



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 13 JULY 2010
9.00 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Ms Erica Bussey

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

Ms Brenda J Hollis
Mr Nicholas Koumjian
Ms Kathryn Howarth
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Ms Logan Hambriek
Ms Fatiah Balfas

1 Tuesday, 13 July 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.05 a.m.]

09:06:36 5 PRESIDING JUDGE: Good morning. We'll take appearances
6 first, please.

7 MR KOUMJIAN: Good morning, Madam President. Good morning,
8 your Honours and counsel opposite. For the Prosecution this
9 morning, Brenda J Hollis, Kathryn Howarth, Maja Dimitrova, and
09:06:36 10 Nicholas Koumjian.

11 MR GRIFFITHS: Good morning, Madam President, your Honours,
12 counsel opposite. For the Defence today, myself Courtenay
13 Griffiths, with me Mr Silas Chekera, Ms Logan Hambrick, Ms Fatiah
14 Balfas and Ms Fatmatu Jalloh.

09:06:36 15 PRESIDING JUDGE: Thank you. Before we commence I would
16 like to remind you again, as I did yesterday, that we're sitting
17 half day today for the reasons I stated yesterday.

18 Good morning, Mr Sesay. I remind you, as I normally do,
19 that you are bound by the oath that you took to tell the truth.

09:06:36 20 WITNESS: DCT-172 [On former oath]

21 EXAMINATION-IN-CHIEF BY MR GRIFFITHS: [Cont'd]

22 Q. Mr Sesay, yesterday when we adjourned we were looking at a
23 document supposedly written by an unknown, unnamed individual,
24 and on an unnamed date, addressed to the leader from the Black
09:06:36 25 Revolutionary Guards.

26 PRESIDING JUDGE: Please hold on, Mr Griffiths. We need to
27 sort something out.

28 MR GRIFFITHS:

29 Q. Yesterday, Mr Sesay, we were looking at a document,

1 Prosecution exhibit 67, written by an unknown and unnamed
2 individual, and undated, addressed to the leader. Could we
3 please have that document back in front of the witness, please?
4 And we had reached the penultimate page of the document.

09:08:31 5 MS IRURA: Your Honours, we appear to be experiencing a
6 technical problem. The feed from the overhead is not showing on
7 the screen. The other feeds are working, but the feed from the
8 projector is not showing on the screen, so we would need some
9 assistance.

09:08:54 10 PRESIDING JUDGE: While you are looking into that, none of
11 the judges has the court - well, one judge has the court screen
12 on, but ours are all blank as well.

13 Mr Griffiths, I think we're back in business. We can start
14 now.

09:10:34 15 MR GRIFFITHS:
16 Q. Could we return to exhibit P-67, please, the penultimate
17 page. And can I direct your attention, please, Mr Sesay, to the
18 last five lines on that page:

19 "After some days, he came for the second time and attack
09:11:26 20 Makeni and killed Colonel Rambo, arrested some security
21 personnels, fire some people but they missed to kill the
22 battlefield commander and chase him all the way to Makali and
23 missed him for the second time.

24 According to security findings, most of the senior officers
09:12:10 25 cannot give any advice or try to contain that situation. Instead
26 they keep on inciting to spark the situation. According to
27 Superman, he has vowed to not ever take command from the high
28 command.

29 In regards to the mining process, it is only recently that

1 the authorities has given the go-ahead for mining to be going on.
2 Lieutenant Colonel Kennedy is the overall mining commander. They
3 have been getting some small small pieces which is in our big
4 record book. Another development is that one businessman from
09:13:20 5 Cuba by the name of Carlos offered the movement one FM radio
6 station and the station itself has been built up a hill in Dodo
7 Botuma."

8 Pause there. Did the RUF have dealings with a man from
9 Cuba by the name of Carlos, Mr Sesay?

09:13:55 10 A. Yes, Sam Bockarie was doing business with one Mr Carlos
11 from Canada. He came from Canada, not Cuba.

12 Q. So he came from Canada?

13 A. Yes, it was Ibrahim Bah who brought him to Sam Bockarie.

14 Q. And why did Ibrahim Bah bring this man to Sam Bockarie?

09:14:26 15 A. Well, Ibrahim Bah was the agent who used to bring diamond
16 dealers to the RUF to Sam Bockarie, to Foday Sankoh, and even to
17 me.

18 Q. And when was it that you first encountered this man Carlos?

09:14:57 19 A. I saw this man when he came to Buedu in April '99 but
20 before then he used to come, because the first time he came was
21 around February 1999. But at that time I was not in Buedu. He
22 was the one who brought with him the FM radio station.

23 Q. And can you just explain to us what was the FM radio
24 station?

09:15:33 25 A. Well, the FM radio station was a broadcast station that Sam
26 Bockarie constructed a house at Dodo Kortuma four miles away from
27 Buedu on top of a hill. That was where the radio was installed.
28 And we had journalists like Hilton Fyle, Martin Koker, they were
29 operating the FM station, and the FM radio station was broadcast

1 in more radio stations like in Buedu, Kangama, Bailahun, but it
2 did not go up to Kailahun Town. But the surroundings around
3 Buedu, Dodo Kortuma, people received that FM radio station on the
4 commercial radios.

09:16:24 5 Q. Thank you. Now just some spellings. Hilton Fyle, how do
6 you spell the surname?

7 A. It's F-I-L-E.

8 Q. And the second journalist was Martin Koker?

9 A. Yes.

09:16:42 10 Q. And when was that FM station installed?

11 A. It was in June 1999. It was at that time that it was
12 commissioned.

13 Q. And did this man Carlos from Canada, not Cuba - what did he
14 get in return, if anything, for bringing that FM station?

09:17:13 15 A. Well, Sam Bockarie used to sell diamonds to him.

16 Q. "Also in January the high command organised an operation
17 for Segbwema to be captured in order to cut the supply between
18 Daru Barracks and Kenema. The said operation went on smoothly
19 but unfortunately failed to capture. We in fact left another
09:17:57 20 operation at hand to attack Kenema.

21 In conclusion, sir, we are hereby suggesting that the issue
22 of Superman should immediately be put under control before he
23 tried to mislead some of our struggle brothers. Faithfully
24 submitted."

09:18:24 25 Now, keeping that there for the moment, could we now look
26 again at exhibit D-9, please?

27 A. Yes, sir. Before going to the next exhibit, I would want
28 to make a comment about the \$600,000 that is indicated on this
29 document.

1 Q. What do you want to say about that \$600,000?

2 A. The AFRC who attacked Freetown, the operations commander
3 for the AFRC during the invasion of Freetown became a Prosecution
4 witness who testified during my trials in open session, and this
09:19:58 5 witness did not say anything about RUF taking monies from the
6 retreating AFRC from Freetown. So if the AFRC who attacked
7 Freetown, and that some of them became Prosecution witnesses and
8 did not make mention of the RUF collecting \$600,000 from them in
9 Waterloo and gave it to Issa, so how come the RUF, who were not
09:20:27 10 commanders and who did not take part during the attack on
11 Freetown, they come to write false reports like this? That is
12 just what I want to say, sir.

13 Q. I'm grateful. Just looking at page 13 of that report, and
14 this is the salute report of Major General Sam Bockarie, we see
09:21:06 15 that on page 13 the last sentiments being expressed:

16 "Sir, I most respectfully ask you to look into the numerous
17 complaints of both Gibril and Superman."

18 It goes on to deal with the issue of Superman and the
19 problems he had caused. When we now look at exhibit P-67, it
09:21:35 20 ends on precisely the same note:

21 "In conclusion, sir, we are hereby suggesting that the
22 issue of Superman should immediately be put under control before
23 he tried to mislead some of our struggle brothers."

24 Mr Sesay, the salute report attributed to you, the salute
09:22:00 25 report attributed to Sam Bockarie, and this report, who wrote
26 them?

27 A. This is done by Gibril Massaquoi.

28 MR KOU MJIAN: That doesn't answer - it's not clear what he
29 is answering because it was actually a triple question, three

1 different reports.

2 PRESIDING JUDGE: No, I think the question was one. The
3 assumption is that the one person wrote all three. And that's
4 how I understand the witness's answer.

09:22:36 5 MR KOUMJIAN: It wasn't clear to me "this is done", whether
6 he was referring to the one or three. Thank you.

7 JUDGE LUSSICK: Mr Griffiths, I seem to remember one of
8 those reports alleged that Gibriil Massaquoi bashed a baby's head
9 against the wall. So is that one of the reports that this
09:22:58 10 witness is now saying was written by Gibriil Massaquoi?

11 MR GRIFFITHS:

12 Q. Are you saying that report was written by Gibriil Massaquoi,
13 Mr Sesay?

14 A. Yes.

09:23:13 15 Q. And, Mr Sesay, why do you say these were written by Gibriil
16 Massaquoi?

17 A. Well, because most of the events who are indicated in these
18 documents, Gibriil was present and when I was arrested I was
19 arrested together with Gibriil and --

09:23:39 20 INTERPRETER: Your Honours, could the witness be advised to
21 speak up a little and repeat that area.

22 MR GRIFFITHS:

23 Q. Mr Sesay, the translator is asking that you speak up a bit
24 and speak more slowly. Could you start that answer again,
09:23:53 25 please?

26 A. I said the reason why I said it was Gibriil who wrote these
27 exhibits: One, like in November '96 the one pertaining -
28 Mr Sankoh's instruction for me to go to the Moa River and receive
29 the retreating RUF and Mohamed Tarawalli from Zogoda, Gibriil was

1 present during that; and number two, Gibril's behaviour as - to
2 the way he wanted us to do evil things against the instructions
3 of the ECOWAS pertaining the disarmament of the RUF; three, the
4 way he organised Foday Sankoh's bodyguards and other RUF to go
09:24:42 5 and give false reports to the UN authorities in Freetown against
6 me; four, at the time we were arrested we were arrested on that
7 very day, all of us, but he - the handcuff was removed from his
8 hands in my presence with Kallon, so he went with the
9 Prosecution.

09:25:03 10 And even when I was at the detention centre, some RUF who
11 visited me told me that Gibril was speaking to them for them to
12 go and prosecute me. And even one of my girlfriends who got a
13 baby from me in Freetown, he told the lady to come and prosecute
14 me and the lady told him, say, "Look, I will not go there to lie
09:25:27 15 against that man." And given all the statements by Gibril
16 Massaquoi, Gibril Massaquoi had been speaking with the
17 Prosecution long before our arrest in 2002. And even the
18 newspapers through which Gibril was writing and the way he was
19 talking to journalists when I was in detention, these are all
09:25:50 20 reasons put together for which I said it was Gibril who did these
21 documents and no other RUF had such a criminal idea besides
22 Gibril. He was the only person who could make up his own
23 stories, formulate things by himself against his own colleagues,
24 those of us who were his colleagues who wanted peace in Sierra
09:26:12 25 Leone, because Gibril was inciting people saying that I --

26 THE INTERPRETER: Your Honours, could the witness be asked
27 to slow down again and repeat that area.

28 MR GRIFFITHS:

29 Q. Gibril was inciting people saying that?

1 A. Yes, yes, even some of the Prosecution witnesses he
2 recruited, when they sat in court to prosecute me they used to
3 say that I disarmed them while Foday Sankoh was in prison and
4 when I asked them I said, "Is that a crime?", they said they were
09:26:42 5 angry with me. They said I disarmed them whilst Foday Sankoh was
6 in jail so I sold out the RUF. And all of those ploys were ploys
7 made by Gibril. And I also recall that one of the witnesses who
8 came and prosecuted us, he was also an RUF insider. I can write
9 his name because he was a protected witness. That witness was in
09:27:08 10 Gibril's house when he called him in Freetown to come and
11 persuade him to become a Prosecution witness. That witness spoke
12 to Morris Kallon on the detention telephone and told Kallon - he
13 told Kallon and myself that it was Gibril who called him to
14 Freetown and that he was living in Gibril's house. So I know
09:27:29 15 that it was Gibril who wrote these documents.

16 MR GRIFFITHS: Could the witness be given a piece of paper,
17 please:

18 Q. I would like you to write the name down. Could you sign
19 and date that, please.

09:30:03 20 I would like that marked for identification, please. I
21 think we're up to MFI-3.

22 PRESIDING JUDGE: The piece of paper indicating the name of
23 a protected witness as written by Issa Hassan Sesay is marked
24 MFI-3 and will be confidential.

09:30:24 25 MR GRIFFITHS: I'm grateful:

26 Q. On that topic, Mr Sesay, following your arrest which you
27 just mentioned, where were you taken to be detained?

28 A. Well, when I was arrested myself and Kallon, together with
29 Gibril, we were taken to the CID headquarters in the office of

1 the director.

2 Q. And thereafter to where were you taken?

3 A. They took Kallon and myself to Jui.

4 Q. And from there?

09:30:58 5 A. Well, from Jui they put us in separate cells and it was not
6 up to ten minutes after they had put us in the cells when one of
7 the white men, the investigator --

8 THE INTERPRETER: Your Honour's, the name of the
9 investigator was not clear to the interpreter.

09:31:21 10 PRESIDING JUDGE: Please pause.

11 MR GRIFFITHS:

12 Q. Pause there. What was the name of the white investigator?

13 A. His name was John Berry.

14 Q. And you went on to say what about Mr Berry?

09:31:39 15 A. They instructed me to come out of the cell and I was
16 handcuffed on my back and they took me to an office in that same
17 building, one small office. When they took me there, it was then
18 that John Berry told me - he told the policeman that this is
19 Issa. And John Berry said, "Issa". I said, "Yes, sir." He
09:32:04 20 said, "This is the end of your life."

21 Q. Pause there, Mr Sesay. We'll come to those details in due
22 course. But thereafter did you remain at Jui?

23 A. No, from that office they took me to David Crane's house at
24 Scan Drive.

09:32:29 25 Q. They took you to whose house?

26 A. David Crane's house at Scan Drive where he was living.
27 That was where they took me to.

28 Q. And, just briefly, what happened to you at David Crane's
29 house?

1 A. Well, I cannot just say now what happened in David Crane's
2 house because the thing that happened - it started from the small
3 room where I was taken to, because it was from there that they
4 took me directly to David Crane's house.

09:33:03 5 Q. I don't want to deal with the details of that now, but just
6 help us: How soon after your arrest were you taken to David
7 Crane's house?

8 A. I can say just for about an hour.

9 Q. Did you only go to David Crane's house on one occasion?

09:33:34 10 A. No, they brought me there so many times from the detention
11 in Bonthe. They used to take me - pick me up from there
12 sometimes early in the morning.

13 Q. And take you to where?

14 A. Okay. The first day they brought me to David Crane's
09:33:56 15 house, in the evening they took me to Bonthe to the detention
16 centre and every morning, very early in the morning, they used to
17 take me from there and bring me to David Crane's house in
18 Freetown. That happened on so many occasions.

19 Q. And by what means were you taken from the detention centre
09:34:14 20 to Bonthe?

21 PRESIDING JUDGE: Bonthe was the detention centre.

22 MR GRIFFITHS:

23 Q. By what means were you taken from Bonthe to David Crane's
24 house?

09:34:28 25 A. Well, they used to handcuff me on my back. They put my
26 hands on my back and handcuffed me, that is in my cell, and from
27 there they would take me from out of my cell. They bring me to a
28 small room where the detention authorities were. They used to
29 blindfold me with a black something over my head and they used to

1 tie it lightly and hold me by my shoulders, put me in the car and
2 take me to the helipad and they would put me on board a
3 helicopter and bring me over to Freetown. And from there they
4 bring me to David Crane's house. So that was how we used to
09:35:13 5 come.

6 Q. So you were hooded, handcuffed, taken by helicopter to
7 David Crane's house. Is that right? On how many occasions did
8 that happen? Or, put differently, over how many days were you
9 treated in that way?

09:35:34 10 A. Well, they treated me that way for about - for about eight
11 to nine different trips. And the other time, I was not
12 blindfolded. I was just handcuffed in - my hands were in front
13 of me, and when I came over, I - that was when I saw my wife and
14 my children at David Crane's house.

09:35:52 15 Q. Now, who did you say you were arrested with?

16 A. Myself and Morris Kallon.

17 Q. Anybody else?

18 A. Together with Gibriil. They three of us were initially
19 arrested. And from the director of CID's office, Foday Daboh, in
09:36:16 20 Sierra Leone, from there they brought us to the corridor, the
21 three of us who were handcuffed on our backs, and a man came. I
22 did not know his name but later I knew the name. He was called
23 Morissette. They called Gibriil by the corner and they opened his
24 handcuff, and the handcuff was removed from him, and then later
09:36:36 25 they took him to the director's office.

26 Q. Pause there. So you were arrested with Massaquoi but he
27 was then released, and shortly after your arrest, you were taken
28 to David Crane's house, and on several other occasions you were
29 also taken to his house; is that correct?

1 A. Yes, that is what happened.

2 Q. Let us go now, please - no, before we do that. You were
3 effectively the leader of the RUF at the time of disarmament,
4 weren't you, Mr Sesay?

09:37:21 5 A. Yes.

6 Q. So perhaps you can help us with this: Did the RUF
7 leadership operate a filing system for documents?

8 A. We did not file documents. We did not file documents.

9 Q. Did you have a particular place or office where important
09:37:51 10 RUF documents were kept?

11 A. No, it was the adjutants who only used to keep some
12 documents, the letters that we used to receive from admin.

13 Q. Where was your adjutant based?

14 A. My adjutant was with me in Kono. Then we came together to
09:38:23 15 Makeni. And after the disarmament, he stayed in Makeni, and
16 still he is in Makeni.

17 Q. And the documents that your adjutant wrote, where did he
18 keep them?

19 A. He used to keep them himself.

09:38:41 20 Q. Did the RUF have mining offices at a place called
21 Koakoyima?

22 A. Yes.

23 Q. Who was in charge of that office?

24 A. Well --

09:39:16 25 PRESIDING JUDGE: Is that Koakoyima?

26 MR GRIFFITHS: K-O-A-K-O-Y-I-M-A:

27 Q. Who was in charge of that office?

28 A. Well, in '99 to January 2000, it was Marshal Kennedy Sesay.
29 After that, it was Amara Salia, Peleto, to late 2000.

1 Q. And who would have had responsibility at that office for
2 the caretaking of documents?

3 A. Well, it was a mining unit. The mining commander.

4 Q. And who was that?

09:40:18 5 A. I said in '98, '99 it was Matthew Kennedy Sesay to January
6 2000.

7 Q. So if I wanted to ask someone about documents kept at the
8 mining office at that site, Matthew Kennedy Sesay is the person I
9 ought to talk to; is that correct?

09:40:39 10 MR KOUMJIAN: Objection. That's extremely leading, and
11 further, counsel has not specified a time period while the
12 witness has indicated that the mining leadership changed over
13 time.

14 JUDGE LUSSICK: And also the witness has not said that
09:40:53 15 documents were kept at that office.

16 MR GRIFFITHS:

17 Q. Were any documents kept at that office, Mr Sesay?

18 A. Yes. The mining commander had the mining documents.

19 Q. And who was the mining commander?

09:41:12 20 MR KOUMJIAN: Again, it's not specific as to time.

21 MR GRIFFITHS:

22 Q. Who was the mining commander?

23 A. Well, the mining commander was Matthew Kennedy Sesay.

24 PRESIDING JUDGE: Mr Griffiths, a time frame would be
09:41:30 25 helpful.

26 MR GRIFFITHS: I'm coming to that:

27 Q. When?

28 A. Well, for part of 1998, 1999 to January 2000, it was
29 Matthew Kennedy Sesay who was the mining commander.

1 Q. Did anybody else hold that post?

2 A. Yes. When the leader said I should change him in February
3 2000, I appointed Amara Salia alias Peleto. He was there as well
4 for up to October 2000, and I sent him to Tongo.

09:42:14 5 Q. So for part of 1998, 1999, to January 2000, it was Matthew
6 Kennedy Sesay, yes?

7 A. Yes, sir.

8 Q. He was succeeded by Amara Salia alias Peleto, yes?

9 A. Yes.

09:42:33 10 Q. Did Matthew Kennedy Sesay, during the time from 1998 to
11 January 2000 that he was mining commander, did he keep records?

12 A. Yes, because - he used to keep records, yes, of what they
13 used to get from the mining.

14 Q. And did Amara Salia also keep records?

09:43:00 15 A. Yes.

16 Q. Do you know what Mr Kennedy Sesay did with his records when
17 he handed over the post in January 2000?

18 A. Well, his own reports were with him.

19 Q. And what did he do with them; do you know?

09:43:22 20 A. No, I did not know what he did with them.

21 Q. What about Amara Peleto?

22 A. Amara Peleto too, it's the same.

23 Q. Now, after you took over as interim leader, Mr Sesay, where
24 was your headquarters?

09:43:56 25 A. I was based in Kono. I was based in Kono.

26 Q. Where in Kono?

27 A. At Small Lebanon, between Koakoyima and Koidu Town.

28 Q. Where was your adjutant based?

29 A. My adjutant was at Small Lebanon, opposite my house.

1 Q. And did your - remind us, what was your adjutant's role?

2 A. My adjutant used to write letters for me. He used to take
3 minutes at meetings. And sometimes I used to tell him to prepare
4 radio messages for the operator. And reports that used to come
09:44:55 5 in from various brigades, he used to read them. And I used to
6 instruct him to write, and I would just explain in Krio, and he
7 would compile the letter, and he would give it to me and I would
8 sign it. That was his own job.

9 Q. And the documents prepared by your adjutant, what would
09:45:14 10 happen to them?

11 A. Well, he used to send them to those that the letter has
12 been addressed to, the commanders at different brigades,
13 sometimes to the brigade adjutants and unit commanders.

14 Q. For example, when he would write minutes, where would those
09:45:43 15 minutes be kept?

16 A. Well, the adjutant used to keep them. He had his house.
17 He used to keep them.

18 Q. And did the RUF have an office in any location under their
19 control where they kept important documents?

09:46:08 20 A. No. It was the adjutants who used to keep the documents.

21 Q. And how many adjutants were there?

22 A. Well, like myself, when I was an interim leader, I had my
23 own adjutant. The battlefield commander had his own adjutant.
24 The battle group and the brigades too had adjutants. And under
09:46:35 25 the brigade, you had the battalion; they too had their adjutants.
26 And even units had their adjutants. That's what it was.

27 Q. Just give us an idea, Mr Sesay - it may be difficult but it
28 would help - roughly how many adjutants would there have been
29 within the RUF?

- 1 A. Well, I can't tell the exact figure now, but this was the
2 structure where adjutants were. Brigade had adjutants. The
3 brigade commander, the battalion commander too had their own
4 adjutants. So, for example, the brigade commander had an
09:47:21 5 adjutant. The three battalion commanders had their adjutants.
6 That's four adjutants would be in a brigade. Then you talk about
7 the units. They too had theirs - their own adjutants.
8 Q. So - and each adjutant, you tell us, would have
9 responsibility for a document prepared by him or her; is that
09:47:52 10 right?
- 11 A. Yes. Like, for example, the battalion commander would
12 write a report or a letter of request to the brigade commander.
13 When that letter is brought, they would give that to the brigade
14 commander's adjutant, and he would read it to the brigade
09:48:07 15 commander, because we had some brigade commanders who did not
16 read. So they would read that to him, and the adjutant would
17 then keep the letter thereafter.
- 18 Q. Now, remind us: What was the name of your adjutant?
- 19 A. My adjutant's name was Samuel Jabba. Samuel F Jabba.
- 09:48:37 20 Q. Have a look again, please, at exhibit D-84. Now, this is
21 the salute report which you were supposed to have written,
22 Mr Sesay, or at least your adjutant. If that is right, where
23 would you expect to find this document?
- 24 A. If I had written this report - repeat the question again,
09:49:38 25 sir.
- 26 Q. You are supposed to have written this document, or your
27 adjutant. So where would you expect to find it after it had been
28 written?
- 29 A. Well, after it had been written, my adjutant should have

1 had a copy.

2 Q. That's Mr Jabba?

3 A. Yes.

4 Q. And where was Mr Jabba based when last you saw him?

09:50:13 5 A. Mr Jabba - you mean after I had been in detention?

6 Q. No, before.

7 A. Well, we were all in Makeni together with Jabba before
8 Superman and others attacked us. When they attacked, I escaped

9 from Makeni and went to Kailahun, Buedu. Jabba stayed and hid in

09:50:47 10 Makeni for up to three to four months and he went to Magburaka.

11 So from late March to early April, Jabba was not with me until in

12 October when I came back to take command in Makeni. That was

13 when I met Jabba in Magburaka. So the time shown by this letter,

14 the date, the month at that time Jabba was far away from me. I

09:51:10 15 was in Buedu whilst Jabba was far in Magburaka, Tonkolili

16 District.

17 Q. Before we leave this document, I want to ask you about some
18 of the language in it. Could you turn to page 12, please, in

19 that document. Count 10 lines down from the top. Do you see

09:51:53 20 where it reads, "At the end of my dialogue with the leader", do

21 you see that?

22 A. Yes, I've seen that.

23 Q. Do you normally speak in that way, Mr Sesay?

24 A. No, I don't speak that way.

09:52:15 25 Q. Help me, why doesn't it say, "After I spoke to you"?

26 Because after all, this is addressed to the leader. Why doesn't

27 it say that?

28 A. Well, because I did not write this. That's why.

29 Q. Go about two-thirds of the way down the page. Do you see

1 the paragraph beginning, "Upon receiving instructions from the
2 leader", do you see that?

3 A. Yes.

4 Q. Why didn't you say, "After you instructed me"?

09:52:56 5 A. This proves that I did not write this letter. I did not
6 write this report. And, honestly speaking, the first time that I
7 saw this document was during my trial when they brought it and my
8 lawyers did not lead me on it. They just showed the signature to
9 me and I told them this signature was not mine. I did not write
09:53:21 10 a report to Mr Sankoh during the time that he was in Lome. When
11 Mr Sankoh left in 1996 to 1999 I never wrote a report to
12 Mr Sankoh. That is a salute report.

13 PRESIDING JUDGE: Mr Interpreter, you said something vital.
14 The witness said "during that time that" what? You ate some
09:53:47 15 words.

16 THE INTERPRETER: "During the time that he was in Lome".

17 MR GRIFFITHS:

18 Q. Go to page 13. Again, when we look at the end of the
19 second paragraph, "In a bid to eliminate the RUF high command
09:54:09 20 left on the ground by the leader." Why didn't you say, "Left on
21 the ground by you"?

22 A. Because I did not write it. This shows that somebody else
23 wrote this, referring to me, and it was Gibril who wrote these.

24 Q. I want us to look at another report now, please. It's
09:55:24 25 exhibit P-362. We looked at this document briefly yesterday,
26 Mr Sesay, and I would like to look at it in a bit more detail
27 with you. You will see that it is headed, "Revolutionary United
28 Front." As with the other reports we've looked at, it's
29 addressed to the leader. On this occasion the report comes from

1 Jackson Ray Swarray, who gives his title as Black Guard
2 Commander. This report is dated 25 September 1999:

3 "Subject, Suggestion and Advice.

4 Sir, with your kind permission to place" something "across
09:57:09 5 the above subject as follows:

6 1. The problem between General Sam Bockarie (Mosquito) and
7 Brigadier Dennis Mingo (Superman) should be properly looked into
8 as three side of my stories. I mean the side of General Sam
9 Bockarie (Mosquito), the side of Brigadier Dennis Mingo
09:57:40 10 (Superman) and the truth to avoid embarrassment from both sides.

11 2. You are to look up to the combatants and civilians
12 under our controlled areas as most of them are loyal to the RUF
13 Sierra Leone movement.

14 3. The problem of ex-SLA should be properly addressed as
09:58:13 15 most of them are loyal.

16 4. All commanders, unit heads are to give you a
17 comprehensive report and later call a general forum."

18 We see crossed out 'which must be followed by' - is that a
19 parade forum? "A general forum," I'm grateful, "to address on
09:58:53 20 issues.

21 5. Not to forget the problems of food and medicines for
22 the combatants and civilians behind the rebel-controlled, as you
23 previously do.

24 6. To consider the families of the late fighters who died
09:59:11 25 in the struggle.

26 7. Not to forget about the Black Guards as security come
27 in doing things.

28 8. Not to forget the school teachers behind our area of
29 control and school materials like books, pens and pencils.

1 9. To contact Mr Mainoud at Freetown who was struggling
2 with us for latest informations as we are not there now.

3 Sir, your kind attention is called to focus on these
4 problems for necessary actions at your own conveniences.

10:00:19 5 Thanks, with regard, Jackson Swarray."

6 Now, Mr Sesay, here we have yet another report bearing
7 roughly the same date addressed to the Leader. Now help me, were
8 you aware of this report from Jackson Swarray to the Leader?

9 A. No, I was not aware of this report.

10:00:47 10 Q. Tell me, in September 1999 prior to the return of
11 Foday Sankoh to Sierra Leone, did someone issue an order to all
12 units that they ought to prepare reports to be given to the
13 returning Leader?

14 A. No, because at this time around the 25th of September 1999,
10:01:19 15 Jackson Swarray was in Monrovia. Superman and Pa Binda - in
16 order for them to wait for Mr Sankoh, and Jackson Swarray does
17 not write, nor does he read, and he had no adjutant at that time
18 that travelled with him, so this is a big lie that it was Jackson
19 Swarray who wrote this report.

10:01:57 20 Q. In 1999, August, Mr Sesay, who was the district IDU
21 commander for Kailahun?

22 A. It was Francis Musa.

23 MR GRIFFITHS: Could the witness be shown exhibit D-85,
24 please:

10:02:55 25 Q. Here we have yet another report to the Leader. On this
26 occasion it's dated 31 August 1999 addressed to - headed
27 "Revolutionary United Front of Sierra Leone, People's Army of
28 Sierra Leone, Ops Segbwema," dated 31 August 1999 to Corporal
29 Foday Saybana Sankoh from Major Francis M Musa, District IDU

1 commander, Kailahun.

2 "Subject: Brief comprehensive report on all salient
3 activities that took place in the absence of the leader from 24
4 March 1996 to 31 August 1999.

10:03:56 5 The leader, Corporal Foday Saybana Sankoh left Zogoda on 24
6 March 1996 for the Abidjan (Ivory Coast) Peace Talk. Brigadier
7 Morris Kallon now took over command at Zogoda in the absence of
8 Lieutenant Colonel Mohamed Tarawalli."

9 Did Morris Kallon take over command at Zogoda, Mr Sesay?

10:04:29 10 A. Well, when Mr Sankoh was travelling - what's that mean?
11 When Mr Sankoh was about to leave Zogoda to go, he had instructed
12 Mohamed Tarawalli to come and take command, so he left Kailahun
13 to wait for Mohamed Tarawalli to arrive. And within 72 hours,
14 Mohamed Tarawalli arrived and took over the command at Zogoda.

10:05:10 15 But before we go further with this document, Francis Musa, I
16 travelled with him to witness the signing of the Lome Accord on
17 the 7th - I don't know if it's the 7th or the 9th of July 1999.
18 I travelled with him, together with some other people, and all of
19 us returned together. But Francis Musa was based in Kailahun
10:05:35 20 Town throughout 1998 and '99, not Segbwema as stated in the
21 headline. It was when we left - and when we left Lome, he
22 continued to stay in Kailahun Town until he was called by
23 Mr Sankoh in Freetown in October 1999. He was not staying in
24 Segbwema at all.

10:06:01 25 Q. I'm grateful for that. Let's go back to this document:

26 "72 hours later, Lieutenant Colonel Mohamed Tarawalli
27 arrived and took over command from Colonel Morris Kallon, as
28 instructed by the leader before he left for Abidjan.

29 Lieutenant Colonel Mohamed Tarawalli started fine but later

1 he was wrongly advised by his bodyguards and late Captain Daniel
2 Wankeh (Rambo) who was bodyguard commander to the leader. For
3 instance, all kinds of civilians and stand-bys were now entering
4 in and going out of Zogoda without proper security. The Camp
10:06:40 5 Lion training base became a ground of revenge rather than for
6 ideology. Lieutenant Titasu, Pujehun District IDU commander, was
7 killed in Halaka at the Camp Lion training base sometime in July
8 1996. All those who were involved, including Major Junior Vandj,
9 Major Muyepheh, late Captain Cobra, et cetera, were all demoted
10:07:12 10 and removed from the training base to other areas of assignment.
11 The lethargic or delaying attitude of Lieutenant Colonel Mohamed
12 Tarawalli in responding to instructions sent by the leader made
13 the Kamajors to overrun our position from the end of 1996 to
14 early 1997.

10:07:35 15 While the peace talks was going on in Abidjan in 1996,
16 Kamajors, together with soldiers loyal to Tejan Kabbah, continued
17 to attack our position with flimsy excuses that they were
18 returning to their villages, defend and harvest their
19 agricultural produce. The instruction given to Lieutenant
10:08:01 20 Colonel Mohamed Tarawalli by the leader to evacuate Zogoda and
21 send some people to Pujehun and the rest to Kailahun was delayed
22 until the enemies overran Kori bundu Jungle, Bandawor, Zogoda,
23 Kenema bypass, across Moa, et cetera. A good number of both
24 civilians and soldiers, including good brothers like Captain
10:08:29 25 Augustine Koroma, Captain Papa, Captain Long Bypass, Lieutenant
26 Shalollow, Lieutenant AB Dundas, et cetera, died in this incident.
27 All our positions were overrun by the enemies, with the exception
28 of the Kailahun axis, Western Jungle, Peyima axis and Pujehun
29 axis. Later on, Pujehun axis fell to the enemies. This was as a

1 result of the lack of materials and disunity between the very
2 citizens of this area, both civilians and soldiers. Thanks be to
3 God and Major General Sam Bockarie, because when he observed the
4 cruel determination of the enemies to pressure us, he instructed
10:09:28 5 that Peyima Jungle must be dissolved. This was done, as
6 everybody crossed over to Burkina to put effort together to
7 defend the original land of the RUF Sierra Leone Rebels in Sierra
8 Leone."

9 That reference to Burkina, Mr Sesay, what's it a reference
10:09:50 10 to?

11 A. It's talking about Kailahun.

12 Q. Thank you:

13 "At this juncture, the RUF Sierra Leone could only boast of
14 the Western Jungle and the Kailahun axis. A very big praise to
10:10:05 15 Brigadier Dennis Mingo and others who upheld this jungle up to
16 the time the AFRC took over on 25 May 1997.

17 Again, a very big thank you and praise to Major General Sam
18 Bockarie, Brigadier IH Sesay, Brigadier Peter B Vandj, other
19 devoted soldiers and civilians. If it were not the cooperation
10:10:32 20 of those mentioned people under the commandship of Major
21 General Sam Bockarie, the enemies would have finally pushed us
22 out of Sierra Leone. This was the time Captain Palmer, Fayia
23 Musa, Deen-Jalloh, and Dr Barrie had told the SLPP government a
24 lot about the RUF/SL. They disclosed to the government that we
10:11:01 25 are lack of ammunition, that we depended on the arms and
26 ammunition we capture from the enemies. So they advised the
27 Tejan Kabbah government to concentrate on Kamajors with single
28 barrels, knives and sticks to fight us, thinking that when we are
29 suppressed, we would have accepted their government and betrayed

1 the RUF Sierra Leone. Thanks to the Lord almighty, with the help
2 of Major General Sam Bockarie, Brigadier IH Sesay and Brigadier
3 Peter B Vandi, these betrayers (coup plotters) were rounded up at
4 the Sierra Leone-Guinean border somewhere around Koindu. The
10:11:50 5 information previously given to the enemies about the RUF Sierra
6 Leone by these coup plotters triggered the enemies to suppress us
7 in Giema axis, attacking our positions including Giema HQ twice
8 or thrice every week. They used single barrels, sticks and
9 knives with limited automatic rifles to fight us, and hence we
10:12:21 10 captured nothing from them any time they were killed or pushed
11 back. Major General Sam Bockarie, who was gifted by God, worked
12 very hard to serve the movement. He sacrificed his life, went to
13 Foya, contacted the Liberian soldiers and established strong
14 relationship between the RUF Sierra Leone and the Liberian
10:13:02 15 soldiers."

16 Did Sam Bockarie go to Foya and contact Liberian soldiers
17 at this time, Mr Sesay?

18 A. Yes. Sam Bockarie went to Foya in November 1996.

19 Q. And contacted who?

10:13:19 20 A. The ULIMO-K.

21 Q. "Devoted soldiers and civilians freely offered cocoa beans,
22 coffee beans, pistols, single barrels, X-base tape, presentable
23 dressings, et cetera, to the movement to be exchanged for
24 ammunition. This ammunition was what we used to fight the
10:13:46 25 enemies and withheld the Burkina axis until the AFRC took over
26 the reins of government of Sierra Leone from Tejan Kabbah on May
27 25, 1997, Sunday, and called upon the RUF/SL.

28 We joined the brothers on May 29, 1997. The following key
29 positions were offered to the RUF/SL: Vice-President, Pa

1 Foday Sankoh; Minister of Trade and Industry, Major Eldred
2 Collins; Minister of Agriculture and Forestry, Mr AA Vandj;
3 Minister of Energy and Power, Major Lawrence Womandia; Minister
4 of Lands and Mines, Mr SYB Rogers; Deputy Minister of Education,
10:14:44 5 Major PS Binda; and Deputy Minister of Lands and Mines, Brigadier
6 Peter B Vandj. Very minimal positions in the army were offered
7 to the RUF/SL. Lieutenant Colonel Johnny Paul Koroma was wrongly
8 advised by prominent military men who were Kamajors and Tejan
9 Kabbah supporters. The RUF was treated with infinitesimal
10:15:21 10 dignity. Most advice given by our own authorities by them were
11 not adhered to. Little attention was paid to security
12 information from the RUF/SL securities. Recommendations were
13 never attended to. On the whole, the brothers had no confidence
14 in us. However, we accepted everything in good faith because we
10:15:50 15 were instructed by our leader to take all orders and instructions
16 from Lieutenant Colonel Johnny Paul Koroma. This enabled the
17 Tejan Kabbah government, supported by the Nigerian-led ECOMOG and
18 the Sandline International from Britain, to overthrow the AFRC
19 government in February 1998. Tejan was to come together with the
10:16:24 20 RUF Sierra Leone leader to Freetown on April 22, 1998, to regain
21 presidency and the enemies did not wait for this time. The
22 Nigerian-led ECOMOG, with British mercenaries, attacked Freetown
23 in February 1998, and this extended to all the provinces and
24 towns. Two displeasing incidents that took place while we were
10:16:56 25 in Freetown included the alleged misuse of 9 million leones by
26 Brigadier Superman and the use of about 45 million leones on
27 marriage ceremony by Major Eldred Collins. Considering our
28 military strength and the pressure that was put on us by the
29 Nigerian-led ECOMOG, we withdrew into the bush, parts of Kailahun

1 and Kono district, to reorganise ourselves and regain strength.
2 We still continue to thank and praise Major General Sam Bockarie,
3 Brigadier IH Sesay, late Colonel Boston Flomo (Rambo), Brigadier
4 Superman, Brigadier Morris Kallon, Brigadier Peter B Vandi".

10:17:50 5 PRESIDING JUDGE: Please pause.

6 MR KOUMJIAN: Your Honour, this document is in evidence and
7 I just question - there hasn't been a question for a couple of
8 pages. I just wonder what the value is of reading documents that
9 are already in evidence into the record.

10:18:12 10 MR GRIFFITHS: Well, unless I'm told to stop, I intend to
11 continue:

12 Q. "Brigadier Peter B Vandi and many other persons who stood
13 firm and made sure that the enemies did not overcome us. The
14 rampant promotion of soldiers served as incentives that motivated
10:18:33 15 the combatants to double up their efforts. The consultation,
16 coordination and cooperation amongst senior officers and other
17 ranks brought about the recapture of Joru Jungle, Kono, Makeni,
18 Magburaka, Segbwema, Tongo Fields, Western Jungle, Freetown and
19 many other places, from the end of 1998 to early 1999."

10:19:23 20 Mr Sesay, tell us: This document, have you seen it before?

21 A. No.

22 Q. Let's go back to it, because there are a few questions I
23 want to ask you about it:

24 "This drew the attention of the western and something
10:19:48 25 powers and led to Tejan Kabbah to call for ceasefire."

26 Then, when we go to the next page, we see:

27 "To free the RUF/SL rebel leader and sign the Lome peace
28 treaty will lead to everlasting peace in this countryside. We
29 can see for ourselves now."

1 Then this:

2 "During our withdrawal into the bush, security divulged
3 that some former SLA soldiers were in possession of diamonds and
4 foreign currency which they wanted to use only to satisfy their
10:20:50 5 personal needs. Some of them even wanted to escape with these
6 wealth and left us struggling. In fact a good number of them
7 with or without wealth escaped to Liberia and Guinea. Since in
8 RUF/SL diamonds and foreign currencies are government properties"
9 - explain to us, please, Mr Sesay, what does that term

10:21:16 10 "government property" mean?

11 A. If you use the word government property, that means
12 something that belongs to the RUF. But I did not know of any
13 AFRC member from whom they took a foreign currency during
14 February '98 or even diamond, apart from Johnny Paul Koroma and
10:21:44 15 Gullit. Those are the only two people from whom diamonds were
16 taken, but I did not see anybody or heard anybody from whom
17 foreign currency was taken.

18 Q. Is it the case that within the RUF diamonds and foreign
19 currencies were regarded as government property?

10:22:08 20 A. Well, diamonds, yes, especially in '98, '99 because in '98
21 and '99 no private mining was being done. It was only the mining
22 units that were allowed to carry out mining. But officers,
23 fighters, commanders were not allowed to mine for themselves.

24 Q. Let's go back to the document:

10:22:36 25 "Authorities decided to collect diamonds and foreign
26 currencies in possession of individuals so that they could be
27 used in the interests of the movement with priority to arms and
28 ammunition. Some important items like mini satellites, radio
29 freedom, et cetera, were acquired for the use of the movement."

1 Mini satellites, Mr Sesay, what are they?

2 A. What? I don't know if the person is referring to satellite
3 phones.

4 Q. Do you recall the RUF purchasing mini satellites?

10:23:24 5 A. No, the satellite that I saw with Bockarie, Mr Taylor gave
6 him one, Carlos gave him another one and later Michel and others
7 when they came, they gave him another phone.

8 Q. "Small small diamonds which only the higher authorities,
9 the miners will account for, were collected from the mining in
10:23:51 10 Kono and Tongo Fields but the proceeds, according to my
11 understanding, were all used in the interests of the movement.
12 In the course of promoting the movement, diamonds were also
13 collected from Lieutenant Colonel Johnny Paul Koroma himself.
14 Rather unfortunate some of these diamonds and foreign currencies
10:24:15 15 got missing in the hands of Brigadier IH Sesay in Liberia when he
16 went to cater for ammunition for the movement. This is the
17 number one grievance of Brigadier Superman that Brigadier IH
18 Sesay was not queried when he lost the diamonds and the foreign
19 currencies, but he misused the 9 million leones in Freetown he
10:24:49 20 was brought to the quarterdeck."

21 Was that a source of conflict between you and Superman, the
22 fact that you had lost the diamonds in Monrovia?

23 A. Yes, Superman had that grudge. He said I had lost the
24 diamonds that were given to me.

10:25:06 25 Q. "To be frank enough, Brigadier IH Sesay was the only strong
26 man under Major General Sam Bockarie at that time who helped to
27 put the situation under control as the enemies were seriously
28 pressing us. Taking Colonel Issa off from whatever he was doing
29 at the time and brought him for investigation would have done

1 more harm than good because something worse than the loss of the
2 diamonds and the foreign currencies would have occurred.

3 Moreover, the collection of diamonds from some former SLA
4 soldiers, money and diamonds from persons who were in Kono when
10:26:01 5 the former SLA soldiers (some of them) broke the bank in Kono,
6 the failure of the authorities to provide Lieutenant Colonel
7 Johnny Paul Koroma with vehicles and communication set may be
8 responsible for the indifference that cropped up between the men
9 in the Western Jungle and we on this side. Above all, they were
10:26:25 10 expecting that we were going to subdue ourselves to them in our
11 own territory like when we were in Freetown which resulted in our
12 retreat into the bush. If we had subdued ourselves to these guys
13 we would have moved from the frying pot to the fire.

14 The above points triggered the former SLA brothers
10:26:50 15 presenting in the Western Jungle to incite Superman to disobey
16 Major General Sam Bockarie with unwarranted excuse that Major
17 General Sam Bockarie insulted and condemned his Lebanese woman.
18 This problem escalated to a point that Brigadier Superman either
19 all by himself or through 'someone' killed Colonel Boston Flomo
10:27:24 20 by shooting him."

21 Now, is there any truth in the suggestion that Superman was
22 encouraged into disobeying Sam Bockarie by members of the
23 former - the SLA? Is there any truth in that?

24 A. No, it was Superman himself who decided to do that because
10:27:52 25 at the time that he disobeyed Sam Bockarie's order for the first
26 time in August 1998, at that time we were together with the SLA
27 officers in the Northern Jungle, so they did not influence him.
28 He did it on his own in August 1998.

29 Q. "Although about 90 to 95 per cent of the SLA brothers

1 including Colonel Akim Turay, Lieutenant Colonel Seriba,
2 Lieutenant Colonel Dumbuya, Lieutenant Colonel Bakerr, Major
3 Leather Boot and many others are loyal to this movement but out
4 of observation the balance 5 to 10 per cent are power conscious,
10:28:42 5 materialistic and so can be incited by the politicians.
6 Moreover, it will take some of them time to get used to some of
7 the rules and regulations ideology binding the RUF/SL movement.
8 Since we joined together with the brothers crime rates have
9 maximally increased."

10:29:07 10 Now, is that true, Mr Sesay? Did crime rates go up after
11 the RUF on Foday Sankoh's instructions joined up with the AFRC?
12 A. Yes, I agree that the crime rate increased between '99 -
13 between '98 and early '99 because a lot of crimes were committed
14 in Kono, in Koinadugu District, Bombali District, Port Loko and
10:29:49 15 Freetown.

16 Q. Committed by whom?

17 A. By the AFRC because they used those flanks up to Freetown.

18 Q. And what kind of crimes are you talking about, Mr Sesay?

19 A. Well, we're talking about amputations, burning down of
10:30:10 20 houses, killing of civilians, and those were the practices they
21 did up to the time they entered Freetown. And when they entered
22 Freetown, they continued the same practice. They captured people
23 forcefully, they asked them to carry their loads for them, they
24 amputated civilians, burn and killed civilians, burnt down police
10:30:35 25 stations, killed policemen, such things.

26 Q. Go to the last page now, please, Mr Sesay. Do you
27 recognise that signature?

28 A. Yes, I knew Francis Musa's signature and Francis Musa
29 worked with me directly between '94 and '95. But the signature

1 that I see now is not Francis Musa's signature because he was the
2 district IDU commander when I was there as area commander. He
3 used to write reports to me in '94 and '95 and he was working
4 directly with me. And even some of the things that you have read
10:31:42 5 in this note are not correct events, because like the place where
6 the person alleges that Long Bypass died in Zogoda, and Dundas
7 died in Zogoda, that is not true. Dundas died in Dambala, one of
8 the villages between Buedu and the Liberian border, and Dundas
9 died in 1994 and Long Bypass died in the same Kailahun District
10:32:31 10 where Dundas died between the Liberian border and Sierra Leone
11 one village called Dambala '94. I mean and then Long Bypass died
12 in the north - the Northern Jungle, I mean the Kangari Hills.
13 That was where he was. And they said it was as a result of
14 negligence on the part of Mohamed Tarawalli who caused the
10:32:58 15 downfall of Zogoda, that is not true. And by then the Kamajors
16 and the army used to attack Zogoda. And the Koribundu areas, all
17 of those areas fell before Zogoda. And before '97 there was no
18 longer Zogoda in existence. It was in October that Zogoda fell.

19 Q. Thank you for that, Mr Sesay.

10:33:23 20 PRESIDING JUDGE: Mr Griffiths, there are some names that
21 he gave that we are hearing for the first time. Dundas, or
22 something like that.

23 MR GRIFFITHS: I think I can help in this way:

24 Q. Mr Sesay, have a look at the first page of that document,
10:33:43 25 please. Now you were just mentioning where certain individuals
26 died. If you look just below the middle of that page do you see
27 a sentence beginning, "A good number of both civilians and
28 soldiers, including good brothers like" - and amongst those
29 mentioned are Captain Long Bypass and Lieutenant AB Dundas. Do

1 you see that?

2 A. Yes.

3 Q. And those were the two individuals you were just telling us
4 about who didn't die as described here, but died differently. Is
10:34:36 5 that right?

6 A. Yes, they died in a different way and Francis Musa was
7 fully aware that it was at Dambala that Dundas died in 1994
8 because he too was in Kailahun at that time and Long Bypass, he
9 was at the Kangari hills and that was where he died.

10:34:55 10 Q. So the two names are Long Bypass, L-O-N-G B-Y-P-A-S-S, and
11 Lieutenant AB Dundas, D-U-N-D-A-S. And the place name was
12 Dambala. How do you spell that, Mr Sesay?

13 A. D-A-M-B-A-L-A.

14 Q. We're going to leave those documents now and I want to look
10:35:31 15 at a different topic with you. In 1999 it's common ground that
16 peace talks began in Lome. Now help us, Mr Sesay, from your
17 position on the ground in Sierra Leone, how did those - how did
18 that process begin?

19 A. Well, I understood that it was the Government of Sierra
10:36:16 20 Leone, through the assistance of the British High Commissioner in
21 Freetown, because the British High Commissioner provided 50,000
22 pounds for Mr Sankoh to be taken to Lome. So that was when they
23 took Mr Sankoh to Lome.

24 Q. And when was that? Can you help?

10:36:40 25 A. I think that was in May 1999.

26 Q. And did the RUF have any other representatives in Lome at
27 the time, Mr Sesay?

28 A. Foday Sankoh communicated with Sam Bockarie to send
29 representatives to Lome, so he went and at the same time

1 Foday Sankoh called Ibrahim Bah from Burkina Faso. Ibrahim Bah,
2 Dr Paulo Bangura they went and met him in Lome from Burkina Faso.

3 Q. Do you know why Sankoh invited Ibrahim Bah?

4 A. Ibrahim Bah was Mr Sankoh's friend. He was one of his best
10:37:33 5 friends.

6 Q. Apart from Ibrahim Bah, did Sankoh invite anybody else from
7 outside the RUF movement?

8 A. Well, except for Dr Paulo Bangura, who was also in Burkina
9 Faso, he also came along with Ibrahim Bah to Lome because Paulo
10:37:58 10 Bangura was one of the ministers during the AFRC but, when they
11 went on the peace meeting in Abidjan, he stayed there. He went
12 and stayed with Ibrahim Bah in Burkina Faso.

13 Q. When Sankoh went to Burkina Faso, did he have a radio
14 operator with him?

10:38:32 15 A. Well, when they took Mr Sankoh to Lome he did not have a
16 radio operator at the initial stage. It was when he sent to Sam
17 Bockarie to send a delegation, Sam Bockarie then sent a
18 delegation with a radio set and a radio operator.

19 Q. And who was the radio operator who went?

10:38:54 20 A. It was Daf. He went with the delegation that left.

21 Q. And just help us. You've mentioned one or two individuals
22 who went, including Ibrahim Bah. Now, the delegation - was there
23 a delegation from within the RUF in Sierra Leone?

24 A. Yes.

10:39:21 25 Q. Who went?

26 A. Mike Lamin. He was the head.

27 Q. Yes?

28 A. Rashid Sandy, the general adjutant; Lawrence Womandia; SYB
29 Rogers; and a lady who was secretary to Mr Sankoh. She was

1 called Agnes Kamanda; Leather Boot, he is Idriss Kamara; Captain
2 Musa Jalloh; Daf; and Junior Vandi, a bodyguard to Mr Sankoh;
3 those were the ones who went.

10:40:18 4 PRESIDING JUDGE: Mr Griffiths, I think Agnes Kamanda is
5 not as in "commander" but "Kamanda" with a "K". K-A-M-A-N-D-A,
6 yes?

7 MR GRIFFITHS:

8 Q. I'll ask the witness. How do you spell "Kamanda" as in
9 "Agnes Kamanda"?

10:40:31 10 A. K-A-M-A-N-D-A.

11 Q. I'm grateful. To assist us with this period, Mr Sesay, I
12 would like you to be shown, please, exhibit P-264.

13 PRESIDING JUDGE: I wonder if the witness could be given
14 this document to look through first.

10:42:20 15 MR GRIFFITHS: [Microphone not activated] That would be
16 helpful:

17 Q. Just have a look at that document, Mr Sesay. Mr Sesay,
18 what is it? What is this document?

19 A. This is a radio log. A radio message.

10:42:46 20 Q. Now, do you know who kept this radio log?

21 A. Well, this was by the operator.

22 Q. Do you know which operator kept this log?

23 A. Well, if we are talking about during the time of Lome, the
24 person who was with Mr Sankoh, the only operator with Mr Sankoh
10:43:21 25 at that time was Daf.

26 Q. Let's just have a look at some of the entries in this
27 document. If we start on the page which bears the ERN number
28 8639. We see the message at the top of that page is dated 28
29 April 1999. And it's from Log. Who is Log, L-0-G?

1 A. "Log" was Sam Bockarie.

2 Q. And it's addressed to OPR Daf. What does OPR stand for; do
3 you know?

4 A. Operator.

10:44:17 5 Q. "Info copy of monitored message between" - who is "S/man"?

6 A. It's an info copy of monitored message, "MSG" is message.

7 Q. Go on.

8 A. "Info copy of monitored message between Superman and

9 UNAMSIL station to surrender with elements of the SLA on this

10:45:00 10 issue dialogue ended with promises to send a parcel to Superman
11 on Friday at a scheduled point for collection."

12 Q. Now, I want to ask you a couple of things about this. At
13 this time, 28 April 1999, was Superman taking instructions from
14 the leadership of the RUF?

10:45:37 15 A. Well, at this time, April, Superman was not taking
16 instruction from Sam Bockarie. He was not taking instruction.

17 Q. Secondly, where we see the reference to "parcel", what's
18 that a reference to?

19 A. Well, a parcel, it looks like they wanted to give something
10:46:05 20 to Superman. It might have been money.

21 Q. And the signature we see below this, whose signature is
22 that, Mr Sesay? Can you help us?

23 A. Well, this - this is Daf.

24 Q. Let's look at the second message on that page. So it's 30
10:46:41 25 April '99 from the Lion. Who is the Lion?

26 A. Lion was Mr Sankoh.

27 Q. To Superman, Brigadier Mani, Black Jah. Who is Black Jah?

28 A. Black Jah was Gullit, Alex Tamba Brima.

29 Q. And who is Gaffa?

1 A. Gaffa is Massaquoi, Gibril.

2 Q. And Log, as you've already told us, is Sam Bockarie?

3 A. Yes.

10:47:45 4 Q. Now, help us with this message, please, Mr Sesay. How does
5 it read?

6 A. It says, "Reference my directive relating to your move to
7 Togo, I'm again reinforcing that you people should move to
8 Kailahun so that heli", that means helicopter, "heli will pick up
9 for transmission to Togo. Your delegation is very important for
10:48:28 10 us to reach a unanimous proposal for the forthcoming
11 negotiations. Let us forget about all differences and comply
12 strictly with my directives. When I come on the ground, I will
13 solve all the problems and the heli will pick you all from the
14 border as the other brothers who are presently going in Togo."

10:49:15 15 So end of message.

16 Q. So travelling to where in Togo?

17 A. What the message portrays is that Foday Sankoh wanted
18 Brigadier Mani, he wanted Superman, Brigadier Mani, Gullit,
19 Gibril Massaquoi to travel to Kailahun to come to Sam Bockarie,
10:49:48 20 and from there they will go to the Liberian border where the
21 helicopter will pick them up for their onwards movement to Togo
22 to join the delegation during the peace talks.

23 Q. And did Superman, Brigadier Mani, Gullit and Gibril
24 Massaquoi travel to Lome?

10:50:07 25 A. They did not travel through Kailahun. They did not go. It
26 was only Gibril Massaquoi who travelled to Lome. He went through
27 Guinea. But all the others refused to travel. They did not
28 accept.

29 Q. Do you know why?

1 A. Well, they said they would not go to Kailahun. They said
2 they will not pass through Kailahun. So they defied the
3 directives from the leader.

10:50:58 4 Q. Let's look at the next page, please. Now, this is - the
5 message on the top dated 1 May '99. As we can see, it's to
6 Sankoh from Gullit. Is that right, Mr Sesay?

7 A. Yes. Yes.

8 Q. And can you confirm this is the next message in time in
9 that record book?

10:51:33 10 A. Say that again.

11 Q. It's the next message in time to the one we just looked at,
12 isn't it?

13 A. Yes, yes.

14 PRESIDING JUDGE: Excuse me, do we have a copy of this book
10:51:49 15 that can be put on the overhead, because the transcriber and the
16 public need to see the text. If there isn't a spare copy, then
17 the exhibit should be placed on the overhead.

18 MR GRIFFITHS: We may have a spare copy, a looseleaf copy,
19 which might be easier.

10:52:16 20 PRESIDING JUDGE: Actually, if you place that exhibit on
21 the overhead, the witness can clearly see on his own PC.

22 MR GRIFFITHS: I have a spare copy. Can we go, please,
23 Madam Court Manager, to page 8640:

24 Q. Now, help us with this message now, Mr Sesay, in light of
10:53:27 25 what you just told us about the refusal of certain individuals to
26 go. This is to Sankoh, if I understand your earlier testimony,
27 from Gullit. Is that right?

28 A. Yes, from Tamba Alex Brima alias Gullit.

29 Q. And as with the last message, given your familiarity with

1 these, could you read this one out for us, please?

2 A. "Info all stations. SITREP. Move to Togo".

3 Q. Pause there. SITREP is what?

4 A. SITREP is just a message.

10:54:21 5 Q. Go on?

6 A. "Sir, reference to your message in respect of subject
7 above, delegation from this location have found it very difficult
8 to travel to your location due to security reasons - due to
9 security reason the route leading to your location is presently
10 occupied by the enemies - by the enemy.

10:54:45

11 I therefore advise the UN to make a proper arrangement to
12 lift up the delegation from this - to lift up the delegation from
13 this. Remember that the negotiation/dialogue is for everlasting
14 peace in Sierra Leone as not individual matter but should involve
15 representatives of all stakeholders accept for your info and
16 better understanding." Signed by the operator, Daf.

10:55:28

17 Q. And then the next message is from Foday Sankoh to Gullit,
18 Brigadier Mani, and Gibril Massaquoi, is that correct, based on
19 what you've told us before about the names?

10:56:03

20 A. Yes.

21 Q. And what does this one say, Mr Sesay?

22 A. It says: "Subject directive. You are instructed to follow
23 my directives dispatched to you relating your participation in
24 the Lome consultation. The UN heli will not be available to pick
25 you people up from inside Sierra Leone to Liberia. You should
26 report to Kailahun where you will be transported to Monrovia for
27 onward transport - for onward transportation to my location,
28 Lome. Strictly comply to this order and make sure you
29 participate in the current talks in Lome. Also obey my last

10:56:42

1 orders transmitted to Gibril relating to the movement of Joseph
2 Momoh to Kailahun. He should by all means report to Kailahun
3 without delay." Signed by the operator.

4 Q. Now, I want to ask you about some of the details of this.

10:57:43 5 Firstly, did some members of the delegation travel through
6 Monrovia to get to Lome?

7 A. Yes, like the first delegation that Sam Bockarie
8 dispatched, they went through Liberia to Lome. Through Monrovia
9 to Lome.

10:58:04 10 Q. And the second thing that I want to ask you about this:
11 Brigadier Mani, to which force did he belong?

12 A. He belonged to the AFRC.

13 Q. I ask for this - and Gullit, to which organisation did he
14 belong?

10:58:26 15 A. AFRC.

16 Q. Were they ever members of the RUF, Mr Sesay, those two?

17 A. No.

18 Q. So can you help us as to how it comes about that the Lion,
19 that is Foday Sankoh, is using words to those individuals like
10:58:53 20 "instruct" and "obey"?

21 A. Well, it was based on what Gibril Massaquoi and Superman
22 had told Mr Sankoh that Gaffa, Massaquoi, Brigadier Mani were
23 working with them in Makeni and in fact they too were supporting
24 them during the operation against Sam Bockarie and myself, Issa,
10:59:25 25 and Kallon.

26 PRESIDING JUDGE: Mr Griffiths, I have my eye on the clock.

27 MR GRIFFITHS: Yes, that's as good a point as any.

28 PRESIDING JUDGE: Very well. We will take half an hour's
29 break and reconvene at 11.30.

1 [Break taken at 10.59 a.m.]

2 [Upon resuming at 11.32 a.m.]

3 PRESIDING JUDGE: Mr Griffiths, please continue.

4 MR GRIFFITHS:

11:33:10 5 Q. I wonder if the witness could be given again exhibit P-264.

6 Mr Sesay, I am not going to take you all the way through
7 this book, but there are a number of messages contained in it
8 which I would like your comment on. Could we go, first of all,
9 please, to page 8641. Now, just by the printed number, we see

11:34:04 10 this message from the Lion, that's Foday Sankoh; is that correct?

11 A. Yes.

12 Q. To Log, Sam Bockarie, correct?

13 A. Yes, yes.

14 Q. It is dated 4 May 1999:

11:34:23 15 "Subject, directive. By my directive, you are to send a
16 comprehensive report pertaining present situation on all the" -
17 what's the next word, Mr Sesay?

18 A. "On all the front lines, more especially the Bo/Freetown
19 highway."

11:34:49 20 Q. Right. Now I want to look at the next message so you can
21 help me with some of the code names. Lion is Foday Sankoh, yes?

22 A. Yes.

23 Q. Who is the Equaliser?

24 A. Superman.

11:35:08 25 Q. Brigadier Mani, self-explanatory. Black Jah you have
26 already told us is Gullit. Gaffa is Gibriil Massaquoi. And who
27 is Planet?

28 A. It's Sam Bockarie.

29 Q. So Sam Bockarie is known both as Planet and Log, is he?

1 A. Yes. They used to call him Planet, and they used to call
2 him Log.

3 Q. And then we see at the - the last message on that page:

4 "To the Equaliser, Black Jah, Brigadier Mani, Gaffa,
11:36:04 5 through Planet. I am still instructing that you should move to
6 Kailahun, from my point, Lome, as" - what is G-E-N, the next
7 word, bottom of the page, Mr Sesay?

8 A. Where?

9 Q. Second line from the bottom of page 8641.

11:36:40 10 A. General, G-E-N.

11 Q. Who is that, "as general will be at Kailahun tomorrow to
12 receive you people"?

13 A. That is General Ibrahim Bah.

14 Q. So help us. We see this is in May 1999. Did General
11:37:15 15 Ibrahim Bah come to Kailahun at that time?

16 A. Well, Foday Sankoh wanted him to come and receive the men
17 in Kailahun, but the man did not take Foday Sankoh's
18 instructions.

19 Q. So the men to whom these messages were - this message was
11:37:40 20 sent, that's Superman, Gullit, Brigadier Mani and Gaffa, they
21 were to meet Ibrahim Bah in Kailahun, were they?

22 A. Yes, and indeed Ibrahim Bah came to Buedu, and it was
23 during this trip, in fact, that Sam Bockarie gave him some money
24 to go and deliver to Mr Sankoh in Lome, but these people did not
11:38:06 25 move from Makeni to meet Ibrahim Bah in Buedu, Kailahun, for them
26 to travel through Monrovia to Lome, because that was the transit
27 point that the delegation used for the peace talks.

28 Q. We can follow that up by going to the next page, page 8642.
29 The second message on the page from Lion, that's Foday Sankoh, to

1 Log, Sam Bockarie. Subject, directive.

2 "By my directive, you are to do all what you can to defend
3 Kono and Tongo. Moreover, you should try very hard to recapture
4 Mile 91 and Masiaka while at the same time you resume immediate
11:38:50 5 offensive towards Kenema and Bo. Also, Mr Kai Gbanja [phon] and
6 Patrick should come along with General Ibrahim."

7 Who is the General Ibrahim?

8 A. That is General Ibrahim Bah.

9 Q. And if we go over the page to 8643, we don't have to go
11:39:26 10 through the whole message, but if you look at the middle of that
11 message, "Both the heads of Christians and Muslims to travel with
12 General Ibrahim again." Yes?

13 A. Yes.

14 Q. If we go to page 8644, bottom message on that page. This
11:39:46 15 is it the matter that you mentioned earlier about Bockarie giving
16 Ibrahim Bah money. "From the Lion to Concord". Who is Concord?

17 A. It was Sam Bockarie again.

18 Q. So just to summarise, Bockarie is known as Log, Planet, and
19 Concord?

11:40:10 20 A. Yes.

21 Q. "Sir, General Ibrahim has been dispatched" - is that "your
22 location"?

23 A. Yes, "location".

24 Q. "With US \$20,000" - could you continue the message for me,
11:40:32 25 please, Mr Sesay?

26 A. "\$20,000 and all messages from me. Also sir, you are to
27 give us two weeks so that we can send you example of a quality as
28 we will be undertaking a very serious mission activity.
29 Greetings to you from all the brothers and sisters".

1 Q. Mr Sesay, this reference to "we can send you sample of a
2 quality", what are they talking about there?

3 A. Well, he is talking about --

11:41:26

4 THE INTERPRETER: Your Honours, could the witness be asked
5 to go over that.

6 MR GRIFFITHS:

7 Q. They are talking about what, Mr Sesay?

8 A. He is talking about mining. To carry on with the mining so
9 that he will be able to send diamonds to Mr Sankoh.

11:41:41

10 Q. So where it says there, "...so that we can send you example
11 of a quality as we will be undertaking a very serious mission
12 activity", that's about diamond mining, is it?

13 A. Yes, that is about mining.

11:42:01

14 Q. Now, we will come back to diamonds as a discrete topic in
15 due course, but just pausing for a moment here. Whilst Sankoh
16 was in Lome, were diamonds sent to him?

17 A. No.

11:42:53

18 Q. Let's go over the page please. The first message on this
19 page, page 8645, from the Lion to Concord - so that's from Foday
20 Sankoh to Sam Bockarie - subject: "Infos".

21 "As per the result from the people's congress meeting at
22 your" - is that "Location"?

23 A. "Location", yes, yes.

11:43:22

24 Q. "The delegates were not to engage in any negotiation or
25 peace talks with the government unless I am a free man. However,
26 the development here is geared towards my release through
27 political dialogues. I have therefore dispatched Brigadier Mike
28 Lamin to brief you and to get the view of everybody. He is to
29 return within four to five days' time to enable him to take part

1 in the forthcoming negotiation scheduled to commence on the 24th
2 of this month. He will give you detail briefing upon his
3 arrival."

4 At the time of this message, Mr Sesay, where was Mike
11:44:10 5 Lamin?

6 A. Mike Lamin was en route coming to Buedu. Because he came
7 from Lome, he came to Buedu and Kailahun.

8 Q. And did he provide you with a briefing as to what was going
9 on in Lome?

11:44:27 10 A. Yes. He told us.

11 Q. Then we go to the next page, 8646. We then come to a very
12 lengthy message dated 19 May 1999. Again it is from Foday Sankoh
13 to Bockarie. Could you read the first paragraph for me, please,
14 Mr Sesay?

11:44:56 15 A. It says, "Reference: Subject infos.
16 Reference: You are to inform all soldiers and civilians
17 that I have signed a ceasefire agreement with the SLPP government
18 on 24 May 1999 with a hope of creating an appropriate atmosphere
19 conducive for the holding of the peace talks in Lome - Togo."

11:45:32 20 Q. "Below listed are the rules binding the ceasefire:

21 1. Agree to ceasefire as from 24 May 1999, the day that
22 President Eyadema invited foreign ministers of ECOWAS to discuss
23 problems pertaining to Sierra Leone. It was further agreed that
24 the dialogue between the Government of Sierra Leone and the RUF
11:45:59 25 would commence on 25 May 1999."

26 Could you read the next paragraph for me, please, Mr Sesay?

27 A. "Maintain their present and respective positions in Sierra
28 Leone as of 24 May 1999, and refrain any hostilities or
29 aggressive acts which could undermine the peace process."

1 Q. Then it goes on:

2 "3. Commit to start negotiations in good faith involving
3 all relevant parties in the discussions, not later than 25 May
4 1999 in Lome - Togo.

11:47:03 5 4. Guarantee safe and unhindered access by humanitarian
6 organisations to all people in need, establish safe corridors for
7 the provision of food and medical supplies to ECOMOG soldiers
8 behind RUF lines and to RUF combatants behind ECOMOG lines.

9 5. Immediate release of all non-combatants and prisoners
11:47:29 10 of war.

11 6. Require the UN, subject to the security council's
12 authorisation, to deploy military observers as soon as possible
13 to observe compliance by the government forces (ECOMOG and CDF)
14 and the RUF, including the former AFRC forces, with the ceasefire
11:47:53 15 agreement.

16 This agreement is without prejudice to any other agreement
17 or additional protocols which may be discussed during dialogue
18 between the government and the RUF.

19 With regards to the above listed rules spelt out in the
11:48:12 20 agreement, you therefore take the following points into
21 consideration:

22 1. Set up checkpoints in all places under your control.

23 2. Search all vehicles entering your zone for arms and
24 ammunition.

11:48:30 25 3. You should lose no grounds already held as of 25 May
26 1999.

27 4. No military vehicle or persons should pass through your
28 zones with arms and ammunition.

29 5. Do not harm any civilian or take anything from them, as

1 it is against our code of conduct.

2 6. Any attempt by the EN" --

3 A. Enemy.

11:49:13

4 Q. "... to infiltrate our positions as they did in 1996 is
5 seriously liable to repel and pursue to the point" of what?

6 JUSTICE LUSSICK: "Origin".

7 MR GRIFFITHS: "Point of origin". I'm grateful, your
8 Honour:

11:49:37

9 Q. "7. All soldiers should keep to their territories and
10 avoid too much" - too much of what, Mr Sesay? "PTLS"?

11 A. Patrols.

12 Q. "... most especially the enemy zones.

11:50:03

13 8. Allow humanitarian organs to pass through your area
14 zones as spelt out in point 4 of the agreement, but not with arms
15 and ammunition."

16 Now, a couple of things. First of all, were these rules
17 communicated to all RUF commanders, Mr Sesay?

18 A. Well, when Sam Bockarie received the message, he sent it to
19 all the commanders.

11:50:31

20 Q. And as of 24 May 1999, did the RUF seek to enforce these
21 rules and the ceasefire?

22 A. Yes, the RUF did it. But the AFRC did not go by these
23 rules because they were stopping vehicles, they were harassing
24 civilians on the highway towards Freetown - between Port Loko and
25 Freetown.

11:51:00

26 Q. Go now, please, to point 4 on page 8648:

27 "No military vehicles or persons should pass through your
28 zones with arms and ammunition."

29 Was that rule observed, Mr Sesay?

1 A. Yes. We observed it, but later the troops deployed with
2 arms.

3 Q. Now, that reference to, "No vehicle or person should pass
4 through your zones with arms and ammunition", did that include
11:51:53 5 arms and ammunition from outside Sierra Leone?

6 A. Yes, it's included that.

7 Q. Now, in light of the discussions we have had in those
8 various salute reports, can we look at a message from Superman on
9 the next page, page 8649 please. It is dated 25 May 1999, so the
11:52:27 10 day the ceasefire was to take effect.

11 JUSTICE DOHERTY: Mr Griffiths, before you get to that
12 point, the witness in answer to one of your questions concerning
13 point 4 of the instruction said - sorry, I have lost it. "We
14 observed it, but later the troops deployed with arms." Which
11:52:50 15 troops?

16 MR GRIFFITHS: Very well:

17 Q. Which troops deployed with arms, Mr Sesay?

18 A. I said later the peacekeepers deployed with arms. They
19 were not fighting men.

11:53:06 20 Q. Right, let's go to page 649. This is to the Lion from
21 Superman:

22 "Sir, your message was received and all contents bearing
23 full apprehended. I stand to respect and obey your command at
24 any point in time. You are honoured as our leader and commander
11:53:33 25 in-chief of the RUF/Sierra Leone. In my own capacity as a battle
26 group commander appointed in your absence by Lieutenant Colonel
27 JP Koroma and Log, I would like to explain the role I have played
28 and even in your present above all, I have always expressed
29 loyalty and dedication to the cause that have blended us

1 together. Therefore on no account will I stand to challenge a
2 course that I know stands for our benefit.

3 If you could recall, there has been series of problems
4 created by people towards our lives. Even before the phase 2
11:54:18 5 operation started, I would have joined the operation along with
6 you, but because of fracas that arise between myself and Log, I
7 couldn't join up, not until later. Joint operations with the
8 late Brother Papa" --

9 Q. Who is Brother Papa?

11:54:41 10 A. Papa was the name that they wrote in that report when they
11 said he died in Zogoda, Staff Captain Papa, who together with
12 Superman attacked Tongo in late '93, around December. So
13 Superman, they're saying that he did not join the operation
14 because of a fracas between him and Sam Bockarie and he is
11:55:08 15 referring to 1993.

16 Q. So the late brother Papa, what's that person's real name?

17 A. That is his real name, Papa.

18 Q. I'm sure it's my fault, Mr Sesay. Could you please explain
19 this paragraph to us. What is Superman saying to Foday Sankoh in
11:55:40 20 this paragraph?

21 A. Superman is telling Foday Sankoh that, you know, Foday
22 Sankoh knew that even before this time, in that case he is
23 referring to 1993 when he was unable to join up with Foday Sankoh
24 to go and establish Camp Zogoda in November 1993. He said it was
11:56:05 25 as a result of the fracas between him and Bockarie. He said that
26 was why Foday Sankoh sent him and Papa to Tongo to go and attack.
27 So he did not join Pa Foday Sankoh because by then he and Sam
28 Bockarie it did not see eye to eye. So he is now saying that
29 Foday Sankoh should have known the fracas that had taken place

1 between him and Bockarie even before this time.

2 Q. Thank you:

3 "Of course since that operation nothing actually happened
4 again between myself and any commander until you left for the
11:56:42 5 Abidjan peace talks. I maintained my command and area of
6 responsibility. Zino of course was called upon from my jungle to
7 take over command at Zogoda. Zogoda fell in your absence and up
8 till now Zino is at large. I listened and obeyed the
9 instructions sent by you to join forces with the AFRC but even
11:57:04 10 that again was misconstrued by the high command on behalf of
11 the entire RUF main thrust to Freetown that I am sure can be
12 possible reason for our unwarranted withdrawal from Freetown.
13 With all these mistakes on the part of our commanders I still
14 tried very hard to maintain my hold on Kono and I can tell you
11:57:34 15 that since our withdrawal from Freetown the enemy never captured
16 the entire township of Koidu (Kono). Every combatant in Kono can
17 attest to that."

18 From Kono, I organised operation for Kabala, Makeni and
19 Freetown but, before that, there were lot of apprehension from
11:57:59 20 the SLA towards the RUF because of the unlawful reputation of
21 their brothers. Upon arrival in their midst, reference your
22 message after the May 25 coup, I was able to ease that tension
23 and they gave their fullest cooperation that has reached us to
24 this point. In Koinadugu again after the attack and capture of
11:58:31 25 Kabala, I was threatened by Log after all my efforts of course
26 that problem, according to the People's War Council, was
27 harmonised but when we go again to Makeni after a tedious fight
28 and casualty, a troop was also organised by Brigadier Morris
29 Kallon and others to harm me but by God's praise I was able to

1 escape."

2 This business about "Brigadier Morris Kallon and others to
3 harm me", what is he talking about there, Mr Sesay?

11:59:16

4 A. He is lying, you know. Kallon did not have any plans to
5 harm him. That is not true.

6 Q. And then it goes on:

11:59:35

7 "The problem that led to the death of Rambo was not
8 intentional. After you tried to speak Log on one or two
9 occasions, I was instructed by you to try very hard to know from
10 them why they didn't talk to you. On my way to Makeni, I was
11 ambushed and a major died in my group. From that time there was
12 a fire fight that led to the death of the late brother Rambo."

13 Is that true, Mr Sesay?

14 A. That is a black lie. It's a lie.

11:59:58

15 Q. "Indeed he was given a good burial at the Makeni Town
16 Hall." Is that true?

17 A. No, his body was displayed. It was later that Isaac took
18 his body and buried it.

12:00:21

19 Q. "Also the information that I insulted all" - what's the
20 next word, Mr Sesay?

21 A. Call signs.

12:00:37

22 Q. "... call signs and that I seemingly become an enemy is not
23 correct. It was Log that ordered all stations to refrain from
24 talking to me, but never the less we remain committed to the
25 cause."

26 Did Bockarie issue an order that all stations should stop
27 communicating with Superman?

28 A. Yes, after he had killed Rambo and attacked me and he had
29 vowed that he was not going to take any orders from Bockarie, and

1 so Bockarie told the stations that nobody should contact the
2 station and nobody should receive a message from him.

12:01:11 3 Q. "Sir, talking of my movement to your point via Kailahun
4 cannot be in the interest of my life. On several occasions these
5 brothers have attempted to eliminate me except that they wish to
6 see my many years struggle go in vain, even without seeing you.

7 Conclusively I would like to mention the loyalty of all the
8 SLA/RUF officers and soldiers to our liberation cause.

12:01:38 9 Your bodyguard Ray, Jackson, Ritchie, Livingstone, Value
10 and many others and even Pa PS Binda and Brigadier Isaac are with
11 us. Upon your arrival, sir, you will be briefed about all
12 developments in your absence."

13 Were you aware of that message sent by Superman to Sankoh
14 while Sankoh was in Lome, Mr Sesay?

12:02:01 15 A. Yes, I knew about it.

16 Q. Ignore the rest of that page and go, please, to page 8654
17 and the message at the bottom of the page. Remember telling us
18 about the FM station which came from Carlos, the Cuban from
19 Canada? Do you remember?

12:02:33 20 A. Yes, I remember.

21 Q. And you also mentioned a journalist, Hilton Fyle?

22 A. Yes.

23 Q. Here we see a message from Hilton Fyle to the Lion through
24 Planet. Remind us, who is Planet?

12:02:53 25 A. Planet is Sam Bockarie.

26 Q. And it is dated 25 May 1999. And you see:

27 "On Saturday, 18 June 1999 we shall be moving the official
28 launch of our FM station and the graduation ceremony."

29 Now, does that help you, Mr Sesay, as to when it was that

1 Carlos delivered this FM station to the RUF?

2 A. Yes, because he delivered the FM station before this time.

3 So Carlos brought the FM station around February, because when I
4 went to Buedu the FM station was already there when I went there

12:03:51 5 in April.

6 Q. Thank you. Skip the next page and go to page 8656, please.

7 Now here we have a message to Planet, Sam Bockarie, yes,

8 Mr Sesay?

9 A. Yes.

12:04:16 10 Q. From Timing Bomb, who is Timing Bomb?

11 A. That is Superman.

12 Q. "Sir, below quoted is a situation report from Colonel

13 Komba. Quote from Colonel Komba to T Bomb, subject situation

14 rep, date 26 May '99. On 24 May 1999, the Guineans attacked our

12:04:51 15 position at", what's is that name?

16 A. Rokupr.

17 Q. "Rokupr, but they were repelled. We got three KIA (killed

18 in action), five WIA (wounded in action) and three MIA (missing

19 in action) in respect of the above. Sir, your urgent response is

12:05:20 20 highly solicited for fast and smooth operation. I dispatched 100

21 manpower as reinforcement for the said ground.

22 Moreover, sir, I may like you to send us one ground missile

23 and AA rounds as we are highly in need of them."

24 There's two things I want to ask you about this message,

12:05:45 25 Mr Sesay. Firstly this: As I understood your earlier testimony,

26 there was no communication between Superman and Bockarie after

27 the attempt on your life at the end of March/beginning of April.

28 Is that right?

29 A. Yes.

1 Q. So what's this then?

2 A. Well, this is based on the instruction that Mr Sankoh had
3 been sending to Superman that he should be reporting to Bockarie
4 and he should take orders from Bockarie. That was the time
12:06:22 5 Bockarie started sending messages to Sam Bockarie - sorry, that's
6 the time Superman started sending messages, reports to Sam
7 Bockarie.

8 Q. Now the second thing I want to ask you about is this:

9 Remember on the 24th that directive sent by Foday Sankoh to
12:06:42 10 Bockarie which, among other things, said that no military vehicle
11 or person should pass through your zones with arms and
12 ammunition, yes? But here we have Superman asking Bockarie to
13 send in missiles and AA rounds. Can you help us with that?

14 A. Yes, but the message - the message as indicated that the
12:07:14 15 Guineans crossed from Guinea and attacked RUF positions in
16 Rokupr, so this is in response to the RUF to go and defend
17 themselves to repel the attack. And when you look at the message
18 that Sankoh sent, he said any attack, the RUF should repel it so
19 that the people were sent back to their origin.

12:07:36 20 Q. Thank you. So was there such an attack on RUF positions at
21 Rokupr?

22 A. Yes. The Guineans attacked us, cross-border attacks. That
23 happened in '98, '99 and even 2000. It used to happen.

24 Q. Thank you. Go to the next page please, page 8657. Middle
12:08:02 25 of the page, who is Smile?

26 A. Smile was Mr Sankoh.

27 Q. Page 8658, please. Who is Survival?

28 A. Survival is myself.

29 Q. And who is Vision One?

1 A. That is the code name for the field radio that Mr Sankoh
2 used in Lome, that is Vision One, call sign Vision One.

3 Q. So that's the code name for the radio set used by Sankoh in
4 Lome?

12:08:55 5 A. Yes.

6 Q. I am not interested in that message. Go now, please, to
7 page 8661. Now this is a message to Smile, Foday Sankoh. Is
8 that correct?

9 A. Yes.

12:09:33 10 Q. From Concord, Sam Bockarie?

11 A. Yes.

12 Q. And I mention this one for this reason, when we read it:

13 "On 10 June 1999, 14 of our men, which include senior

14 officers, went to talk to civilians in our liberated zones at

12:09:57 15 Masin and Maroni, and they were adopted by the ECOMOG, the enemy
16 ECOMOG, that are deployed at Loko Masama."

17 What is Mr Bockarie saying to Foday Sankoh about these men
18 being adopted? Were they adopted by ECOMOG in the way that
19 parents might adopt a child?

12:10:26 20 A. No. He is trying to say that ECOMOG forcefully captured
21 the RUF men.

22 Q. So "adopted", in that sense, does it mean the same as
23 "abducted"?

24 A. Yes, like when you capture somebody against his will.

12:10:47 25 Q. Thank you very much. Go to page 8667 please. Now, I want
26 us to look in a little detail at this one. First of all, who is
27 Hero?

28 A. Hero is Rashid Sandy.

29 Q. And who is Satellite?

1 A. Satellite, I think it is Isaac Mongor.

2 Q. "I advise you not to allow the Nigerians, Togolese and the
3 Liberian delegates to be present while studying the document. I
4 say again, you should not allow them to be around or even not to
12:11:57 5 influence you to take decision.

6 Please study it properly, and your decision should be in
7 the interest of the RUF, SLA and the people of Sierra Leone. Any
8 decision taken, put it in black and white, which should be
9 confidential, and give to Pa Rogers to come with it with the rest
12:12:24 10 of the delegation.

11 To reinforce my previous orders, make it a point of duty to
12 release the 10 Nigerian prisoners of war to the delegation.
13 Finally, you should not allow anybody to influence you and your
14 brothers and sisters. Hope to hear from you Tuesday, 29 June, in
12:12:50 15 receipt of this message".

16 What's this about, not to allow the Nigerians, Togolese and
17 the Liberian delegate to be present? What's this about?

18 A. Well, Hero is Mr Sankoh to Isaac Mongor because --

19 Q. Pause there. You told us earlier that Hero was Rashid
12:13:21 20 Sandy. Who is Hero?

21 A. No, Hero is Mr Sankoh, because I have now seen the message
22 and I've recalled.

23 Q. So Hero is Foday Sankoh, yes?

24 A. Yes.

12:13:35 25 Q. And who is he speaking to?

26 A. He was speaking to Isaac Mongor.

27 Q. And now that you have seen the message, do you recall why
28 it was that Foday Sankoh was anxious that, amongst others, the
29 Liberian delegates should not be present?

1 A. Yes, because he did not want what he was discussing with
2 the RUF, he did not want that to be known by the Liberian or
3 Togolese delegates, because this delegation came to Kailahun, he
4 expected them to go to Makeni but they did not go to Makeni and
12:14:20 5 they returned from Kailahun to Liberia and they went back to Togo
6 because this delegation comprised ambassadors, like the Nigerian
7 ambassador to Togo. The Nigerian ambassador to Liberia came
8 along with the chief of protocol. They were the ones who came
9 from Monrovia to Buedu.

12:14:47 10 Q. Thank you. Go to page 8668, please. Do you see a message,
11 middle of the page, dated 1 July 1999? Do you see that? Do you
12 see it, Mr Sesay?

13 A. Yes, I see it.

14 Q. Tell me this. "Through Concord". Concord, you told us, is
12:15:28 15 Bockarie. "From Major Jackson Swarray, Ray," the Black Guard
16 commander. We looked at a letter written by him this morning; is
17 that correct?

18 A. Yes.

19 Q. "Sir, all your advices given concerning the infighting is
12:15:48 20 not implemented accordingly. As I am speaking, Rocky C0 is on
21 the move because he was attacked by troops of Sparrow last night.
22 Even your bodyguard, Major Yavay, was under duress and carried to
23 the zone of Sparrow.

24 More than 200 ULIMO fighters (armed men) chartered by SSS
12:16:17 25 are presently at Magburaka standing by to attack both Lunsar and
26 Makeni."

27 First of all, who is Sparrow?

28 A. Sparrow is Morris Kallon.

29 Q. Who is Rocky C0?

1 A. Rocky CO was a vanguard who was at Mabonto.

2 Q. Was there such an incident where Rocky CO, a vanguard, was
3 attacked by Morris Kallon, Sparrow, in July 1999?

4 A. Well, he did not attack him, but Kallon went underground
12:17:21 5 because Mabonto is near Magburaka. Kallon was based in Magburaka
6 while Superman was in Makeni.

7 Q. Can you spell the name of that place close to Magburaka
8 please?

9 A. M-A-B-O-N-T-O, Mabonto.

12:17:46 10 Q. And you were going on to say Kallon was based where?

11 A. Kallon was based in Magburaka, and Mabonto, our group
12 captured there in December 1998, and the paramount chief who was
13 there during this time - but during this fight, Rocky had brought
14 troop from Makeni, under Superman's command. They were based
12:18:22 15 there. They were harassing the civilians. So the paramount
16 chief sent a letter to Kallon complaining what was happening in
17 Mabonto to his people. So that was the reason Kallon went there,
18 to make sure that Rocky CO left the place. And when he went
19 there, Rocky CO left the place later, and the paramount chief
12:18:44 20 remained there with his people until disarmament.

21 Q. Thank you. Now, this reference to 200 ULIMO fighters, what
22 is that about?

23 A. This is a lie. He was just telling lies, Jackson Swarray
24 only sent this message to support Superman against us. But at
12:19:08 25 this time, there were no 200 ULIMO fighters with us in the RUF.
26 ULIMO had disarmed in Liberia. I had nowhere to have 200 ULIMO
27 fighters to come and attack my brothers in Makeni. And from late
28 March, when I was attacked, I did not come to the north until
29 October '99 when I returned there.

1 Q. Thank you. Go over the page, please, to page 8670. Remind
2 us, Smile is who?

3 A. Foday Sankoh.

4 Q. "Reference to the message sent by Major Ray. Mercenaries
12:20:09 5 have never fought alongside the RUF. This is a clear indication
6 of lack of respect for command and the intention of Superman to
7 organise along the Makeni axis, to continue causing problems."

8 So this message is dated 3 July, two days after the last
9 message we looked at from Jackson Swarray, to Smile through
12:20:37 10 Concord, that's from Jackson Swarray to Foday Sankoh through Sam
11 Bockarie, mentioning 200 ULIMO fighters. We now have this
12 response from Sam Bockarie to Foday Sankoh saying that
13 mercenaries have never fought alongside the RUF. Then this:

14 "Furthermore, sir, there is a message relating to the
12:21:06 15 activities and intention of Superman and his allies.

16 1. Sparrow, Morris Kallon, reported on 30 June 1999 that
17 he had a dialogue with Brigadier 55."

18 Who is Brigadier 55?

19 A. That is Santigie Bobor Kanu, because he was in Makeni
12:21:33 20 together with Gullit at this time.

21 Q. "He stated that he will attack Sparrow, Morris Kallon, on 1
22 July 1999."

23 So help us, Mr Sesay. At this time, July 1999, was there
24 still this tension between various groups within the RUF?

12:21:58 25 A. Yes. There was tension because they were in Makeni while
26 Kallon was in Magburaka.

27 Q. And it continues:

28 "2. A message from Lieutenant Colonel Guerrilla."

29 Who is Lieutenant Colonel Guerrilla?

1 A. Well, when Kallon had taken Rocky CO from that place, had
2 removed him from that place, from Mabonto, it was Guerrilla who
3 came there later. He was the one Kallon sent there. He was one
4 of the junior officers in the RUF.

12:22:36 5 Q. "Stated that according to Captain Gabon, CO Rocky contacted
6 from Bumbuna and said he will attack Mabonto and Magburaka.

7 Message mustered by 2nd Brigade commander, Colonel Big
8 Rebel, stated that Brigadier Mani and Pa Demba are en route to
9 Kayima and their advance team is already at Alikalia. For your
10 information, sir, these brothers have intention to attack Kono,
11 and any attempt will be treated very serious."

12:23:19

12 Next page please. We now see Smile contacting Concord on
13 the next day, 4 July:

14 "Reference to my last instructions. Any attempt by anybody
15 to create infighting while the peace talks is ongoing in Lome
16 will face the consequences. All commanders and their troops
17 should stay at their locations. I will not tolerate any attempt
18 that will jeopardise the present peace talks. Therefore, all
19 commanders are to comply strictly to my instructions."

12:23:50

20 Now, at this stage in July, Mr Sesay, who were the RUF
21 taking instructions from?

22 A. RUF took instructions from Mr Sankoh.

23 Q. Go to the next page, please, page 8672. Smile is
24 Mr Sankoh; is that right? Middle of the page.

12:24:21

25 A. Yes.

12:24:58

26 Q. Scorpion is who?

27 A. Scorpion was a Vanguard. He was in Makeni.

28 Q. Who is Flash?

29 A. Subject is "Flash."

1 Q. What does "Flash" mean?

2 A. Well, just like information.

3 Q. I see:

4 "With regards to our last discussion, you are to make it
12:25:30 5 possible for the requested brothers, namely, Colonel Eddie
6 Kanneh, Major Sheku Kumba, and one other officer from your point.
7 Superman, Lieutenant Colonel Gibriil Massaquoi and Brigadier Mani
8 should also move today to Kailahun so as to move with the
9 delegation to meet me at Lome, Togo.

12:25:58 10 Colonel Eddie Kanneh, Major Sheku Kumba, and the other one
11 person from your point are to move today to Foya, as they will be
12 picked up by helicopter to Monrovia. They will later join
13 President Taylor to meet me at Togo."

14 Did you know about this?

12:26:20 15 A. Yes, I knew.

16 Q. That's 5 July. Go to page 8674 now, please. 7 July 1999,
17 so two days after that message regarding those men joining up
18 with President Taylor:

19 "From the leader to General Sam Bockarie.

12:26:58 20 Information: All men/women of RUF Sierra Leone.

21 Inform all the men and women of RUF Sierra Leone, the civil
22 society and the religious groups that I will be signing the peace
23 accord today. I and my delegation in Lome have negotiated in
24 good faith and have reached a compromise. Last night, four head
12:27:30 25 of States - President Charles Taylor of Liberia, Blaise Compaore
26 of Burkina Faso, Obasanjo of Nigeria and Gnassingbe Eyadema of
27 Togo met with me and President. We have managed to reach an
28 agreement finally. I will be released before the signing of the
29 accord today. I want everybody to trust my leadership. I will

1 be joining all the brothers and sisters so that we can all work
2 together for consolidating the peace and the transformation of
3 RUF/Sierra Leone into a political movement. We should remain
4 united, dedicated and sincere to the movement and the people of
12:28:24 5 Sierra Leone. We should give peace a chance. Extend my regards
6 to everybody."

7 And just for completeness, when it is announced that I am
8 released, the soldiers should not discharge their weapons, firing
9 must not take place, every soldier must abide by this directive,
12:28:52 10 now, do you recall receiving that message on 7 July, Mr Sesay?

11 A. Yes, but at this time I was in Lome with the signing of the
12 accord.

13 Q. When did you travel to Lome?

14 A. Well, that message that was sent a day before the signing
12:29:17 15 of the accord was when we travelled, that is myself, Eldred
16 Collins, Francis Musa, Pa Blue, Sheku Kumba, we travelled, and
17 Mr Sankoh had made an arrangement for us to be picked up from
18 Foya to be taken to Monrovia, and from RIA I will go with the
19 Liberian delegation, including President Taylor. By that time he
12:29:47 20 did not speak with us and we too did not talk to him. So we went
21 to Lome. We arrived there. There was this meeting at night
22 before Mr Sankoh could send this message the following morning.
23 So, it was in the afternoon that the Lome Accord was signed.

24 After it was signed, the Heads of State returned and we remained
12:30:09 25 there for two days. And we came to Monrovia for a day, and we
26 were dropped again in Foya and we came to Buedu.

27 Q. Thank you for that. Can we now go to page 8678, please.
28 Now, this is on 15 July. Are you back in Sierra Leone by this
29 stage, Mr Sesay?

1 A. Yes.

2 Q. We see that this is a message to Concord, Sam Bockarie; am
3 I right?

4 A. Yes.

12:31:07 5 Q. Through you; is that correct?

6 A. Correct, yes.

7 Q. For the information of Smile, Foday Sankoh, yes?

8 A. Yes.

9 Q. And it is from Brigadier Kallon?

12:31:25 10 A. Yes, Morris Kallon.

11 Q. "Sir, upon the instruction by the leader for me to proceed
12 to Makeni, I did so three days ago. Upon our arrival at Makeni,
13 we were highly received by Brigadier Mani, Brigadier Gudith" -
14 who is that?

12:31:45 15 A. That is Gullit that the operator was trying to spell here.

16 Q. "... and Pa Demba, Mara. They tried their level best to
17 bring us together, but upon the arrival of Colonel Gibril
18 Massaquoi, Lieutenant Colonel Nya and Brigadier Isaac, they
19 stated that they will never work with me."

12:32:13 20 Now, this is after the signing of the Lome Peace Accord,
21 Mr Sesay. Were there still difficulties at this time between
22 various RUF commanders?

23 A. Yes. Because I received this message.

24 Q. "They provoked me a lot, saying that I'm a refugee. They
12:32:40 25 disarmed 60 arms from my men, including two RPG tubes with three
26 rockets and three packets of AK rounds. With all this I was
27 advised by the acting paramount chief of Makeni, including most
28 of the religious leaders, to behave as a man and keep to myself.
29 This reason gave me the cause to base at Teko Barracks.

1 Sir, kindly tell the brothers that we are all the same and
2 we are all fighting for the same goal, since peace is now on the
3 way for us. Sir, please accept info for your necessary action."

12:33:54 4 Could you go to page 8692, please. "From the leader to all
5 commanders". Do you see it? Middle of the page, message dated
6 25 July 1999; do you see it?

7 A. Yes, sir.

8 Q. "Subject: Directive. Reference my last message dated 25
9 July. You are to prepare to hand over the POWs and all political
10 prisoners to ICRC, UNOMSIL or ECOMOG at any time they call upon
11 you.

12 Philip Palmer, Deen-Jalloh, Fayia Musa, Dr Barrie and
13 Gbessay James should also be released, but you are not to allow
14 them to go anywhere. They should stay at the HQ (Buedu) till I
15 arrive at that location."

16 And then if we go to the next page, page 8693, to Smile
17 from SSS. Who is SSS?

18 A. That's me.

19 Q. That being so, let's look at the message at the top of the
12:35:22 20 page:

21 "To Concord", Bockarie, "for the information of Smile",
22 Foday Sankoh, "from SSS", Issa Sesay.

23 "Sir, report received from Bandajuma Yawei revealed that
24 the Kamajors attack our position this morning at the
12:35:49 25 above-mentioned town. Our men repelled them and captured the
26 under-mentioned items from them:

- 27 1. 6 rockets of RPG and 5 TNTs
- 28 2. 1 RPG tube
- 29 3. 5 packets of AK rounds."

1 Do you recall this incident in late July 1999, Mr Sesay?

2 A. Yes, sir, I recall.

3 Q. Then at the bottom of the page you send a message to Smile
4 regarding the release of the prisoners of war. Do you see that?

12:36:28 5 A. Yes, I see it.

6 Q. Did you have, at this stage, prisoners of war in your
7 custody?

8 A. Well, the ones we had in Buedu, we had released them
9 because Mr Sankoh had sent a message for us to release them. So
12:36:48 10 when the Liberian delegation, the Togolese delegation and the
11 ambassadors came, including members of the RUF delegation in Lome
12 to come and talk to Sam Bockarie and we, the other commanders,
13 about the Lome Accord, it was during that time that Mr Sankoh
14 said we should release them. So for us, those who were in Buedu,
12:37:13 15 we released them. So they went with the delegation. There were
16 12 Nigerian prisoners of war, ECOMOG men. So they took them to
17 Liberia and we went to them.

18 Q. Go now to page 8695, please.

19 JUSTICE DOHERTY: Mr Griffiths, I would like some
12:37:34 20 clarification of that last answer. Your question was directed to
21 prisoners of war that I understood to be in the custody of the
22 witness himself. Now, is he saying he was in Buedu at the time
23 and that he released those prisoners of war?

24 MR GRIFFITHS:

12:37:50 25 Q. Did you hear the learned judge's question, Mr Sesay?

26 A. Yes, I heard it. Yes, my Lord, I was in Buedu. All of us
27 released them to the delegation that came and they went with
28 them, because Bockarie was there and I too was there in Buedu.

29 Q. And we can get some further assistance if we go to page

1 8695. Looking at this second message on that page dated 27 July
2 1999, it is from you, Issa Sesay to Smile, Foday Sankoh:

3 "Sir, reference your message dated 25 July. We have only
4 12 Nigerians at the headquarter (Buedu) and one at Makeni. They
12:38:45 5 have been released. Only waiting for the ICRC to hand them over.
6 I have not received any report from Lusak, due to poor
7 communication."

8 And we see that message is timed 1159 hours on 27 July
9 1999, and the message at the top of the page also references,
12:39:17 10 "Release of prisoners of war from Brigadier Mani to Smile", but
11 that need not detain us.

12 Let's now go to page 8696 please. The second message on
13 that page, 27 July 1999, from Smile to Brigadier Mani. So that's
14 from Foday Sankoh, am I right, Mr Sesay.

12:40:02 15 A. Yes, you are correct.

16 Q. And it is for the information of all commanders:

17 "Reference your message dated 27 July 1997. Lieutenant
18 Colonel JP Koroma is to wait at his present location till I
19 arrive at Kailahun. You (Brigadier Mani), ex-President Joseph
12:40:30 20 Momoh, Colonel Isaac, Major Gibril Massaquoi should report to
21 Kailahun and wait for me till my arrival as there are very
22 important issues to be discussed.

23 Also Victor Foh and all the convicted prisoners that were
24 released from Pademba Road Prison are to stay at Kailahun till my
12:40:56 25 arrival. Very soon I will be at Kailahun.

26 The children and women that were abducted from Freetown
27 should be immediately released to go back to their relatives.

28 Best regards."

29 And that's timed at 7.54 on 27 July 1999. Now, two things.

1 Firstly, at this stage, Mr Sesay, July 1999, was Lieutenant
2 Colonel JP Koroma being held against his will in RUF-controlled
3 territory.

12:41:45 4 A. Well, he was in Kailahun but it was not against his will
5 during this time. He was at Kangama.

6 Q. And bearing in mind that this is a message from Smile,
7 Foday Sankoh, to Brigadier Mani, the last part of that message,
8 "The children and women that were abducted from Freetown should
9 be immediately released to go back", did you, or any other RUF
12:42:12 10 commander, have in your custody women and children who had been
11 abducted from Freetown?

12 A. No. We did not have any women or children whom we had
13 abducted from Freetown. That was the reason why Foday Sankoh did
14 not send this message pertaining to Freetown to any RUF
12:42:38 15 commander. He sent the message to Brigadier Mani because he knew
16 that was Brigadier Mani's own people because his own commanders
17 went to Freetown.

18 Q. And let's go now please to the next - no, let's stay on
19 that page 8697 because there we see another message from you,
12:43:13 20 "SSS", to Sankoh:

21 "Response: Sir, reference your signal message dated 25
22 June 1999. The release of prisoners of war. This headquarter
23 only have 12 Nigerian war prisoners and one at Makeni. We are
24 presently waiting for the ICRC to hand over them. Further report
12:43:38 25 received from Freetown Highway and Makeni stated that there are
26 three Guineans and three Malians at Freetown Highway and two
27 Guineans at Makeni. The Guinean and Malian war prisoners are
28 still in prison till we hear from you as per your directive.

29 As for Fayia Musa and his group, they have also been

1 released as per your directive but they are presently on the
2 ground with us for security reason until your arrival.

3 For those politicians freed from Pademba, they are freed.

12:44:26

4 In fact, according to them, from Pademba, since they have been
5 freed from by us from Pademba prison, they are now members of the
6 RUF/Sierra Leone."

7 Do you remember sending that message, Mr Sesay?

8 A. Yes, I recall.

12:44:51

9 Q. Now at this stage, Mr Sesay, in July of 1999, what were
10 your responsibilities within the RUF?

11 A. Well, at that time I was the field commander and during
12 this time, in late July of 1999, Mr Sankoh had instructed Sam
13 Bockarie to go to Monrovia and meet him in Lome. So at this time
14 I was in Buedu and messages that came from Mr Sankoh, he sent
15 them to the Buedu station. So at the time he sent these
16 directive to Makeni, to Bazzy in the Western Jungle to release
17 those prisoners of war. They too used to send their information
18 to Buedu and I would, in turn, transmit them to Mr Sankoh.

12:45:30

19 Q. No bearing that fact in mind, Bockarie travels to Monrovia.
20 Go to page 8700. We see here a message from Sparrow, Morris
21 Kallon, to you, Issa Sesay, and it is for the information of
22 Smile and Concord. Now Concord is Bockarie. Where is Bockarie
23 at this time when he is being copied in on this message?

12:46:02

24 A. I said at this time, Bockarie had gone to Monrovia for him
25 to travel to Lome to meet Mr Sankoh, but when he got to Monrovia,
26 Mr Sankoh delayed his movement from there. So Bockarie returned
27 to Buedu for about three days in September, or four days. And
28 then Foday Sankoh recalled him. He sent a message that he should
29 go to Monrovia and wait for him. But at this time Bockarie had

12:46:46

1 gone to Monrovia to transit from there to meet Mr Sankoh in Lome.

2 Q. Now go to page 8701 please. Now this is from you to
3 Sankoh. Is that right?

4 A. Yes.

12:47:38 5 Q. "Sir, on 24 July a patrol team, consisting of 10 manpower
6 was dispatched by Lieutenant Colonel Abdul Gassama towards the
7 Guinea-Sierra Leone border to educate our people on the current
8 peace agreement signed in Lome, Togo. It was not too long when
9 the Kamajors came from Guinea and attacked our men in a village
10 called Godor. Our men were able to repel the attack and captured
11 the following materials:

12 1. 1 RPG tube.

13 2. 6 TNT bombs."

14 Well, you tell me what the second line says, Mr Sesay.

12:48:25 15 A. Six RPG bombs and five TNTs.

16 Q. "5 packets of AK rounds and one stick grenade. There was
17 no casualty on our side." Were these kind of incidents still
18 going on after the signing of the Lome Agreement, Mr Sesay?

19 A. Yes, this was in the Kono District on the borderline with
12:48:52 20 Guinea.

21 Q. Yes, could you go to page 8708, please. Now, this is a
22 message to Concord, Bockarie, from you, Sesay, with information
23 for Smile, Foday Sankoh. Is that correct?

24 A. Yes.

12:49:59 25 Q. And it is dated 4 August:

26 "Sir, sources from satellite phone from General Joshi
27 reveal that for the past three days, UNOMSIL and Brigadier Bazil
28 have been in contact in order to release six ECOMOG war
29 prisoners, two Nigerians, two Guineans and two Malians."

1 Now I want to pause for a minute here, Mr Sesay. This
2 reference to sources from satellite phone, what's being said
3 here?

4 A. Well, at this time, the head of the military observers was
12:50:52 5 General Joshi for UNOMSIL and General Joshi used to call on Sam
6 Bockarie's number after the comments of the Lome Peace Accord and
7 when they had deployed the observers from - in Sierra Leone,
8 General Joshi at one time went and visited Bockarie in Buedu with
9 the helicopter and he had had Bockarie's contact number before
12:51:20 10 this time, so he used to call Bockarie on the phone. So at any
11 time General Joshi called, if Bockarie was not there I would
12 speak with him. So I talked with him. He informed me that he
13 had been speaking with Bazzy and the West Side to release those
14 prisoners of war. So that is - that is what he said.

12:51:41 15 Q. I see. So the reference to satellite phone here is
16 Bockarie's satellite phone which you were using?

17 A. Yes. Bockarie used to leave the satellite phone in Buedu.
18 It was Martin Koker who was operating it at this time. So when
19 the call came in, Martin answered to the call and then General
12:52:06 20 Joshi asked for Bockarie and then Martin told him that Bockarie
21 was not present, so Joshi then told him I was there, so he said
22 he should call me to talk to him. So Bockarie used to leave the
23 phone there. That was where we were using it. The phone was the
24 kind of phone that had stands. So at any time Bockarie was not
12:52:27 25 present I would go and receive the calls. But if Bockarie
26 himself was present, he would receive the call.

27 Q. Thank you. Go to the next page please.

28 PRESIDING JUDGE: I just want to point something out in the
29 transcript. The witness said he had been speaking with Bazzy in

1 the West Side, it appears like website, but it should be West
2 Side.

3 MR GRIFFITHS: I'm grateful:

12:53:04

4 Q. Go to page 8709 please, Mr Sesay. Now we are down to 4
5 August 1999. This is a message from you to Smile, Foday Sankoh:

6 "Sir, as at 2045 hours source from General Joshi of
7 UNAMSIL, Vide satellite phone, subject Okra Hills situation,
8 report update. Bishop" - what's the next word?

9 A. Biguzi.

12:53:35

10 Q. B-I-G-U-Z-I. Is that correct?

11 A. Yes, Biguzi.

12 Q. "... of Makeni and Miss Jacqueline" - what is that surname
13 please, Mr Sesay?

14 A. I am not familiar with this person.

12:53:53

15 Q. "Jacqueline Clenard, the UNPRO have been released by
16 Brigadier Bazil and his men. They furnished General Joshi with
17 the following information:

18 1. The others are still being held by Brigadier Bazil.

19 2. Brigadier Bazil and his men have made the following

12:54:18

20 statements:

21 A. The AFRC/SLA were not recognised in the Lome, Togo,
22 Peace Agreement.

23 B. Lieutenant Colonel Johnny Paul Koroma who is their
24 leader remains under custody of the RUF/SL in Kailahun.

12:54:38

25 C. They demanded the release of Johnny Paul Koroma to them
26 and also request a dialogue with him.

27 D. All arrested have been stripped of valuables and
28 clothing and are being denied access to communicate with their
29 headquarters.

1 3. The following is a list of names of those arrested by
2 Brigadier Bazil and his men:

3 1. Dr Robert Gravelle - Canadian, (senior political
4 adviser UN).

12:55:14 5 2. Mr Pierre Anthone-Louis (USA) UN.

6 3. Lieutenant Colonel Zamir Soveroglov-Krogystai, UNOMSIL.

7 4. Lieutenant Colonel Justin Mutale - Zambia (UNOMSIL).

8 5. Colonel Hoinel Williams - UK (UNOMSIL).

9 6. Major Kharaddin - Malaysia, (UNOMSIL).

12:55:52 10 7. Major Krivchenko - Russia (UNOMSIL).

11 8. Major Kyle - UK (UNOMSIL).

12 9. Major J Mokeown - UK (UNOMSIL).

13 10. Major M Rawlings - UK (UNOMSIL).

14 11. Major P Ellet - UK (UNOMSIL).

15 12. Major G Gradley - UK (UNOMSIL).

16 13. Squadron Leader F Carr - UK (UNOMSIL).

17 14. Captain T Hithalwe - Zambia (UNOMSIL).

18 15. Major A Mwale - Zambia (UNOMSIL)."

19 Then it goes on to list some civilians. Now, Mr Sesay,
12:56:11 20 help us with this: First of all, this Okra Hills situation which
21 you are reporting about to Smile, where were you based at this
22 time, 4 August when you were sending this report?

23 A. In Buedu.

24 Q. How did you come by the information that you put in this
12:56:33 25 report?

26 A. Well, it was General Joshi who called on the satellite
27 phone and gave us the information.

28 Q. And thirdly, what was this Okra Hills situation about?

29 A. Well, the Okra Hills situation, they were saying Foday

1 Sankoh did not advise invite Johnny Paul to Lome so they did not
2 recognise the Lome Accord so they were not part --

3 Q. Who is "they"?

4 A. Bazzy and his followers.

12:57:14 5 Q. Did they have a name?

6 A. Well, they were the AFRC West Side boys.

7 Q. And where were these men based?

8 A. They were based at Okra Hills, around the Okra Hills.

9 Q. Now, their complaint, that they were not recognised in the
12:57:38 10 Lome, Togo, Peace Agreement, and also their complaint about the
11 demand for the release of Johnny Paul Koroma. Were those
12 requests, in due course, met?

13 A. Yes. Mr Sankoh sent an instruction pertaining that to me
14 who was on the ground. Mr Sankoh sent an instruction to me at
12:58:11 15 first and he said I should take the radio station - I should take
16 the radio set to Kangama so that Johnny Paul would speak with
17 Bazzy and his followers, and I did it. Johnny Paul had a
18 dialogue with Bazzy and his men, and he told them that he was not
19 under arrest. And they told him - Bazzy asked him, he said "But
12:58:31 20 Papay", because that was how they used to call him, but he said,
21 "But Papay, why didn't you go to Lome? If they had recognised
22 the ARFC you should be in Lome for the peace talks." He said,
23 "But we do not recognise the Lome, as long as you are not - you
24 did not go to Lome." So we too do not recognise the peace talk.
12:58:53 25 So they said they were not part of the peace talk. So they said
26 the people whom they have arrested would be with them and they
27 would start attacking again. So Johnny Paul was trying to talk
28 to them. He said they should wait. He said he will talk to
29 Mr Sankoh. So after one or two days, Mr Sankoh signed another

1 message that Johnny Paul should - that was in - after this
2 dialogue, I think about a week or more - about a week - Mr Sankoh
3 said - sent another instruction that I should go - he sent a
4 message to Johnny Paul that I should take the message to Kangama.
12:59:32 5 That is when he told Johnny Paul that he should be ready for a
6 helicopter to airlift him. He said the Liberian government was
7 going to assist him to be taken to Monrovia where he would meet
8 with him. So, I had to take Johnny Paul from Kangama, myself and
9 Kallon - no, Kallon was not present. I took Johnny Paul from
12:59:58 10 Kangama. I drove him to Foya, together with honourable Samuel
11 Kargbo, one of the coup makers, and one, Mr Jumu Jalloh, there
12 were three. So when we got to Foya, we informed the commander,
13 who was on the ground in Foya, and a helicopter was dispatched to
14 come and pick up Johnny Paul. So he was taken to Monrovia. And
13:00:25 15 at the same time when he got to Monrovia, because at the
16 guesthouse they had a radio, we had a dialogue again with Bazy
17 and the Liberian government too, together with the Sierra Leone
18 government. They had an arrangement. They took Bazy and some
19 of his men as the delegation from Freetown to the Lungi airport,
13:00:47 20 and from Lungi airport, they flew them to Monrovia, when the
21 Liberian government went and spoke to them, so that all the
22 groups will be able to recognise the Lome Accord in order to
23 bring peace to Sierra Leone. So Bazy too was there. They later
24 returned to Freetown. So Foday Sankoh later came. Foday Sankoh
13:01:13 25 came later. He and Johnny Paul, they flew them into Freetown,
26 they went into Freetown.

27 MR GRIFFITHS: Was it 1 o'clock or 1.30?

28 PRESIDING JUDGE: It is 1 o'clock. 1 o'clock is the time
29 we are supposed to vacate. Yes. The proceedings are adjourned

1 tomorrow morning at 9 a.m. Mr Sesay, you are not to discuss your
2 evidence with anybody.

3 [Whereupon the hearing adjourned at 1.03 p.m.
4 to be reconvened on Wednesday, 14 July 2010 at
5 9.00 a.m.]

13:03:24

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I N D E X

WITNESSES FOR THE DEFENCE:

DCT-172	44320
EXAMINATION-IN-CHIEF BY MR GRIFFITHS	44320