

16 but it's a town between those borderlines.

17 Q. And you then mentioned some civilians who came out --

18 you say came out from the bush?

in

19 A. Yes. I said some few civilians that remained, they were  
20 the bush during the attack. After we had captured Koidu Town,  
21 the following day they started coming out. Those were the few  
22 civilians that lived.

23 Q. Where were they coming from? Where had they been?

24 A. Well, when the attack took place, people ran and entered  
25 into the bush. When they knew that they -- when they realised  
26 that the firing had subsided, they came to find out who was in  
27 town. From that, they met us and we told them to bring their

in

28 other family members. They came and stayed in Koidu, sorry,  
29 Koakoyima.

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1 Q. Who told them to bring their families?

2 A. Well, during that time I myself was there. I said the  
3 people that had come, the people whom we met here should stay  
4 here. And they have seen people, civilians had started coming  
5 from the bush to stay in Koakoyima.

6 Q. Why Koakoyima? Why there?

was

7 A. Well, because there were no houses in Koidu Town. It  
8 in Koakoyima that there were some houses. I'm sorry, it was  
9 Koakoyima and small Lebanon that you find some houses.

in

10 THE INTERPRETER: Correction interpreter.

11 MR JORDASH:

they

12 Q. Were you there when the civilians came out? How did  
13 organise themselves?

14 A. Do you mean the civilians that were with the RUF?

RUF

15 Q. The ones that came out of the bush; were they with the  
16 or not?

not  
which  
as  
Ground.  
I  
we  
those

17 A. Well, the ones that were in Koakoyima, I said they were  
18 many, those who hid around because of the fighting. The other  
19 civilians, they had been with the RUF in these camps. So  
20 ones do you mean? Which of the civilians?  
21 Q. Let's deal with the ones who you said were in the bush,  
22 you were told by the civilians who came to see you at PC  
23 When did they start coming out of the bush?  
24 A. Well, this time I wasn't at PC Ground anymore. I was --  
25 was at -- in Koidu Town. I was at Small Lebanon. After we --  
26 had captured Koidu Town, then the following day people started  
27 coming in bits. All that week, people were coming. But they  
28 were not many, the civilians. For about a week, those who  
29 started coming out of their hiding place were not up to 60,

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1 who did not go with ECOMOG.  
2 Q. Is that 60 in the week?  
3 A. Yes. I said within the week. The ones that came out  
were

4 not up to 60, the mature people, because some of them had  
their  
5 little children among them.

6 Q. Was there interaction between the civilians and the RUF,  
7 the ones who came out of the bush?

8 A. Yes. That second witness that I wrote on the paper, he  
9 said from the time they came from the bush, they came to Koidu  
10 Town. From that time, until the end of the war, they did not  
11 suffer anymore; that's true. The fighters and the civilians  
had  
12 good rapport.

13 Q. Did you see this in the time you were there, in Koidu,  
14 after the attack, and I mean immediately after the attack?

15 A. Yes. After the attack, after 48 hours, I myself gave  
16 instructions to that first name on that paper to go and tell  
the  
17 civilians so that they could come back to Koakoyima in order  
for  
18 them to come and stay. So I myself saw the people returning  
from  
19 the bush, the ones that were in the RUF camp.

20 Q. And what happened, in terms of communicating with  
Bockarie  
21 at this stage; did you communicate with him?

22 A. Yes. Yes. I communicated. The first day when we  
captured  
23 Koidu Town, during that 7.00, I sent a radio message. I said,  
24 "We've captured Koidu." So, the following day, in the  
morning,  
25 he called me on the radio and we spoke. He said I should give  
26 him some details. I told him that I was going to prepare a  
radio  
27 message to the effect and give it to the operator. And I told

and  
was  
28 him that we captured 12 Nigerians soldiers and about 50 CDF,  
29 we captured tanks; we captured two functional tanks and one

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1 not functional. A lot of arms and ammunition. All that the  
2 ECOMOG had in Kono, they left everything there and ran away --  
3 all the equipment.

4 Q. What happened, from a military perspective, after the  
5 successful attack on Koidu? Were there instructions from  
anyone?

6 A. Yes. After we had taken over Koidu, Bockarie said, he  
7 said, "Well, the group should be divided into two." He said,  
8 "Akim, let him go towards Tongo through Nimikoro." He said,  
9 "Me", rather, "I, Kallon, Rambo, should pursue ECOMOG towards  
10 Makeni."

11 Q. And was this done?

12 A. Yes. That was the instruction the commander had given  
me  
13 and I told Akim. And I -- I told Rambo to be the advance team  
14 commander from Kono towards Magburaka.

15 Q. And what happened during that attack, do you know?

16 A. Which of the attacks?

17 Q. To Magburaka?

18 A. Yes, I know.

19 Q. Well, take us through the attack and the places?

20 A. Well, I told Rambo -- I said, "You move and meet Kallon  
at  
discuss.

21 Gold Town so that Kallon could come back so that we can  
22 You go to Masingbi." I said, "We know that the ECOMOG were in  
23 Masingbi, so you should attack them." So it took about two to  
24 three days; then Rambo arrived in Masingbi. And in Masingbi

the  
day,  
25 ECOMOG only continued running. And the CDF, the following

26 they surrendered 525 to us. Then Rambo continued moving on to  
27 Makali. He passed Makali. The CDF that were in Makali they,  
28 too, surrendered; they were more than 100. The ECOMOG were in  
29 Matotoka. When Rambo and others opened fire, they ran away

again

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on  
1 and they went to Magburaka. So, in Magburaka, they were only

2 the main road. It was there they fought with Rambo for about  
30

3 minutes. Then they ran away again and went to Makeni. Then

4 Rambo continued the journey. He arrived at Makeni Teachers  
5 College.

6 Q. Before we get to Makeni, was there any attack on Bumpe?

7 A. Well, yes. We fought with ECOMOG at Bumpe. When they  
8 divided into two, a group went to --

9 THE INTERPRETER: The interpreter is sorry.

10 MR JORDASH:

11 Q. Repeat your last answer, please, Mr Sesay?

12 A. I said yes, ECOMOG was at Bumpe. In fact, our men  
narrowly

13 missed to capture their helicopter there. But their  
helicopter

14 pilots were too smart. So they left. Fighting took place  
there.

15 So the ECOMOG withdrew from Bumpe in a disorganised manner.  
One

16 group went by Nimikoro and the other group went by Jiama  
Sewafe.

17 They retreated through Baoma Konta.

18 Q. Let me just ask you this: I don't think there is a  
19 dispute. The Kono to Makeni highway, was that the main thrust  
of

20 the attack, after Koidu?

21 A. Yes. After Koidu Town, Bumpe, after Bumpe, the only  
place

22 that there was a fight, which was a short one, that was in  
23 Masingbi. Matotoka and Magburaka.

24 Q. And what happened to the various CDF you described as  
25 surrendering?

26 A. Yes. I would explain. Because the time when we had  
27 captured Kono, the information had spread on to Makeni. The  
28 civilians in these towns Masingbi, Makali, Matotoka,  
Magburaka,

our 29 they saw the ECOMOG arriving. Some hadn't any boots. So, as

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population 1 men were advancing towards Masingbi, all the civilian  
that 2 went to the surrounding villages. This was the same thing  
civilians 3 happened in the villages up to Makali. So, later, the  
4 came back to their towns.

surrounding 5 Q. Just pause there: Civilians running into the  
6 areas, what made them come back?

in 7 A. Well, for example, like Masingbi, if the civilians were

more 8 the bush and heard that the CDF had surrendered to the RUF,

if 9 than 500, and RUF did not kill any one of them, then the  
10 civilians would have the courage to come out. Saying, "Well,

would 11 the man did not kill the man he was fighting against, why

I 12 he kill me, a civilian?" So that was what was happening. So

their 13 sent a message that all the civilians should come back to

14 villages.

From

15 Q. Let's just focus on what you did, okay, for a minute.

16 Koidu Town, where do you go and when?

will

17 A. Well, the way I set up the -- the way I organised the  
18 movement, Rambo, with all the instructions I had given him, he  
19 was in the advance team. Then when he had captured Kallon

nothing

20 come there to ensure that the fighters advance, and that

21 went wrong in that village. From that, when I come there, at  
22 that time, we would have seen. Kallon would have been able to  
23 see three or four civilians whom we would tell to call their  
24 people to come back to the village. Like in Masingbi, that

was

25 what happened there.

26 Q. What did you do? That is what I'm interested in for the  
27 moment. From Koidu Town, where do you go?

came

28 A. Well, when I had received the message that they have  
29 captured Masingbi, and a lot of CDF had surrendered, I too

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1 there and talked to the CDF. From there --

from

2 Q. Let's just go step by step, okay? How far is Masingbi  
3 Koidu?

4 A. I think it's 45 miles.

5 Q. So when you received the message that Masingbi had been  
6 occupied by RUF, what did you do?

CDF

7 A. Well, they told me Kallon sent a message that over 500

8 had surrendered to us, so I said "fine." So I said: Well, we  
9 should talk to them and I myself will come to talk to them. I  
10 came to Masingbi. When I arrived at Masingbi --

11 Q. When did you get to Masingbi?

had

12 A. Well, I came to Masingbi the following day, when they  
13 captured there.

14 Q. What day was that, do you think?

that

15 A. Well, I cannot recall now. I can just recall the day  
16 we captured Koidu Town but to say that I will be able to

remember

17 all the dates of these events, it's difficult.

18 Q. Was it before Christmas?

19 A. That was before Christmas. You are right.

20 Q. And did you --

21 A. Because from Kono, we captured Koidu Town the 16th, then  
22 the 24th. Rambo arrived in Makeni -- the 25th we captured the  
23 barracks, you see.

24 Q. Did you stop anywhere on the way to Masingbi; you  
25 personally?

26 A. Yes. I stopped at Sewafe.

any

27 Q. What did you see before you got to Sewafe? Did you see

28 problems?

Sewafe,

29 A. Well, from Koidu Town I did not see any problem.

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1 it was at Bumpe that I saw three ECOMOG soldiers that died at  
2 Bumpe. Sewafe, no fighting took place there, so I did not see  
3 any corpse there. Where I saw corpses again was between the  
4 bridge from Dorgboh to Gold Town. Six Nigerian soldiers died  
16:03:26 5 there. They were in their uniform.

problem?

6 Q. Well, you described that as a problem. Is that a

7 A. Well, we were fighting a war. If during the crossfiring  
8 the man dies, if the man surrendered and I killed him, then I  
9 feel that is a crime. But, they died during crossfiring.

16:03:26 10 Q. Was it a problem you observed with civilians along the  
11 route or civilian property?

say

12 A. No. I did not observe any civilians on that road. To

13 that civilians died there, no. It was only the vehicles.

14 Because when the convoy stopped, there were a lot of vehicles

16:03:27 15 parked between Gold Town and Dogboi and the Alpha Jets went  
again

16 and bombed some of those vehicles.

17 Q. Between Gold Town and where?  
18 A. Between Gold Town and Dogboi.  
19 JUDGE BOUTET: Where are these locations again, Mr  
Jordash?  
16:03:27 20 MR JORDASH: Dogboi, I think. Dogboi.  
21 THE WITNESS: My Lord, Dogboi. Between Dogboi and Gold  
22 Town.  
23 JUDGE BOUTET: Can you spell it for me?  
24 MR JORDASH:  
16:03:27 25 Q. Mr Sesay?  
26 A. No, I cannot. I cannot.  
27 MR JORDASH: G-O-B-W-E-H.  
28 JUDGE BOUTET: And the other location?  
29 MR JORDASH: Gold Town.

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1 JUDGE BOUTET: Gold Town; like gold?  
2 MR JORDASH: Like gold.  
3 Q. The vehicles in the convoy were, what? Are you saying  
they  
4 are civilians, or what?  
16:03:28 5 A. ECOMOG and the civilian vehicles that were retreating  
from

6 Kono, when they found out the road was blocked, they abandoned  
7 these vehicles, and they went back. They went by the road to  
8 cross the Sewa River, when they retreated through Gold Town.  
9 Some were not able to turn the vehicles. Some turned their  
10 vehicles, went to Sewafe, then they crossed the river and went  
16:03:28 to

11 Baoma Konta. It was not Gold Town, I'm sorry.

12 Q. Where was it if it wasn't Gold Town?

13 A. Baoma Konta. Baoma Konta.

14 Q. Can you spell that?

16:03:29 15 A. Boma, B-O-M -- B-O-M-A. Boma [sic]. I think it's

16 K-O-N-T-E-H or K-O-N-T-A. Konta.

17 Q. Now, what did you find when you -- well, before I get to  
18 Masingbi, did you speak to any civilians on the way to  
Masingbi?

19 A. No. Those towns, there were no civilians in these towns

16:03:29 20 during this time, between Sewafe and Masingbi. And even in my  
21 testimony I think last week, I said, that during the retreat,  
22 villages around Gold Town and Sewafe were burnt during the  
fight

23 between the retreating troops, so there were no civilians in

24 those villages. They were villages that were abandoned.

16:03:30 25 Q. Do you know how the burning took place?

26 A. Well, I told you last time that the retreating troops  
from

27 Makeni to Kono, they had some fights with the Kamajors in

these

28 villages, around Gold Town and Sewafe.

29 Q. Are you talking about December '98, or before that? Can

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1 you clarify when you're talking about?

me 2 A. Well, we were talking about December '98, and you asked

had 3 if I saw civilians between these villages. I said, well, I

had 4 told the Court that there was a fight during the time that we

16:03:31 5 been retreating, February '98, around Gold Town and Sewafe, when

villages, 6 they burnt some villages around that route. So, these

It 7 there were no people in them in December '98, up to Masingbi.

captured 8 was at Masingbi that I met few civilians and a group of

9 CDFs.

16:03:31 10 JUDGE BOUTET: What you're saying, Mr Sesay, is that these

11 villages had been destroyed when you were retreating from

12 Freetown?

were 13 THE WITNESS: Well, My Lord, I would not say that we

14 the ones that destroyed the place, because it was a fight that

16:03:31 15 ensued between the Kamajors and the retreating troops.

the 16 JUDGE BOUTET: I didn't say you are the ones who burnt

17 villages. I said, the villages were burnt while you are

period

18 retreating, whether it is you or the Kamajors. That's the  
19 of time. I'm talking the period of time that was when the RUF

or

16:03:33 20 the junta was retreating from Freetown; that's when these  
21 villages were destroyed?

22 THE WITNESS: Yes, some of these villages, My Lord. But  
23 some of the villages were not destroyed, but there were no  
24 civilians there in December, during the time that I was coming

to

16:03:33 25 Masingbi.

26 MR JORDASH:

27 Q. Now, what happened when you arrived at Masingbi?

28 A. I said, when I arrived at Masingbi, I found a group of  
29 Kamajors and CDFs that I spoke to; I addressed them. And I

told

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they

1 them that -- I said, we are not fighting against them, we are  
2 fighting against ECOMOG and the government, as we knew that

us

3 were civilians, and they only give them arms to fight against  
4 and we don't have anything against them.

16:03:34 5 Q. At what kind of place did you say this?

6 A. Well, this was at the court barri, at Masingbi.

7 Q. How did the CDF gather there? How come they were there?

8 A. Well, the CDFs had commanders, and I had told Kallon  
that I  
that  
16:03:35 10 his own commander was coming, Colonel Issa, he was on his way;  
he  
11 is coming. So, let the CDFs come together. After that, he  
would  
12 come and talk to you.

13 Q. Did you just say a name?

14 A. What name?

16:03:35 15 Q. I thought I heard a name. Maybe I didn't.

16 A. I said, I sent a message to Kallon that I was coming to  
17 Masingbi, so that I myself would come and see the men who had  
18 surrendered, the CDFs.

19 Q. So what else did you say to the surrendered CDF?

16:04:02 20 A. Well, just like I said a while ago. I said, that they  
were  
21 not our target. We were not here to kill them, since they had  
22 surrendered, let them feel safe. Nothing wrong will be done  
to  
23 them who are fighting against ECOMOG and the government. We  
knew  
24 that they were civilians and they had only given them guns, so  
as  
16:04:21 25 to fight against us.

26 Q. Okay. Did you say anything else or did you leave?

27 A. Well, that very day, I did not say anything else. I  
just  
28 told them that they were to be at Masingbi Town and they were  
not  
29 to go out of Masingbi.

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1 Q. Did you leave Masingbi?

2 A. Yes, I left Masingbi and I went back to Kono.

3 Q. Did you leave any RUF in Masingbi?

4 A. Yes, Kallon was there with them.

16:04:53 5 Q. Who else but Kallon? Did you leave other men or just  
6 Kallon?

7 A. Well, there were other RUF fighters there with Kallon.

I

8 cannot name every single RUF fighter.

9 Q. Just give us a rough --

16:05:13 10 A. And Kallon -- I said, Kallon and other RUFs were there  
in

11 Masingbi. There, I left them. I cannot call the names.

at

12 Q. What I'm asking you, Mr Sesay, is that we were not there

13 these places, so try and just give us some descriptions. What

14 kind of numbers of men did you leave in this place?

16:05:45 15 A. Well, what happened, the advance team had come and  
they'd

16 captured the town and they'd gone ahead. So when the advance

17 team had gone ahead, the group of the fighters had gone away,

18 only a few were left at Masingbi with Kallon.

19 Q. So you returned to Koidu. Are there RUF men in between  
16:06:04 20 Masingbi and Koidu?  
21 A. Yes, there were RUF men at Sewafe.  
22 Q. What did they do?  
23 A. Well, we knew that those places, as we passed by the  
road,  
24 we heard the Kamajors firing. You know, Kenema District is  
very  
16:06:26 25 close to this road, between Masingbi and Sewafe. So, RUF had  
to  
26 be there. As we moved, we would capture and deploy, we'd  
capture  
27 and deploy; that was how we operated. We'd not just go  
without  
28 deploying. So we had our men at Sewafe. Because, the  
Kamajors,  
29 they too, in January and February, they would come and set  
ambush

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1 on the roads, the CDFs. They would come from the Kenema  
2 District, they would cross and make ambush, lay ambush. So,  
we  
3 also had to deploy, so as to keep the roads safe and the  
villages  
4 that were between the roads.

16:07:09 5 Q. Were there any standing instructions or standing orders  
6 about what should happen when RUF men deployed?  
7 A. Yes. I said, I gave standing orders in the meeting at  
8 Koidu Town. I mean, at Superman Ground, before the operation  
9 started.

16:07:33 10 Q. Okay. How long did you stay in Koidu Town after you'd  
11 returned?  
12 A. I was there from the 16th to the 24th of December. Then  
I  
13 came to Makeni.  
14 Q. Did you stay at any place on the way?  
16:07:51 15 A. If I stayed in any town, or I made a stop at any town on  
16 the way; which one?  
17 Q. Did you make any stops in any towns on the way?  
18 A. Yes, I made a stop at Masingbi. I made a stop at Makoni  
19 Line; I made a stop at Makoni Junction; I made a stop at  
Makali;  
16:08:20 20 I made a stop at Mamori; and I made a stop --  
21 Q. All right. What was the last one? Sorry.  
22 A. And I made a stop -- it's not the last one. And I made  
a  
23 stop at Matotoka; I made a stop at Magburaka; then to Makeni.  
24 Q. Did you do anything during those stops?  
16:08:48 25 A. Yes. When I stopped, I would talk to the few civilians  
26 that I had met with the RUF, so that they could call their  
people  
27 from the bush, so that they could come and stay in the town,  
that  
28 nothing would happen to them, let them come to town. That is  
29 why, I -- I made the CDF commanders to live in their towns,  
like,

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1 from Makali --

you

2 Q. Tell us what happened. Just tell us what happened when

description

3 arrived at a particular town. Just give us a brief

4 of what you did in each place.

16:09:27 I

5 A. I said, when I arrived in Masingbi, at the first place,

the

6 stopped, I talked to Pa Roke for the first time. Pa Roke was

chief

7 caretaker -- he was a chief who was left by the paramount

8 to take care of the chiefdom. He was called Pa Roke.

9 Q. R-O-K-E?

16:09:50

10 A. Yes.

a

11 Q. Was this the first trip to Masingbi you made or was this

12 second trip?

you

13 A. This was my first -- this was my second trip. I told

14 that I had come there before.

16:10:01 caretaker

15 Q. Okay. So the second trip you spoke to Pa Roke,

16 chief, and what did you speak to him about?

17 A. I met Pa Roke and a few other old men, and I talked to

are  
18 them. I said, "Old people, you, yourselves, have seen. We  
19 not here to kill or destroy." I said, "They have captured  
16:10:28 20 Masingbi, and they have not burnt any house, and they have not  
21 broken into anybody's house. This should give you the  
confidence  
22 that we have not come here to disturb any civilian."  
23 Q. Where did you have this meeting?  
24 A. Well, it was at the CDF -- it was -- it was at the house  
of  
16:10:49 25 the CDF commander.

26 THE INTERPRETER: Your Honours, would the witness go a  
27 little bit slow?

28 MR JORDASH:

29 Q. Go back, please.

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with  
1 A. I said, it was not a meeting. I said, I only made a  
2 stopover at Masingbi and when the commander who surrendered  
3 the CDF told me that Pa Roke, who was the chief, and other old  
4 men were here, I said, "Okay, let me go there and talk to  
them."  
16:11:16 5 I drove to the house and talked to them.

6 Q. Was anything else said by you?

7 A. Well, I -- it was just what I had been telling them was  
8 just to guarantee their security and their safety. That if  
they  
9 told their people, to return to town nothing would happen to  
10 them, nobody would disturb them. That was what I told them,  
16:11:37 that  
11 we were not there to disturb the peace of the civilians.

12 Q. Do you know what happened as a result of that  
conversation,  
13 if anything?

14 A. Yes. The talk that I gave them, the outcome of it was  
that  
15 -- the civilians came out of the bushes, and stayed in  
16:11:57 Masingbi,  
16 up to disarmament in 2001.

17 Q. How do you know the civilians came?

18 A. Well, I used to see, because, when I was in Makeni,  
19 from January to March, at times I would pass through and go to  
20 Kono. At times, I would come and make a stopover at Masingbi  
16:12:22 and  
21 go back. Then there was a radio set in Masingbi, even when  
they  
22 attacked me at Makeni, when I came and passed through --

23 PRESIDING JUDGE: Slow down. Okay. Continue.

24 THE WITNESS: I said, even when Superman attacked me in  
25 Makeni, when I passed through Masingbi, I went to Buedu,  
16:12:40 October,  
26 in '99. When I came again, I met the civilians, a lot of  
27 them,  
28 in Masingbi. And they lived there throughout the conflict, up  
to  
29 the time of the disarmament. They had their wares, they had  
their drug stores.

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1 MR JORDASH:

2 Q. You mentioned a name which hasn't been translated, Amidu  
3 Conteh. Did you mention that name?

4 A. Yes, I said Amidu Conteh, he was the commander for the  
CDF,

16:13:16 5 who surrendered. And, later, I myself -- I, myself, told  
him  
6 Kallon -- we made him RUF commander at Masingbi, and I told

7 that the reason I'm making you a commander was that you should  
8 not allow other RUF fighters to come to this town to come and  
9 disturb your people. So, it was like, we would capture the  
CDFs,

16:13:39 10 and we would turn around and make them commanders in their  
11 various towns, so that --

12 Q. All right. I want to deal with facts. I want to deal  
with

13 the towns like you've dealt with Masingbi. Now, tell us the  
14 other towns and what happened in the towns, and what you do,  
is

16:14:01 15 what I'm interested in. So we've dealt with Masingbi. What  
16 about other towns?

17 A. I made a stopover at Makoni Line junction where I talked

18 to --

19 Q. Right. What's the place again?

16:14:22 20 A. Makoni, M-A-K-O-N-I-E [sic] Junction.

21 Q. Junction. Did you stop there after Masingbi?

22 A. Yes.

23 Q. What did you do? You, personally?

24 A. Well, when I arrived there, I met about five RUF whom

16:14:47 25 Kallon had deployed there, then I made a stopover. They came  
whom,

26 around my vehicle. They came with the Kamajor commander,

left

27 they said, this was the man, and his brothers. "We were all

28 here by Kallon." Then I talked to the Kamajor and his men,

and

29 the CDF man's name is John Conteh.

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1 Q. What did you say to them?

2 A. Well, I told John Conteh, I said, "Have you seen Morris

3 Kallon? Has he spoken to you?" He said, "Yes." He said he

4 left and had gone towards Magburaka. I said, well -- I said,

I

16:15:28 5 was Colonel Issa. I said, the same thing that that man had  
told

6 you, I said -- had given orders that nobody would disturb you,  
7 since you had decided not to fight against us anymore -- you  
and  
8 us have become one, I said, so we'll not fight each other any  
9 more.

16:15:52 10 JUDGE BOUTET: What's the name of that person you're  
11 talking to? You had mentioned before --

12 THE WITNESS: John Conteh, My Lord.

13 JUDGE BOUTET: But the previous village it was Amidu  
14 Conteh, now it's John Conteh.

16:16:08 15 THE WITNESS: Yes, My Lord. Amidu Conteh was at  
Masingbi.  
16 John Conteh was at Makoni Line Junction, sir.

17 JUDGE BOUTET: Both are Conteh, but two different  
villages?

18 THE WITNESS: Yes, sir, about a distance of seven miles.

19 JUDGE BOUTET: Now you're talking about a Kamajor  
16:16:27 20 commander, and before you were talking of the CDF commander.  
21 What's the difference, if any, for you?

22 THE WITNESS: Well, My Lord, it was a CDF. They were  
the  
23 Kamajors, as far as I understand. Although they have their  
24 different sections, they have the Kapras, they have the  
Donsos.

16:16:51 25 JUDGE BOUTET: I was asking you, because you have used  
the  
26 term, the previous village, CDF Kamajor was Amidu Conteh.  
Now,  
27 at this village, you say he was a Kamajor commander, so  
obviously  
28 you're using different terms for different people. I'm just  
29 asking you to assist me in understanding what you're saying,

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1 that's all.

2 THE WITNESS: Well, My Lord, the CDFs were the Kamajors.

3 That was the general name, the Kamajors, but they were the  
CDFs.

4 MR JORDASH:

16:17:25 5 Q. Why do you use the two? Do you see a difference between  
6 the two or not?

7 A. Well, when we were fighting against them, that was what  
we  
8 had been using. It was later that we came to hear about  
Donsos.

9 We started hearing about Kapras, Gbethis, and all of them were  
16:17:46 10 under the CDF, the Kamajors.

11 Q. Okay. How long did you stay in Makoni Line Junction.

12 A. Makoni Junction.

13 Q. How long did you stay there?

14 A. Well, when I have spoken to John and his men, and I told  
16:18:12 15 John that he should spread the message in the surrounding  
16 villages, so that the people could come back to their villages  
17 and stay. I said, "And you are the individuals that will be  
18 commanders in your towns, so that your people will not be  
19 afraid." Then I continued my movement to Makali.

16:18:33 20 Q. Before we get to Makali, do you know what, if any, was  
the  
21 effect of your meeting with the Conteh -- with John Conteh?  
22 A. Yes, My Lord. John Conteh, from Makoni Line Junction,  
all  
23 the villages that were in that surrounding village up to,  
because  
24 there was a branch road that went to -- I've forgotten the  
name  
16:19:11 25 of the town. There was a branch from Makoni Line junction on  
the  
26 left going to a fairly big town. All the people in that area,  
27 they stayed there, at Makoni Line Junction from 1998,  
December,  
28 up to the end of the conflict, 2001. There were civilians  
living  
29 there in that Makoni Line Junction and the surrounding  
villages.

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1 Q. Well, do you know, if they came, when they came into the  
2 Makoni Line Junction?  
3 A. Well, that I can say, from late December to early  
January,  
4 the people had started coming out.  
16:19:53 5 Q. Were there RUF left, deployed there?  
6 A. I said, it was just around five RUF fighters that were

7 there, with John Conteh's men.

8 Q. When you left to go to Makali, who did those men report  
to?

9 A. When I left to go to Makali.

16:20:25 10 Q. Yes, the RUF deployed in Makoni Line Junction, who did  
they

11 report to?

12 A. Well, at this time, we had not yet made any command  
post,

13 but, later, Makoni Line Junction fell under Masingbi. But,  
this

14 time, it was just a new deployment, initially.

16:20:48 15 Q. Who did the new deployment report to?

16 A. They were under me and Kallon. They had been reporting  
to

17 me. I and Kallon.

18 Q. Right. You went to Makali; what happened in Makali?

19 A. I went to Makali. I met a few RUFs again, who were in

16:21:22 20 Makali, with the CDFs and about ten to 15 civilians. Among  
them

21 were the chiefdom speaker and the paramount chief. The  
chiefdom

22 speaker was Pa Santigie Turay.

23 Q. Can you spell that, please?

24 A. P-A S-A-N-T-I-G-I-E. Santigie. T-U-R-A-Y. He was the

16:22:03 25 chiefdom speaker, and up to this time, he is the chiefdom  
speaker

26 in Makali. Even as I'm talking, he is the chiefdom speaker.

27 Q. And you mentioned paramount chief; who was that?

28 A. That was the late Paramount Chief Alimamy Kanu. He died

29 last year, he too was there and I feel that --

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1 THE INTERPRETER: Your Honours, would the witness be  
2 instructed to speak a little bit loud.

3 MR JORDASH:

4 Q. Could you raise your voice a little? Could you repeat  
what  
16:22:39 5 you've just said.

6 A. No, I said, among the ten people whom I met in Masingbi,  
7 the chiefdom speaker was there, who was the chiefdom speaker  
up  
8 to this time in Makali. The paramount chief was there, who  
was

9 the late Alimamy Kanu. I said he had given a statement in my  
16:22:56 10 defence. I said, but he had died last year. Then you had the  
11 town head man, the Imam and other people, including two women  
who  
12 were among them. I met them and talked to them.

13 Q. He made a statement for your defence and died last year.  
14 What interaction did you have with him?

16:23:18 15 A. Well, I told him that -- I said that he was a paramount  
16 chief, and I said our presence in his chiefdom, we did not  
come  
17 to change a paramount chief. We did not come to change any  
civil  
18 administration. I said, so, now that he was in his chiefdom  
and

we've 19 that he had accepted us, and we too, on behalf of the RUF,  
16:23:43 20 recognised him as the paramount chief of his chiefdom. I  
said,  
I 21 so -- I said, the CDF, in his chiefdom, had surrendered to us.  
22 said, so now, his CDF and us had become one. Let him call his  
23 people so that we would make sure that we give him maximum  
24 security for him and his people, so that they could live in  
their  
16:24:04 25 town. That's what I told the late paramount chief.  
26 Q. How long did you stay there?  
27 A. Well, I did not stay there long. When I had spoken to  
the  
28 chief, I talked to the few RUF that were there and the CDF,  
who  
29 had surrendered. And he too, the CDF commander, he also was

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1 called Foday Conteh. There was Contehs all along the road,  
2 Masingbi, Makali, Makoni Line Junction.  
3 Q. Do you know if there was any effect, or did anything  
happen  
4 as a result of your meeting with him and the paramount chief  
and  
16:24:59 5 the chiefdom speaker?

chief  
6 A. Yes. Because, later, I came to understand that the  
7 himself had had to send to other CDFs that had not come out so  
8 that they could all come out, you know, and the people, the  
9 civilians, they remained in their town in Makali, and they  
were  
10 16:25:21 doing their farming, up to 2001, disarmament. They lived in  
11 control Makali. The paramount chief, he lived there, and he had  
12 over his chiefdom, up to the time of disarmament.  
13 Q. Do you know --  
14 A. No, go ahead.  
15 16:25:44 Q. Do you know when civilians started to come back to  
Makali?  
16 A. Well, it was from late December, people started coming  
to  
17 Makali. Early January, the townspeople were there, '99.  
18 Q. After Makali, where did you go?  
19 A. Well, after Makali, I made a stop over at Matotoka  
because  
20 16:26:13 I met RUFs there, who were deployed at Matotoka Junction.  
Well,  
21 Fullah I met the RUF with few civilians with whom there was one  
22 Pa, but he said that he was born at Matotoka.  
23 Q. Sorry, the name you called?  
24 A. No, I do not know his name. I do not know his name. I  
16:26:39 25 only know that he was a Fullah man. He was a Fullah man. He  
was  
26 old a Fullah Pa, an old man. But he was still strong, but he was  
27 by then. He and few civilians were the ones that I met at  
28 to Matotoka with the RUF. I made a stopover there and I talked

29 him, the old man, and the few civilians who were there.

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1 Q. Did this Fullah Pa have any official title or function?

2 A. Well, later, he was the one who served as the caretaker  
3 chief. He was there up to the time of the completion of the  
4 disarmament and the paramount chief later went [as  
interpreted].

16:27:24 5 Q. What do you mean the paramount chief later went?

6 A. Yes, because the paramount chief at Matotoka was PC  
7 Baikafari. He was in Freetown. During this time, he was not  
8 there. So, the people, in January, it was that Pa, that  
Fullah

9 who was made as the caretaker chief. He was there as head for  
16:27:47 10 them. He was there up to 2001, when we disarmed and the  
11 paramount returned. It was that Fullah that was there as a  
12 chief. But he was a native of Matotoka.

13 Q. And what was it that you said to them when you went  
there?

14 A. Well, I told them the same thing, that they should come  
to

16:28:11 15 their towns, they should come and stay in their towns. They

16 should come from the bushes. Because I said we were not there  
to

17 harm them. We were not there to impose anything they did not  
18 want, or to do anything they did not want. I said, no. I  
said  
19 they were to come to their town.

16:28:28 20 Q. Did anything happen as a result of you speaking to this  
Pa?

21 A. Yes. It looked like there was a problem there, because  
22 from early January to February, the CDF from Yele had been  
23 attacking the place frequently, so civilians were not able to  
24 base there. So, the civilians, they went and lived close to  
16:28:53 25 Magburaka, the village close to Magburaka, because of the  
26 frequent attacks from the CDF, sir, at Matotoka.

27 Q. What happened after Makali? Did you go anywhere else?

28 A. I said, I passed through Matotoka.

29 Q. What happened after Matotoka?

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1 A. Well, after Matotoka -- this was late in the evening, so  
2 Magburaka was -- I made a stopover on the main road and I  
3 continued to Makeni. Magburaka, the town was quiet.

4 Q. Did you speak to anyone in Magburaka?

16:29:39 5 A. No, that was on the following day. When I came from  
6 Makeni, I came to Magburaka and talked to the people. It was

not

7 the very day.

8 Q. Well, since we are in Magburaka, after you returned from  
9 Makeni to Magburaka, did you meet anyone in Magburaka the next  
16:30:00 10 day?

11 A. Yes, I met a few people. That was the next day. I met  
a  
12 few people. I gave them the same message, because all the  
houses  
13 in Magburaka were locked. They were locked. The people, they  
14 ran and went to the surrounding villages, and they came back  
and  
16:30:21 15 they found their houses the same way they had left them.

16 Q. Who did you meet in Magburaka the next day?

17 A. During that day, I met one Mustapha, who was a young  
man,  
18 who was a mature man at Makali -- sorry, Magburaka. Later, he  
19 became part of the G5, and I met other civilians. But the  
chief,

16:30:50 20 that very day, I was not able to see him. But I, myself, I  
asked  
21 for the chief, and they told me the chief was around, but he  
was  
22 not in town. So I too said that wherever he was, my message  
was  
23 to let him come back. Let him come to his town and live with  
his  
24 people. And that was what happened. The paramount chief in

16:31:11 25 Magburaka, he, himself, came back to the town, from January  
'99  
paramount  
26 up to 2001. He had been controlling his chiefdom, as a  
27 chief and all civil administration in his chiefdom, he had  
28 authority over that.

client

29 PRESIDING JUDGE: Mr Jordash, I probably think your

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1 needs a break at this time. We will take the usual afternoon  
2 break now.

3 MR JORDASH: Thank you.

4 [Break taken at 4.30 p.m.]

17:00:03 5 [Upon resuming at 5.05 p.m.]

6 PRESIDING JUDGE: We'll proceed, Mr Jordash.

7 MR JORDASH: I'm sorry to say, but I have to apply to go  
8 into closed session.

9 PRESIDING JUDGE: Right, and that will be for the rest  
of  
17:07:12 10 the afternoon?

11 MR JORDASH: Yes.

12 PRESIDING JUDGE: Members of the public, we kindly ask  
you  
13 to retire. This chamber is about to go into closed session.  
14 We'll welcome you tomorrow morning, 9.30 a.m..

17:07:36 15 JUDGE ITOE: This has come just at the wrong time for a  
16 visiting audience.

17 JUDGE BOUTET: Very bad timing.

18 JUDGE ITOE: Bad timing, indeed.

19 JUDGE BOUTET: I'm not sure for whom, but certainly for  
the  
17:07:54 20 members of the public.

21 PRESIDING JUDGE: Madam Courtroom Officer, please take  
the  
22 necessary action.

23 [At this point in the proceedings, a portion of the  
24 transcript, pages 112 to 120, was extracted and sealed under  
17:08:06 25 separate cover, as the proceeding was heard in a closed  
session]

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1 [open session]

2 PRESIDING JUDGE: The trial is resumed in open session,  
and  
3 the hearing is adjourned to tomorrow, Friday, 18 May 2007 at  
4 9.30 a.m.

17:31:15 5 [Whereupon the hearing adjourned at 5.30  
p.m.,

6 to be resumed on Friday, the 18th day of May

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2007, at 9.30 a.m.]

WITNESSES FOR THE DEFENCE:

WITNESS: ISSA HASSAN SESAY

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