



Case No. SCSL-2003-01-T

THE PROSECUTOR OF  
THE SPECIAL COURT  
V.  
CHARLES GHANKAY TAYLOR

THURSDAY, 12 AUGUST 2010  
9.00 A.M.  
TRIAL

TRIAL CHAMBER II

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Before the Judges:

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

For Chambers:

Ms Sidney Thompson

For the Registry:

Ms Rachel Irura  
Ms Zainab Fofanah

For the Prosecution:

Ms Brenda J Hollis  
Mr Nicholas Koumjian  
Ms Maja Dimitrova

For the accused Charles Ghankay  
Taylor:

Mr Courtenay Griffiths QC  
Ms Silas Chekera  
Ms Logan Hambriek  
Mr Michael Herz

1 Thursday, 12 August 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.03 a.m.]

09:02:26 5 PRESIDING JUDGE: Good morning. We will start with  
6 appearances, 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, Maja Dimitrova and Nicholas Koumjian.

09:04:09 10 MR GRIFFITHS: Good morning, Madam President, your Honours,  
11 counsel opposite. For the Defence today, myself, Courtenay  
12 Griffiths. With me, Ms Logan Hambri ck, Mr Silas Chekera and  
13 Mr Michael Herz.

14 PRESIDING JUDGE: Thank you. Good morning, Mr Sesay. As  
09:04:27 15 usual, I remind you of the binding oath that you took to tell the  
16 truth.

17 Please continue, Mr Griffiths.

18 WITNESS: DCT-172 [On former oath]

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

09:04:38 20 Q. Mr Sesay, I am anxious to conclude my examination-in-chief,  
21 which is why what I propose to do today is to put various  
22 propositions, and if those opposite query the propositions I'm  
23 putting, I will provide the transcript references, if necessary.

24 Now, first of all, who is Seibatu Jusu?

09:05:02 25 A. Seibatu Jusu was an operator in the RUF.

26 Q. With whom did that individual work?

27 JUDGE DOHERTY: Mr Griffiths, what kind of operator? He  
28 could be a mechanic, for all we know.

29 MR GRIFFITHS:

1 Q. What kind of operator, Mr Sesay?

2 A. She was a radio operator.

3 Q. For whom?

09:05:38 4 A. First, she operated with Superman, because she trained in  
5 the Western Jungle in '95, '96.

6 Q. Then?

7 A. After the AFRC overthrow, she went to Kenema and she was  
8 there with her parents, and during the intervention both her  
9 parents went to Kailahun and so she was in Kailahun for part of  
09:06:07 10 '98 and she went to Buedu. She was staying with Hawa, assisting  
11 her with domestic chores, preparing food. And at the same time  
12 she used to go to the radio, in addition to her - to the domestic  
13 chores.

14 PRESIDING JUDGE: Mr Griffiths, when the witness says "AFRC  
09:06:26 15 overthrow", it's ambiguous. Is he referring to the overthrow of  
16 the AFRC government or what is he referring to?

17 MR GRIFFITHS:

18 Q. When you refer, Mr Sesay, to the AFRC overthrow, what are  
19 you referring to?

09:06:40 20 A. I'm referring to the time the AFRC overthrew SLPP in 1997,  
21 May.

22 Q. Thank you. Now, did she work as a cook and a radio  
23 operator for Sam Bockarie?

24 A. Yes.

09:07:05 25 Q. Did you know her personally?

26 A. Yes.

27 Q. Did she live in the same house as Sam Bockarie?

28 A. No. She did not sleep there. She used to spend the day  
29 there to assist Hawa to cook, and in the evening she would go to

1 the house where she lived in Buedu.

2 Q. Who is Planet One?

3 A. Planet was Sam Bockarie.

4 Q. What does 448 relate to?

09:07:48 5 A. 448 is jet, Alpha Jet.

6 Q. Alpha Jet. And in what context was that reference, 448,  
7 used?

8 A. For example, like if the jet has taken off coming to  
9 Kailahun and the operator in Baiima, that is the radio operator,  
10 saw it or heard it, he would call Buedu and he will say, "448 is  
11 coming." He will call to Kailahun, Pendembu, and those in  
12 Kailahun, Buedu, Pendembu will know that the jet is coming.

13 MR GRIFFITHS: I am told that at page 5 of today's  
14 transcript, at line 18, which reads, as currently on the  
09:08:49 15 transcript, "She used to spend the day there to assist how to  
16 cook," it was Hawa, H-A-W-A.

17 Q. Mr Sesay, do you know someone by the name of Selay?

18 A. Yes.

19 Q. Who is that?

09:09:14 20 A. Selay was a radio operator in '98. He was the signal  
21 commander but he committed suicide in '99.

22 PRESIDING JUDGE: Radio operator for who or what?

23 THE WITNESS: For Sam Bockarie.

24 MR GRIFFITHS:

09:09:37 25 Q. And where was he based?

26 A. In '98 he was in Buedu.

27 Q. In 1999, up until he committed suicide, where was he?

28 A. He was in Buedu.

29 Q. And for whom was he a radio operator, can you remind me?

1 A. He operated for Sam Bockarie.

2 Q. Did you know this individual?

3 A. Yes.

4 Q. During the time when he was a radio operator for  
09:10:21 5 Sam Bockarie where were you?

6 A. In March, April I was in Buedu and in May I went to  
7 Pendembu, '98, so during that time I knew that he was the radio  
8 commander, signals commander for the RUF and he worked with  
9 Sam Bockarie, because there were times he used to come to  
09:10:51 10 Pendembu with Sam Bockarie in '98.

11 Q. At the time when he was a radio operator for Sam Bockarie,  
12 were you aware of him communicating with Liberia and, in  
13 particular, Charles Taylor?

14 A. No, I did not know about Sellaay communicating with  
09:11:13 15 Mr Taylor because Sellaay crossed to the RUF area together with  
16 Jungle and others in Sierra Leone in 1992, so all of us were in  
17 Giema '94, '95 and he left in Giema '96 - he left Giema --

18 THE INTERPRETER: Your Honours, can the witness kindly  
19 repeat his answer.

09:11:38 20 MR GRIFFITHS:

21 Q. He left Giema when?

22 A. He was in Giema from '94, all of us came to that Koindu  
23 area and from that time, that is '94 right up to '97, he was in  
24 Giema.

09:11:53 25 Q. Thank you. Mr Sesay, in or about 1997 were you aware of  
26 men wearing Liberian uniforms coming to RUF-held territory in  
27 Sierra Leone?

28 A. No, I did not hear that in '97.

29 Q. Do you know someone called Sampson?

1 A. Yes, I know Sampson, in 2000.

2 Q. What is Sampson's full name?

3 A. Well, I only know Sampson.

4 Q. Where did you come to meet him?

09:12:42 5 A. The time I went to release the UN peacekeepers, it was  
6 Sampson who brought the helicopter and he was the one who  
7 distributed the uniforms to the peacekeepers. That is the time I  
8 know - I knew him.

9 Q. Do you know an associate of Sampson called Junior?

09:13:03 10 A. No, I don't know that.

11 Q. Have you ever seen Jungle wearing Liberian uniforms?

12 A. No, I did not see that.

13 Q. Have you ever seen either Sampson or Jungle wearing  
14 Liberian uniforms in RUF-held territory?

09:13:28 15 A. No, I did not see that.

16 Q. Are you aware of satellite phone contact between  
17 Sam Bockarie and Benjamin Yeaten?

18 A. No.

19 Q. Are you aware of Jungle bringing arms and ammunition to  
09:13:55 20 RUF-held territory?

21 A. No, no. I don't know about that.

22 Q. Was Jungle, in effect, an agent for Charles Taylor?

23 A. No, I did not know about that.

24 Q. Did anyone ever suggest to you that Jungle played such a  
09:14:16 25 role?

26 A. No.

27 Q. After Sam Bockarie went to Monrovia in December 1999,  
28 Mr Sesay, did you have any further contact with him?

29 A. Except the time I went for the ECOWAS meeting; that is the

1 ECOWAS Leaders' meeting, and from there he came to the guesthouse  
2 and we also went to his house, when I went there to say hello to  
3 his mother.

4 Q. I want to move on from that witness. Who is Matthew Sesay?

09:15:16

5 A. Matthew Kennedy.

6 Q. Did you know him?

7 A. CO Kennedy, yes, I know him.

8 PRESIDING JUDGE: Mr Griffiths, what witness are you  
9 referring to? You just said, "I want to move on from that

09:15:33

10 witness." Was there a particular witness?

11 MR GRIFFITHS: TF1-367.

12 Q. How well do you know him?

13 A. Well, I knew him from Camp Naama. All of us trained  
14 together and we came to Kailahun, right up to '93 - late '93 to  
15 part of '94 all of us were in that Koindu area, so I know him  
16 very well, right up to the end of the war.

09:16:01

17 Q. Did you ever send him to fight in Guinea?

18 A. No, no. I never sent him to fight in Guinea.

19 Q. What about this allegation, Mr Sesay, and I ask you in case  
20 in due course it is put to you: Did you rape Johnny Paul  
21 Koroma's wife?

09:16:25

22 A. No, I did not rape her.

23 PRESIDING JUDGE: Did you search her?

24 THE WITNESS: No, she was not the one searched. We did not  
25 search her and even Johnny Paul was not searched. It was Johnny  
26 Paul himself who presented the diamonds.

09:16:49

27 MR GRIFFITHS:

28 Q. This allegation that you raped Johnny Paul Koroma's wife,  
29 Mr Sesay, is there any truth in it?

1 A. There is no truth in that.

2 Q. Mr Sesay, are you aware of someone called Mohamed Kabbah?

3 A. Yes, I know him. He is Tourist, a radio operator for the  
4 RUF.

09:17:38 5 PRESIDING JUDGE: Did you say he is a tourist or --

6 THE WITNESS: No, he is Tourist, that is a nickname,  
7 Tourist.

8 PRESIDING JUDGE: How do you spell that?

9 MR KOUMJIAN: We have it on the record, Your Honour, and it  
09:17:56 10 is spelt as the --

11 PRESIDING JUDGE: As a tourist?

12 MR KOUMJIAN: Yes.

13 MR GRIFFITHS: But I see he has been labelled as a  
14 terrorist, according to the transcript at page 10, line 13.

09:18:14 15 Q. When did this individual join the RUF, Mr Sesay?

16 A. 1991.

17 Q. Where?

18 A. Kailahun Town.

19 Q. And where did he receive training as a radio operator?

09:18:34 20 A. He was trained as a radio operator in Zogoda, they were the  
21 ones that Mr Sankoh trained around '94.

22 Q. And with whom was he assigned following his training?

23 A. Well, after his training I understood that he was working  
24 with Sam Bockarie in Bandawor.

09:19:06 25 Q. In case of difficulty, how do you spell that name,  
26 Bandawor?

27 A. Let the interpreter help.

28 MR GRIFFITHS: Yes, Mr Interpreter.

29 THE INTERPRETER: Yes, your Honour, B-A-N-D-A-W-O-R.



1 MR GRIFFITHS: I am grateful.

2 Q. And thereafter where was he assigned?

3 A. I said he was assigned to Sam Bockarie in Bandawor and from  
4 there he later came to Zogoda after Mr Sankoh had gone to the  
09:19:58 5 Ivory Coast and from there Mr Sankoh sent to Mohamed Tarawalli -  
6 to send two operators and he was among the two operators who went  
7 to meet Mr Sankoh in Abidjan through Guinea.

8 Q. And for how long was he in Abidjan?

9 A. He was in Abidjan, I don't know the number of months, but  
09:20:27 10 around October of '96 he returned, together with Jackson Ray,  
11 that is Swarray. They all came to Kailahun through Guinea.

12 Q. And following his return, where was he assigned?

13 A. He was in Giema.

14 Q. With whom?

09:20:50 15 A. He was there with myself, Bockarie and Peter Vandi, and  
16 when the Kamajors and the SLAs attacked Giema, around January of  
17 '97, Sam Bockarie went to Buedu. So he was with me in Giema up  
18 to May 1997.

19 Q. And thereafter where was he?

09:21:16 20 A. Thereafter, he came together with Sam Bockarie and others  
21 to Freetown and later he came to Kenema and went to Kailahun. He  
22 left Sam Bockarie in Kenema while he went to Kailahun.

23 Q. Now help me with this: During what period of time was this  
24 individual a radio operator for Sam Bockarie?

09:21:44 25 A. Well, at the initial stage of the AFRC government, but  
26 around late '97 he went to Kailahun and he was in Kailahun Town  
27 right up to the intervention.

28 Q. Yes, but my question is quite specific for good reason.  
29 For what periods was he a radio operator for Sam Bockarie?

1 A. Well, I can say from late May to September.

2 Q. Of which year?

3 A. '97.

09:22:32 4 Q. Was this individual a radio operator for Sam Bockarie at  
5 any other period, to your knowledge?

6 A. Yes.

7 Q. When?

8 A. From - because he was in Kailahun Town throughout '98 and  
9 thereafter in 1999 Sam Bockarie invited him, so he was in Buedu  
09:22:57 10 up to 1999. So after the death of Sella, Sam Bockarie appointed  
11 him as signals commander.

12 Q. During the time when this individual was a radio operator  
13 for Sam Bockarie, are you aware of him being involved in radio  
14 communications between Sam Bockarie and Charles Taylor?

09:23:26 15 A. No. I was not aware of that because from April to October,  
16 to early October, he was in Buedu. And I used to see the radio  
17 logbook almost on a daily basis.

18 Q. Mr Sesay, yesterday afternoon and this morning we have  
19 looked at the testimony given to these judges by several radio  
09:23:54 20 operators, all of them speaking of regular contact between  
21 Sam Bockarie and yourself and Charles Taylor via radio. Help us.  
22 What is your knowledge of such contact between the RUF and  
23 Charles Taylor?

24 A. No, as far as I know Mr Taylor and I did not communicate  
09:24:26 25 through the radio and even with Sam Bockarie because all the  
26 radio logbooks, there was never a message that came from  
27 Mr Taylor or direct to Mr Taylor either from Sam Bockarie or from  
28 me.

29 Q. Mr Sesay, help me. Was there any occasion when you, as an

1 individual, actually spoke on a radio to Charles Taylor, and I  
2 say "radio" quite specifically?

3 A. That never happened. I never spoke with Mr Taylor on the  
4 radio.

09:25:12 5 Q. As far as you are aware, did Sam Bockarie physically have  
6 in his hand a microphone and speak to Charles Taylor over the  
7 radio, to your knowledge?

8 A. I never heard that and Sam Bockarie never told me that.

9 Q. Mr Sesay, if you were minded to send a message via the  
09:25:42 10 radio, just talk us through the process step by step that you  
11 would have to go through?

12 A. I would invite the radio operator and explain the message  
13 to him and the radio operator in turn will write down the  
14 message. And the person to whom I will be writing the message

09:26:13 15 to, his name will be written up. There are times my own name  
16 will be written up the paper, and the person who will be  
17 receiving the message, his name will be written down the paper.  
18 And from there the radio operator would encode the message and  
19 send it. When the other operator would receive it from the other

09:26:33 20 end, he would decode it and write it down in the logbook and he  
21 would go and give it to the person to whom I had sent the  
22 message.  
23 Q. The reason I am asking you, Mr Sesay, is this: A number of  
24 Prosecution witnesses, radio operators, have come to this Court  
09:26:54 25 and said that they recall direct conversations between  
26 Sam Bockarie and Charles Taylor, between you and Charles Taylor,  
27 over the radio. Did any such thing occur?

28 MR KOUMJIAN: Your Honour, I would request references for  
29 that. That's not the evidence.

1 MR GRIFFITHS: Perhaps I have been listening to a different  
2 Prosecution case to the one heard by Mr Koumjian.

3 MR KOUMJIAN: Apparently.

4 MR GRIFFITHS: This is the evidence given by many  
09:27:28 5 Prosecution witnesses, and Mr Koumjian can laugh as much as he  
6 likes. Sit down. Sit down.

7 PRESIDING JUDGE: Mr Griffiths.

8 MR GRIFFITHS: I haven't finished yet.

9 PRESIDING JUDGE: Mr Griffiths, please, control yourself.

09:27:44 10 MR GRIFFITHS: Sit down.

11 PRESIDING JUDGE: Please control yourself and do not --

12 MR GRIFFITHS: I don't need to control myself, with  
13 respect, Madam President. This boy is being disrespectful.

14 PRESIDING JUDGE: That is enough. That is enough.

09:27:57 15 Absolutely not in order to address counsel opposite as a boy.  
16 Absolutely out of order.

17 MR GRIFFITHS: Excuse me.

18 PRESIDING JUDGE: Absolutely out of order, Mr Griffiths,  
19 and I will not tolerate it in this Court. This is language that  
09:28:11 20 is absolutely out of order and I will demand that you apologise  
21 to Mr Koumjian across.

22 MR GRIFFITHS: I don't intend to. I will not.

23 MS HOLLIS: I ask that the Bench sanction this counsel for  
24 his improper, immature and unprofessional conduct. It has been  
09:28:29 25 going on throughout the Defence case and even in the Prosecution  
26 case. It demeans the integrity and the dignity of these  
27 proceedings and nobody should have to put up with it. Maybe in  
28 England they get away with it, I doubt it, but it should not be  
29 tolerated here and he should be sanctioned.

1 [Trial Chamber conferred]

2 MR CHEKERA: Madam President, with your leave may I address  
3 the Court?

4 PRESIDING JUDGE: Why? On what?

09:29:28 5 MR CHEKERA: I have just got an instruction from Mr Taylor  
6 and he would have wanted a few minutes to consult with lead  
7 counsel.

8 PRESIDING JUDGE: Very well. I will hear what you have to  
9 say. Please address the Court.

09:29:40 10 MR CHEKERA: Sorry, Madam President. Madam President,  
11 could we respectfully ask for five minutes to confer among  
12 ourselves with Mr Taylor.

13 PRESIDING JUDGE: Very well. I think I will give you five  
14 minutes.

09:30:02 15 MR CHEKERA: Thank you.

16 PRESIDING JUDGE: I will give you three minutes.

17 MR KOUMJIAN: Your Honour, could I address the Court  
18 briefly?

19 PRESIDING JUDGE: Mr Koumjian, please address the Court.

09:30:37 20 MR KOUMJIAN: Your Honour, first of all let me say I do not  
21 intend to respond to any personal attacks by Defence counsel.  
22 That is because we are here because we think these proceedings  
23 are serious, they are about horrible crimes that happened in  
24 Sierra Leone, they are about the victims that suffered. They are  
09:30:53 25 not about us, so I am not going to respond personally.

26 Secondly, we would request counsel to find the references.  
27 I realise there is another proceeding before the Court regarding  
28 the conduct of counsel, but we would request the references in  
29 the period of time that Charles Taylor was present. It's my

1 understanding of the evidence that there was not direct radio  
2 contact between Charles Taylor, Bockarie and Sesay. They were  
3 through satellite telephone. That's the evidence.

4 PRESIDING JUDGE: Okay. What we are going to do, we are  
09:31:27 5 going to go off the Bench for five minutes or so, as requested by  
6 Mr Chekera, and then we will return and I am going to take this  
7 matter up when we return.

8 [Break taken at 9.31 a.m.]

9 [Upon resuming at 10.14 a.m.]

10:14:22 10 [In the absence of the witness]

11 PRESIDING JUDGE: Now I apologise that the Chamber took a  
12 bit of time - a bit longer than we had anticipated, but this is  
13 reflective of the seriousness of what happened in this Court this  
14 morning. And the Chamber has the following to say, pursuant to  
10:14:52 15 the fracas that broke out in court this morning:

16 Now I recall that at the commencement of today's  
17 proceedings lead Defence counsel, Mr Griffiths, prefaced his  
18 submissions by stating that in the interests of efficiency he  
19 would put various propositions to the witness and if counsel  
10:15:13 20 opposite queried the propositions put, then lead counsel would  
21 provide the transcript references if necessary.

22 At approximately 9.26 lead counsel put a question to the  
23 witness, which question entailed the mention of a number of  
24 unspecified Prosecution witnesses, radio operators, who have come  
10:15:40 25 to this Court and said certain things. At this stage  
26 Mr Koumjian, counsel for the Prosecution, stood up and politely  
27 requested references for Mr Griffiths's assertions.

28 This inquiry by Mr Koumjian, in our view, was perfectly in  
29 order and consistent with the commitment that lead counsel had

1 initially made to so provide the references.

2 Unfortunately it is at this stage that an altercation broke  
3 out between both Mr Koumjian and Griffiths, in which the latter  
4 repeatedly banged at the table, or lectern, with his fist, raised  
10:16:32 5 his voice, yelling at Mr Koumjian and commanding him to sit down.  
6 Even when the Presiding Judge directed Mr Griffiths to stop, to  
7 control himself and to sit down, Mr Griffiths refused to do so,  
8 calling Mr Koumjian a boy.

9 When the Presiding Judge directed Mr Griffiths to publicly  
10:17:00 10 apologise to Mr Koumjian, Mr Griffiths retorted that he did not  
11 intend to and would not apologise.

12 Now, I would like to remind the parties that Article 17 of  
13 the Code of Conduct enjoins counsel - sorry, Article 7 of the  
14 Code of Conduct enjoins counsel to act courteously and  
10:17:30 15 respectfully towards all persons with whom they have professional  
16 conduct, including judges, other counsel and witnesses.

17 As a Trial Chamber, we have noticed that of late  
18 Mr Griffiths, lead counsel for the Defence, has had several  
19 outbursts in court directed either at counsel opposite, or at the  
10:17:58 20 witnesses, that we have chosen to overlook.

21 This morning's outburst, however, is by far the worst and  
22 cannot be countenanced by this Court. It was neither called for,  
23 nor is it justifiable.

24 In the premises I am directing Mr Griffiths once again to  
10:18:22 25 apologise to Mr Koumjian and to the Court for his conduct.

26 Mr Griffiths?

27 MR GRIFFITHS: Madam President, your Honours, I apologise  
28 to the Court for my outburst.

29 PRESIDING JUDGE: And to Mr Koumjian?

1 MR GRIFFITHS: I'm sorry, I can't do that.

2 PRESIDING JUDGE: Then, Mr Griffiths, in view of what you  
3 have just said, I am now, pursuant to Rule 46(A) of the Rules of  
4 Procedure and Evidence, warning you that this Court will not  
10:19:11 5 tolerate this kind of conduct that you have exhibited this  
6 morning. This is a warning, a formal warning, pursuant to Rule  
7 46(A) of the rules.

8 I will give you another opportunity to please apologise to  
9 Mr Koumjian.

10:19:39 10 MR GRIFFITHS: I'm sorry, Madam President, I can't do that.

11 PRESIDING JUDGE: Why?

12 MR GRIFFITHS: Because I don't think that an apology to him  
13 is required in these circumstances.

14 PRESIDING JUDGE: But it's a directive of - it's no longer  
10:20:04 15 what you think Mr Koumjian deserves or doesn't. This is a  
16 directive from the Presiding Judge.

17 MR GRIFFITHS: Madam President, with all due respect, we  
18 are dealing here with matters which, in my respectful submission,  
19 really do not involve the Court, and so consequently I am saying  
10:20:36 20 quite directly to you and your fellow judges that I personally  
21 cannot, in light of the history of the conduct of this man, make  
22 this apology to him. I can't do it. And so any further sanction  
23 that your Honours might wish to impose will have to be done.

24 PRESIDING JUDGE: Very well.

10:21:07 25 MR CHEKERA: Madam President, with your leave, may I?  
26 Madam President, pursuant to Article 14(A)(ii) of the Code of  
27 Conduct, I am instructed by Mr Taylor to apologise to Mr Koumjian  
28 and Ms Brenda Hollis on behalf of the Defence and Mr Taylor.

29 [Trial Chamber conferred]



1 MR CHEKERA: Sorry, Madam President, it is Article 14(A) of  
2 the Code of Conduct.

3 PRESIDING JUDGE: Yes, I have listened to you, Mr Chekera.

4 Mr Griffiths, you have alluded to the fact that in your  
10:22:33 5 opinion this is a matter that does not involve the Court, even  
6 though your outburst and your retortions were in the face of the  
7 Court. I have given you at least three opportunities to  
8 apologise to counsel opposite in the spirit of the rules, both  
9 the Rules of Procedure and Evidence and the Code of Conduct,  
10:23:01 10 which you have declined to utilise. In the premises it remains  
11 for me to ask you to show cause why this Court should not  
12 sanction you pursuant to Rule 46(A) by refusing you audience  
13 until you actually apologise.

14 MR GRIFFITHS: Well, that is a step available to your  
10:23:28 15 Honours and I suggest that you adopt it.

16 PRESIDING JUDGE: Very well, in the premises, Mr Griffiths,  
17 you leave me no choice but to actually sanction you and to refuse  
18 you audience before this Court until you apologise to  
19 Mr Griffiths - sorry, to Mr Koumjian. I am going to ask  
10:24:12 20 Mr Chekera or anybody else from the Defence to continue with the  
21 examination-in-chief of the witness.

22 MR CHEKERA: Madam President, may I respectfully ask for an  
23 adjournment to, among other things, consider a number of issues  
24 from what has arisen this morning and the best way forward in the  
10:24:43 25 circumstances?

26 May we, with your leave - may I ask for an adjournment  
27 until after the midmorning break?

28 [Trial Chamber conferred]

29 PRESIDING JUDGE: Yes, Mr Chekera, we will give you until

1 11.30, that's after the midmorning break, when we expect you to  
2 continue with the evidence.

3 MR CHEKERA: Thank you.

4 [Break taken at 10.25 a.m.]

11:31:37 5 [Upon resuming at 11.39 a.m.]

6 [In the presence of the witness]

7 PRESIDING JUDGE: Mr Chekera, please continue.

8 MR CHEKERA: Madam President, I rise, as it were, with a  
9 long face because I find myself in a very difficult position, and  
11:40:46 10 I'm hesitant, but my instructions are to kindly request that we  
11 stand the matter down until tomorrow morning for this particular  
12 reason, and these are instructions that I have gotten from  
13 Mr Taylor: Given what went down this morning, Madam President,  
14 Mr Taylor respectfully requests an adjournment for him and for  
11:41:14 15 us, as a team, to consider the full implications of what  
16 happened, and especially the implications of the censure by the  
17 Court on lead counsel.

18 In making those submissions, Madam President, we do not  
19 wish to make any judgement or comment on the censure itself. We  
11:41:42 20 simply wish to highlight the implications of that censure on the  
21 continuation of the defence case and how it impacts on  
22 Mr Taylor's position, and in making those submissions, again,  
23 I wish to underline that Mr Taylor has indicated to me in no  
24 uncertain terms that he does not wish for the proceedings to  
11:42:14 25 stall any further than is necessary and is committed to  
26 cooperating with the Court in making sure that the proceedings  
27 continue as smoothly as possible.

28 But in this particular case, given that the party concerned  
29 is lead counsel, that places us in a very, very difficult

1 position. If it were any other party, lead counsel would have  
2 been able to guide the team forward. I spent the better part of  
3 the adjournment that the Court graciously granted conferring with  
4 Mr Taylor to see how best we can proceed. I have had to summon  
11:42:54 5 the other legal counsel on the matter who were attending to other  
6 issues relating to the case to come back to the office. Just for  
7 the record, Mr Anyah was preparing the next witness and he was  
8 actually proofing, and we have summoned him to come back to the  
9 office as soon as possible. Mr Munyard was preparing to go to  
11:43:16 10 West Africa to interview witnesses who we intend to call in the  
11 near future, and we've had to summon him back as well for to us  
12 sit down as a team and consider how to proceed from here.

13 So it falls on me, Madam President, to make this request,  
14 and I kindly request that you indulge with us on this particular  
11:43:44 15 matter.

16 JUDGE LUSSICK: One thing I'd like to know, Mr Chekera,  
17 what's wrong with you completing the in-chief examination of this  
18 witness and then debating the matter with your colleagues and  
19 Mr Taylor? You were handling it okay yesterday. What's stopping  
11:44:01 20 you today?

21 MR CHEKERA: Thank you, your Honour, for the compliment.

22 I would - I would be able to proceed. I would be able to  
23 proceed with the in-chief. That said, I would still need  
24 Mr Griffiths's instructions on how to proceed, especially given  
11:44:25 25 that now I am taking over on notes that he had already prepared.

26 PRESIDING JUDGE: Mr Chekera, for me - first of all, let me  
27 say that as matters stand, the situation is unfortunate, but the  
28 sanction of the Court was conditional, and as far as I'm  
29 concerned, one thing stands between lead counsel continuing with

1 this case in his normal way, or not, and that's an apology to  
2 Mr Koumjian. That's the only thing standing between him and the  
3 normal way of things for the defence case. Also, the sanction  
4 that the Court gave this morning, and I was very careful in  
11:45:28 5 choosing my words, was to refuse audience. That doesn't mean  
6 that we have banned Mr Griffiths from the Court. It also doesn't  
7 mean that we have stopped Mr Griffiths in any way from his role  
8 as lead counsel in his advisory role to the rest of the team.  
9 Not so. We've even not refused him the right of appearance, as  
11:45:53 10 you can clearly see him sitting in court.

11 One thing stands in the way of things returning back to  
12 normal, and that's an apology to Mr Koumjian, and that's all.  
13 Now, having said that, like Justice Lussick, I tend to agree that  
14 the conduct of the rest of Mr Sesay's evidence-in-chief should  
11:46:17 15 not be held up by this other ancillary matter. That's a matter  
16 that the team, the Defence team, can deal with outside of the  
17 court hours - court sitting time. And so I think you should  
18 continue with the evidence-in-chief of Mr Sesay. There wasn't  
19 much, as you know, the schedule is that you're supposed to have  
11:46:41 20 completed your case in-chief by lunchtime today. That may not be  
21 possible, but at least before the day's end the Chamber hopes  
22 that you will have completed your case, your evidence-in-chief,  
23 with Mr Sesay.

24 MR CHEKERA: Madam President, if you may just allow me one  
11:46:58 25 comment to make, just that, Madam President, those were the  
26 instructions I had gotten from the client and consistent with  
27 those instructions, I made the submissions and I make the  
28 submissions consistent with the instructions that I have been  
29 given.

1 [Trial Chamber conferred]

2 MR GRIFFITHS: Madam President, I've come back into court  
3 in order to comply with your instruction that I apologise to  
4 Mr Koumjian.

11:47:50 5 PRESIDING JUDGE: Very well. I'm listening. I'm listening  
6 to you, Mr Griffiths.

7 MR GRIFFITHS: I'm sorry, Madam President, I didn't hear  
8 that.

9 PRESIDING JUDGE: I said that I am listening to you because  
11:48:12 10 previously you had been denied a right of audience. I'm now  
11 granting you the right of audience to say what it is you want to  
12 say to the Court.

13 MR GRIFFITHS: As I said, I have come back in court in  
14 order to extend an apology to Mr Koumjian.

11:48:30 15 PRESIDING JUDGE: Well, please extend it, then.

16 MR GRIFFITHS: I apologise to Mr Koumjian.

17 MR KOUMJIAN: Your Honour, we - I personally fully accept  
18 the apology, and given a case where people have come in and  
19 talked about how their hands were hacked off and their family  
11:48:54 20 were killed, being called a name will not distract us. We think  
21 we should proceed with the matters that are at issue before the  
22 Court.

23 PRESIDING JUDGE: Mr Koumjian, I appreciate your  
24 submissions, I think they are very mature and commendable.

11:49:08 25 Mr Griffiths, I commend you for your position as well.

26 Really, I appeal to the parties to remember what is really  
27 important in this case, namely the trial itself is most important  
28 rather than any of our personal details or emotions.

29 So in view of what has just happened, I think we are of the

1 view on the Bench that this case should proceed as previously  
2 scheduled and that an adjournment is not necessary at this time.

3 MR CHEKERA: Indeed, Madam President, if you will allow us  
4 a few minutes to change over. Thank you.

11:49:58 5 PRESIDING JUDGE: Yes, it just remains for me to say that  
6 Mr Griffiths is now reinstated with a right of audience to the  
7 Court.

8 MR GRIFFITHS:

9 Q. Remind us, Mr Sesay, where were you during the Freetown  
11:50:50 10 invasion?

11 A. I was in Makeni.

12 Q. Doing what?

13 A. After we had captured Makeni, I was one of the commanders  
14 there, supervising the units that were in Makeni and to run the  
11:51:17 15 administration that was in Makeni at that time.

16 Q. And during the course of 6 January 1999, were you  
17 monitoring communications between the various RUF positions?

18 A. I did not used to sit by the radio but my operator used to  
19 monitor.

11:51:48 20 Q. And would your operator then communicate with you?

21 A. Yes.

22 Q. As far as you're aware, was there any communication between  
23 the RUF and Charles Taylor at or around the time of the Freetown  
24 invasion?

11:52:13 25 A. I did not hear that. I did not hear about communication  
26 and my operator did not tell me that.

27 Q. Let me draw your attention to a passage of testimony heard  
28 by this Court on 15 September 2008. I'm looking at page 16166,  
29 line 7:

1 "Q. And then I asked you at the time of the January 6  
2 attack on Freetown, were you back on your assignment for  
3 radio operations? And you stated that by the time January  
4 6 attack in Freetown, you were back on the radio working in  
11:52:57 5 the radio room. Do you remember that?

6 A. Yes.

7 Q. Now, I'd like to pick up from that point and ask you  
8 some questions about that time. First of all, do you  
9 remember what happened on the day, January 6, 1999?

11:53:13 10 A. Yes. January 6, 1999, we were in Buedu. I was in  
11 Buedu, when the brother, first he got the information on  
12 the BBC and later it was King Perry, the operator, who  
13 called our station in Buedu and said they had entered, that  
14 is, the RUF had re-entered Freetown, but he said he was  
11:53:42 15 under suppression. That's why he was not calling us. He  
16 said the man who was in charge, SAJ Musa, did not allow him  
17 to switch on the radio and call to Buedu, to call Sam  
18 Bockarie, but after Sam Bockarie died, that was when he had  
19 the chance to communicate with us, and so he told us that  
11:54:03 20 he had re-entered Freetown and they were there and at that  
21 time Gullit was now in charge."

22 Now, of course, that reference to Sam Bockarie having died  
23 is incorrect. He was in fact referring to SAJ Musa.

24 Let's go on to the next page, line 8:

11:54:30 25 "Q. Then you said the 'King Perry', well, where were you  
26 exactly?

27 A. I was in Buedu on the radio because, when the news got  
28 to us from those small radios that we had, transistor  
29 radios that we had, that the men had entered Freetown, so

1 we used to monitor the radio. We used to ask the other  
2 stations that were in Makeni, Magburaka and the other  
3 areas, and suddenly King Perry called the station in Buedu  
4 and told us that they had entered Freetown."

11:55:06 5 And then he goes on to list who was in the radio room at  
6 the time. That need not detain us.

7 Let's go to page 16168, please, line 6:

8 "A. After King Perry had called that day, we were  
9 monitoring right up to 2 to 1 a.m. and we closed down  
11:55:27 10 transmission and other day we came back on air. We and  
11 King Perry then had resumed communication. In the  
12 mornings, he would call us, or we would call him, for us to  
13 know the security situation, how they were advancing in the  
14 city, or if they were having any threats from the enemies.

11:55:49 15 This continued right up to the time that they started  
16 having suppression. When they started have suppression  
17 from the enemies, Gullit told King Perry to tell us in the  
18 station to call Sam Bockarie because he said he wanted to  
19 talk to him, so we called Sam Bockarie, and he came to the  
11:56:11 20 station and we told him that Gullit wanted to speak to  
21 him."

22 Let's jump to the bottom line on that page:

23 "So one morning this guy, we had a call from the Liberian  
24 end. That was from this guy Pascal. Pascal said that his boss  
11:56:38 25 wanted to talk to us, that is Five-Zero, Benjamin Yeaten wanted  
26 to talk to Sam Bockarie."

27 Now, I stop there, who is Pascal?

28 A. The Pascal whom I know was Sam Bockarie's operator.

29 Q. And where was Pascal based?



1 A. Pascal was in Buedu.

2 Q. And I don't know if I'm reading this correctly, Pascal said  
3 that his boss, that is Five-Zero, Benjamin Yeaten, wanted to talk  
4 to Sam Bockarie. Who was Pascal's boss?

11:57:25 5 A. The Pascal whom I know, Sam Bockarie was his boss, and in  
6 1998 and 1999 he was operating with Sam Bockarie. It was in  
7 December '99 that he went to Liberia with Sam Bockarie, and in  
8 2000, he and others joined me to return to Sierra Leone, Pascal.

9 Q. "Q. While they were talking, he asked him about the  
11:57:53 10 situation and Sam Bockarie told him that our men in  
11 Freetown were being pressed on very hard, that the men were  
12 pushing them out of State House and they had even started  
13 cutting off their supply lines. At that time, we were  
14 monitoring on the VHF radio. It was loud and we heard all  
11:58:14 15 the conversation that was going on, and Benjamin Yeaten  
16 told him to reinforce the men, lest they would lose the  
17 city, and he replied that he had been giving instructions  
18 to Rambo, that he should put men together to go as  
19 reinforcements."

11:58:33 20 Now, Mr Sesay, do you recall any intervention, as suggested  
21 by this witness, by Benjamin Yeaten in the events of January 6,  
22 1999?

23 A. No. I never heard about that, about Benjamin Yeaten's  
24 involvement in the January 6 invasion in 1999, except in this  
11:59:03 25 courtroom, that I have heard this information. Even during my  
26 trial, I did not hear such misinformation.

27 Q. Let's jump to page 16170 and complete this episode, please.

28 Line 15:

29 "Q. In your answer you just gave you stated that 'so one

1 morning this guy, we had a call from the Liberian end, that  
2 was from this guy Pascal'. Now, Mr Witness, was Pascal in  
3 Buedu or was he on the Liberian end? Which one?

4 A. It was, he was in Foya, Liberia. At that time he was  
11:59:52 5 assigned to Benjamin Yeaten that we refer to as Five-Zero."

6 Do you recall a time when Sam Bockarie's radio operator  
7 Pascal was assigned to Benjamin Yeaten and based in Foya,  
8 Mr Sesay?

9 A. No. Pascal was never assigned to Benjamin Yeaten in '98  
12:00:19 10 and '99, no. The first time I knew Pascal went to Liberia was in  
11 1999, he went there with Sam Bockarie.

12 Q. Well, this witness claims, and we continue on the same  
13 page:

14 "Q. So is it correct or incorrect to say he was in the  
12:00:37 15 radio room in Buedu?

16 A. No, it is not correct. He was in Foya. No, no, no,  
17 no, not Pascal. I said Mortiga was the one who was in  
18 Foya; Pascal, together with us, were all in Buedu. We were  
19 all in Buedu together with Pascal. He was the operator for  
12:00:57 20 Sam Bockarie. Mortiga was the one who was assigned to  
21 Five-Zero, not Pascal."

22 Now, you note the change in the account, so help us: Was  
23 Mortiga assigned by the RUF to Benjamin Yeaten?

24 A. No. Mortiga was in Kailahun Town, '98, '99. Mortiga was  
12:01:28 25 in Kailahun District right up to 2000. Now this, and I am still  
26 on page 16170, line 28:

27 "Q. Now you also said that Benjamin Yeaten called. Now,  
28 before I ask you about communications with Benjamin Yeaten,  
29 can you continue to describe what you observed, in terms of

1 the communications between the radio room in Buedu and the  
2 men in Freetown?

3 A. Yes. Every day communication went on up till night.

4 When the enemies suppression had become really intense,

12:02:12 5 that is, the enemies had cut off our supply lines from our

6 men who were in Freetown. They cut off the supply lines in

7 Waterloo. Rambo, who was sent at that time, could not go

8 through. The supply lines had already been cut off by the

9 enemies, and Gullit was sending the complaint to Sam

12:02:33 10 Bockarie and he, in turn, told him to move with the

11 prisoners, who had been released from Pademba Road, that is

12 JS Momoh and others, and he said when we would be going

13 with them we should do so at night because of the jet. And

14 the following day there was communication again between him

12:02:53 15 and Sam Bockarie and he said they could not withstand the

16 tension any more and they had to withdraw. So Sam Bockarie

17 told him that if they were to leave the town they should

18 make the area fearful, they should be destroying, so

19 anybody who would go there thereafter would know that there

12:03:16 20 had been fighting in that area, and Gullit replied that as

21 long as he had told them to pull out he would go according

22 to his instructions, and that very night they left Freetown

23 and passed through Tombo where they were received by Rambo

24 at the crossing point."

12:03:40 25 He's then asked to describe what making the area fearful

26 means. Line 27:

27 "A. From my understanding, that meant the destruction, to

28 make an area fearful during the wartime we meant to destroy

29 completely and leave the place."

1 Now, you do understand, don't you, Mr Sesay, what this  
2 witness was suggesting, that the destruction in Freetown was  
3 ordered by Sam Bockarie. Are you aware of Sam Bockarie giving  
4 such an order?

12:04:19 5 A. No. I was not aware that Sam Bockarie gave orders to  
6 destroy Freetown. And these guys went to Freetown, that is the  
7 AFRC. After they had attacked and captured Freetown, they  
8 promoted each other to brigadiers and they were not promoted by  
9 Sam Bockarie, and they were soldiers; they were born in Freetown,  
12:04:43 10 they grew up in Freetown, they attended schools in Freetown, and  
11 they joined the military in Freetown. Sam Bockarie had never  
12 been to Freetown before the AFRC period, so how would he send  
13 people to go and destroy Freetown? They did that on their own.  
14 That was not on Sam Bockarie's instruction. And even when they  
12:05:08 15 retreated from Freetown, nobody reported to Sam Bockarie, nobody  
16 went to Sam Bockarie.

17 Finally, in relation to this particular topic, let's go to  
18 page 16173, line 2:

19 "Q. Now you also said you were speaking of a conversation  
12:05:35 20 between Sam Bockarie and Benjamin Yeaten during the time of  
21 the Freetown invasion. First of all, can you just describe  
22 generally who, if anyone, was Sam Bockarie in communication  
23 with during the time of the Freetown invasion?"

24 Now hear this:

12:05:58 25 "A. Sam Bockarie communicated with Benjamin Yeaten and he  
26 used to communicate as well with Charles Taylor, but for  
27 the communication with Charles Taylor, that one he used the  
28 satellite phone. And the capture of Freetown, that was not  
29 even a hidden thing, that he would go to a corner and

1 discuss like he used to do, that one he did in an open  
2 place when he was trying to inform Charles Taylor that our  
3 men were in Freetown. He did that in the open because the  
4 RUF was happy, that was a joy to the RUF that they had  
12:06:36 5 entered Freetown.

6 Q. Let's start first of all, what did you observe, in  
7 terms of communication between Sam Bockarie and  
8 Benjamin Yeaten, during the time of the Freetown invasion?

9 A. There had been communication between them for a long  
12:06:57 10 time. It was - let me say it was a sisterly or brotherly  
11 operation that we had. So whatever good or bad information  
12 that we had from any of the ends we would share that with  
13 each other."

14 And then this:

12:07:17 15 "Q. Before you continue, I'm specifically asking you in  
16 terms of at the time of the Freetown invasion, what was the  
17 state of communication - what did you observe, in terms of  
18 communication between Sam Bockarie and Benjamin Yeaten?

19 A. What I observed, it's just like, for example, when you  
12:07:38 20 and your subordinates would be doing something, you would  
21 be giving him instructions or orders, and that was the way  
22 I observed. Like the time Sam Bockarie told him about this  
23 operation that we had in Freetown and he, Benjamin Yeaten,  
24 told him to send manpower or reinforcements to the city."

12:08:00 25 Now, you do understand what is being suggested by that  
26 witness to these judges, Mr Sesay; that Benjamin Yeaten and above  
27 him Charles Taylor were involved in direct communications with  
28 Sam Bockarie, giving him instructions during the Freetown  
29 invasion. Is that true?

1 A. No. I did not hear that. I was in Makeni but I did not  
2 hear that, because I am aware that the men who were in Freetown  
3 were not answerable to Bockarie. They did not get information -  
4 instructions from Bockarie. Because even when they withdrew,  
12:08:54 5 nobody sent salute reports to Bockarie, nobody went to Bockarie  
6 in Buedu to brief him about what had happened. And when they  
7 attacked Freetown - they were in Freetown when they promoted  
8 themselves, so they have their own command structure, they were  
9 not answerable to Bockarie, nobody promoted them.

12:09:25 10 Q. Tell me, Mr Sesay, do you know someone called  
11 Foday Lansana?

12 A. Foday Lansana? Foday Lansana? I don't recall this  
13 person's - this person.

14 Q. You do know CO Nya though, don't you?

12:10:29 15 A. Very well.

16 Q. And when did he become a member of the RUF?

17 A. 1991.

18 Q. Where?

19 A. It was the time that Anthony Mekunagbe brought him in the  
12:10:48 20 Kailahun District.

21 Q. And what nationality was he?

22 A. Liberian.

23 Q. And what role did he play in Sierra Leone?

24 A. He was an operator from '91 up to '92, '93. He used to  
12:11:19 25 help Mr Sankoh to train some recruits to become radio operators,  
26 and in '93, up to late '93 he was with Mohamed Tarawalli, we were  
27 all at the border. So '94 - early '94 he joined Mohamed  
28 Tarawalli to go and establish the Kangari Hills, that is the  
29 Northern Jungle from Kailahun District. So from that time he was

1 at the Northern Jungle, up to 1997, after the AFRC overthrew the  
2 SLPP and he came with Isaac Mongor to Makeni. And from there, he  
3 was in Makeni and late '97 he came to Freetown, he was in - with  
4 Isaac Mongor, and in '98 he retreated, with Isaac Mongor, to  
12:12:29 5 Masiaka, Makeni, and to Kono, and he was there from February to  
6 August of '98. And he went with Superman to the Koinadugu  
7 District until December '98, when all of us came to Makeni. So  
8 from around January he was in Lunsar, but Superman, he was there  
9 with Superman, up to --

12:13:07 10 THE INTERPRETER: Your Honours, can the witness kindly  
11 repeat this part of his answer slowly.

12 MR GRIFFITHS:

13 Q. Mr Sesay, we've lost some of your answer. Could you go  
14 back to the point where you said "so from around January, he was  
12:13:23 15 in - all of us came to - he was in Lunsar". Could you take it up  
16 from there, please.

17 A. Yes. I said he was in Lunsar, up to April of '99. So  
18 during the infighting, he and others were with Superman against  
19 me in Makeni, so from April to October, he was in Lunsar and in  
12:13:49 20 Makeni, up to October, when the AFRC was attacked, Superman, Nya,  
21 Gibril Massaquoi and others, Isaac Mongor inclusive, Nya was one  
22 of the men who looted MSF vehicle, so from there they left to  
23 Lunsar, from Lunsar to Port Loko --

24 PRESIDING JUDGE: Please pause. He was one of the men who  
12:14:15 25 looted what vehicle?

26 THE WITNESS: MSF, from MSF.

27 MR GRIFFITHS:

28 Q. I just want to deal with a couple of matters with respect  
29 of this individual. First of all this, and I'm referring to some

1 testimony which this Court heard on 20 February 2008, at page  
2 4373. This was in open session, line 18:

3 "Q. How about the phrase Top Final?

4 A. That was the last stage that finally concluded before  
12:15:00 5 Mr Taylor gave the directive or instruction to the NPFL  
6 troops for them to be evacuated from Sierra Leone."

7 Let's jump ahead a little bit. Line 21 on the next page:

8 "Q. You stated that there was a directive from Charles  
9 Taylor?

12:15:29 10 A. Yes.

11 Q. Explain exactly how you learned about this directive.

12 A. The directive was written by Charles Taylor to Anthony  
13 Mekunagbe and all the Special Forces battalion commanders  
14 that were under the NPFL in Sierra Leone, and upon the  
12:15:52 15 arrival of the general, who was sent to monitor and to make  
16 sure that this instruction was carried out in Sierra Leone,  
17 when he arrived in Pendembu, Kailahun, Kivva, they had a  
18 special copy which was read out to all the NPFL fighting  
19 men who were in Sierra Leone for immediate action.

12:16:17 20 Q. How do you know there was a directive written by  
21 Charles Taylor?

22 A. It was sent through radio communication message  
23 documented, brought over by the Special Forces and finally  
24 upon their arrival, they went into the radio station in  
12:16:38 25 Buedu, Mr Charles Ghankay Taylor spoke to Anthony  
26 Mekunagbe one-to-one over this set before they departed to  
27 Kailahun, Pendembu and all other sub-bases where NPFL  
28 soldiers were based."

29 Are you aware of such a one-to-one conversation between



1 Charles Taylor and Anthony Mekunagbe over the radio at the  
2 conclusion of Top Final, Mr Sesay?

3 A. No. I did not hear that. What I knew was different from  
4 what you are saying.

12:17:26 5 Q. Well, what did you know?

6 A. What I know is that it was General Dopoe Menkarzon who was  
7 sent by Mr Taylor to withdraw the NPFL. He came to Pendembu and  
8 to Kui va and he withdrew them. He did not even bring a document  
9 with him. When he came he said - he told the commanders for the

12:17:52 10 NPFL, he told them that they were to go. He brought with him  
11 trucks, that they were to board and to withdraw from Sierra  
12 Leone. So the ones who were in Kui va, Mobai, Baiwala, Baiima,  
13 all of them crossed into Vahun through Baiwala and Vahun and  
14 Bomaru, and the ones in Kailahun were organised by Isaac and that

12:18:31 15 was the Top Final that RUF attacked, and the remaining ones were  
16 attacked by Morris Kallon in Baiwala.

17 Q. Now, speaking of Charles Taylor speaking on the radio, let  
18 me now direct your attention, please, to testimony given on 20  
19 February 2008, page 4381, line 5:

12:19:08 20 "Q. You said you were promoted to overall signal  
21 commander. What are you referring to here?

22 A. That is to say I was elevated to a position for me to  
23 go to Sierra Leone to serve as the number one radio officer  
24 in Sierra Leone.

12:19:27 25 Q. For which group were you serving as the overall signal  
26 commander?

27 A. This time round for RUF.

28 Q. Now, upon your departure you said you met some of Foday  
29 Sankoh's securities at the border. What happened after

1 that?

2 A. They received me and we proceeded directly to Pendembu.

3 I met with Mr Sankoh. He gave me some men for them to help

4 me to install the radio on his ground, that was referred to

12:20:01 5 as Executive Mansion Ground in Pendembu, and that was where

6 he resided at that particular time. The installation took

7 place. I tested the communication. I confirmed it was

8 Treetop, Butterfly, and he requested that he wanted to

9 talk to Mr Charles Ghankay Taylor. I made all the

12:20:24 10 necessary arrangements with the operators and at that

11 particular time Mr Charles Ghankay Taylor spoke with

12 Mr Sankoh and he asked a few questions of him with regards

13 the situation in Sierra Leone after the NPFL were evacuated

14 back to Liberia."

12:20:49 15 Now, after the NPFL were evacuated back to Liberia,

16 Mr Sesay, were you aware of Foday Sankoh speaking over the radio

17 directly to Charles Taylor?

18 A. I did not hear that, because the time all the NPFL fighters

19 were evacuated, that is not what Mr Sankoh wanted, so Mr Sankoh

12:21:18 20 was unhappy with the action of Mr Taylor regarding the NPFL's

21 withdrawal, because he just wanted Mr Taylor to replace the

22 commanders but not to withdraw the troops, because at that time

23 the armed men in the RUF were not much. Those who had guns were

24 just few.

12:21:43 25 Q. Tell me, Mr Sesay, do you recall at any stage the RUF

26 providing weaponry to Charles Taylor in Liberia?

27 A. No. RUF itself used to look out for guns. How could the

28 RUF give guns to Mr Taylor at that time?

29 Q. In particular, are you aware of the RUF giving artillery to

1 Mr Taylor in Liberia?

2 A. No. I did not know of that. I was part of the ambush that  
3 captured the artilleries, from there we went to Baiima where the  
4 artilleries were captured and we were the ones who were using the  
12:22:41 5 artilleries, I was in that group, like CO Kargbo --

6 THE INTERPRETER: Your Honours, can the witness be kindly  
7 asked to speak slowly and repeat this part of his answer.

8 MR GRIFFITHS:

9 Q. Mr Sesay, I'm sorry but we'll have to start that answer  
12:22:54 10 again, please. You were saying, "I did not know of that. I was  
11 part of the ambush that captured the artilleries. From there we  
12 went to Baiima where the artilleries were captured and we were  
13 the ones who were using the artilleries. I was in the group,  
14 like CO" - CO who?

12:23:15 15 A. I said CO Kargbo and Isaac Mongor were the ones that used  
16 the 105 missile. That was what they used to put at Mobai and  
17 they shelled into Daru, and the BZT was at Mr Sankoh's ground at  
18 Pendembu. Those are the artilleries that we captured.

19 Q. Well, listen to this, testimony given to these judges on 20  
12:23:42 20 February 2008, page 4393, line 8:

21 "A. As I said, when the Guinean and the Nigerian  
22 contingents attacked the positions of the RUF at Bayama a  
23 large quantity of arms and ammunition were captured from  
24 them and this report was sent to Gbarnga to Mr Taylor.  
12:24:11 25 Mr Sankoh said, because the weapons that were captured were  
26 all artillery, and it could not use those artilleries in  
27 this country, simply because he has not got ammunition for  
28 those weapons, Mr Taylor requested him to send all the  
29 artillery weapons to Gbarnga."

1 Do you recall that?

2 A. No, that is a lie. Those artilleries were in Pendembu. We  
3 used them. Because the RUF hadn't arms.

4 Q. So --

12:24:49 5 A. And it was not Nigerians or Guineans who launched the  
6 attack. The attack was launched by the Sierra Leonean troops. I  
7 was at the front line. He was not at the front line. They were  
8 Sierra Leonean troops, Sierra Leonean soldiers.

9 Q. Very well. Mr Sesay, who is Alice Pyne?

12:25:23 10 A. That is Nya's wife.

11 Q. How well did you come to know her?

12 A. I knew her from 1992 right up to the end.

13 Q. And was she - what nationality was she?

14 A. She was a Sierra Leonean, but she could also speak Liberian  
12:25:59 15 English. I think she had lived in Liberia before, but she was a  
16 Sierra Leonean.

17 Q. When she came to Sierra Leone, was she already CO Nya's  
18 wife?

19 A. Well, at that time, I understood that the RUF met --

12:26:22 20 THE INTERPRETER: Your Honours, can the witness kindly  
21 repeat this part of his answer.

22 PRESIDING JUDGE: Mr Witness, you need to slow down.  
23 You're really giving the interpreter a difficult time keeping up  
24 with you, and we are having to break even now your testimony.

12:26:38 25 Now, can you repeat your testimony where you said, "She came to  
26 Sierra Leone, she was already CO Nya's wife". This was the  
27 question that was asked of you: "When Alice Pyne came to Sierra  
28 Leone, was she already CO Nya's wife?" What is your answer?

29 THE WITNESS: No. I did not know that. It was in Kailahun

1 that I knew the two of them came together.

2 MR GRIFFITHS:

3 Q. Okay. And was she a member of the RUF?

4 A. Yes.

12:27:21 5 Q. And what role did she play within the RUF?

6 A. Well, in 1993 all of them were trained in Pendembu and she  
7 became a radio operator.

8 Q. Now, there is one particular aspect that I want to ask you  
9 about. Before the Fitti-Fatta mission, Mr Sesay, did Charles

12:28:04 10 Taylor send herbalists to Sierra Leone?

11 A. No. Mr Taylor did not send herbalists, because the  
12 herbalist who was there was not sent by Mr Taylor.

13 Q. I want you to listen to this, testimony given to these  
14 judges on 19 June 2008. Line 12:

12:28:38 15 "Q. How long did you stay in Buedu?

16 A. Three days.

17 Q. You said that you saw also herbalists, what do you mean  
18 by that?

19 A. Sam Bockarie took us to a zoebush, which was outside  
12:28:52 20 Buedu where there were some herbalists and juju men who

21 said they could protect people, they could protect somebody  
22 from bullets, they would make somebody bulletproof. Those  
23 are the people we called herbalists. Like I just said just  
24 now, I understood that why they came to Buedu was for them

12:29:16 25 to perform the same juju practice for the RUF fighters to  
26 protect them from bullets, so they would mark the RUF  
27 fighters' bodies, so when they go to the war front, bullets  
28 will not pierce their bodies and they will be brave enough  
29 to do whatever they had gone to do."

1 And then it goes on:

2 "Q. Do you know where they were from?"

3 Line 14 on the subsequent page:

4 "A. I knew they came from Liberia.

12:30:01 5 Q. How did you know that?

6 A. Well, first was the language that they spoke and,  
7 two, Sam Bockarie himself, when he was handing them over  
8 to Superman, that was what he said. And there was an old  
9 woman who was a Gbandi, the two of us spoke to each other,  
10 she told me.

12:30:17

11 Q. What did the old woman who spoke Gbandi tell you  
12 exactly?"

13 This:

14 "A. She told me that they, who were the herbalists, had  
15 their boss, who was a Loma tribesman. She said Charles  
16 Taylor had sent them to Sam Bockarie so that they will come  
17 and protect the RUF fighters' bodies from bullets,  
18 particularly we who were in Kono, for us to be able to  
19 recapture Kono from ECOMOG."

12:30:30

20 Is that true, Mr Sesay?

12:30:53

21 A. No. That Mr Taylor sent the herbalist, that is not true.  
22 What I know is that one Titus, who was a Liberian, an Loma by  
23 tribe, and he was a family member of Major Augustine Mulbah's.  
24 So it was through Augustine Mulbah, on Sam Bockarie's request,  
25 that those two men were brought, and a woman, they were brought  
26 by Titus. They - they said they were the ones who were  
27 protecting ULIMO in Lofa and, when they came, they were lodged at  
28 Pa Mulbah's house at Buedu. So, as far as those people presence  
29 in Buedu is concerned, right up to the time Mosquito sent Pa

12:31:25

1 Mul bah to Kono, that had nothing to do with Mr Taylor, because  
2 I never heard that those herbalists' presence in Sierra Leone was  
3 as a result of Mr Taylor's intervention, and I was there when  
4 they came to the RUF in Buedu.

12:32:06 5 Q. Mr Sesay, tell me, did you ever receive a promotion from  
6 Charles Taylor?

7 A. No. That never happened.

8 Q. Are you sure?

9 A. Very sure. I can explain the ranks I had and how  
12:32:29 10 I obtained them.

11 Q. Well, I'm not particularly interested in that at the  
12 moment; but a witness TF-1516 told this Court back in April, 8  
13 April 2008, this, page 6883, line 4:

14 "Q. Thank you. Now you mentioned in your earlier  
12:33:10 15 testimony that when you retreated from Kono, after the  
16 intervention, along with Gullit and his group, you got to  
17 Buedu and Bockarie was there and he had just been promoted  
18 by his chief; is that correct?

19 A. Yes, sir.

12:33:30 20 Q. Now apart from Bockarie, do you recall any other person  
21 who received a similar promotion from anybody else?

22 A. Yes, sir. General Issa Sesay also was promoted.

23 Q. By who?

24 A. By his chief, also according to him. He met us in  
12:33:49 25 Kai Lahun.

26 Q. And who was his chief?

27 A. He was referring to Charles Taylor. And he was the  
28 chief everybody knew in the RUF, in the absence of Corporal  
29 Sankoh.

1 Q. Now, apart from Bockarie, and now Issa Sesay, who you  
2 say refer to Charles Taylor as the chief, did anybody else  
3 use this word or this title for Charles Taylor?

4 A. That was common with the senior officers of the RUF,  
12:34:24 5 referring to Charles Taylor as the chief."

6 So what about that promotion by Charles Taylor, Mr Sesay?  
7 Is that true?

8 A. It's not true. In '98, Charles Taylor did not promote  
9 either Sam Bockarie or myself. It was Johnny Paul who promoted  
12:34:51 10 Bockarie to brigadier in March '98, he appointed him chief of  
11 defence staff, and I was promoted from lieutenant colonel to  
12 colonel. I was not a general in '98. I was colonel.

13 THE INTERPRETER: Your Honour, can he kindly speak up and  
14 take this last part of his answer again?

12:35:23 15 MR GRIFFITHS:

16 Q. Could you just repeat the last part of your answer again,  
17 please, Mr Sesay?

18 A. I said I was not a general or a brigadier in '98. I was a  
19 colonel.

12:35:42 20 Q. Now, you recall that in relation to the last testimony of  
21 the previous witness that I drew to your attention, there was a  
22 suggestion of communication between Charles Taylor and the RUF at  
23 the time of the Freetown invasion. Do you recall that?

24 A. Yes. I remember.

12:36:10 25 Q. Well, here is somebody else giving the same account;  
26 testimony of 9 April 2008, page 6976, line 3:

27 "Q. Now, yesterday, in talking about the Freetown  
28 invasion, in answer to questions that I asked about  
29 contacts by Sam Bockarie with any radio outside Sierra



1 Leone, you said there was contact with 020, the radio 020  
2 at the Executive Mansion; is that correct?

3 A. Yes, sir.

4 Q. How did you know this?

12:36:51 5 A. I was an operator, and whatever was going on at the  
6 time I was on set was monitored by me.

7 Q. Did you yourself monitor any of those contacts?

8 A. Yes, sir.

9 Q. Now you also said that after a telephone conversation  
12:37:07 10 on the 21st, following a call from 020, you said there  
11 could be 'Bockarie could then come on the radio and give  
12 instructions to commanders'. When you say he could come on  
13 the radio and give instructions, what do you mean by 'he  
14 could'?

12:37:28 15 A. Bockarie used to come on the radio to issue  
16 instructions relating to strategy.

17 Q. And do you recall specifically, and we are talking  
18 about the Freetown invasion, do you recall specifically  
19 what orders Bockarie gave at that particular time?

12:37:45 20 A. Yes. When the forces of the AFRC/RUF entered Freetown,  
21 after sometime they went under serious pressure by the  
22 ECOMOG forces and they went out of ammunition. So the  
23 commander who was leading that group, Gullit, decided to  
24 retreat a little bit to a particular location and to  
12:38:05 25 collect materials, ammunition. So the other forces were  
26 left at a particular position in Freetown and reported that  
27 they were persistently attacked, and Sam Bockarie came on  
28 the radio and told Gullit to instruct the men to burn down  
29 some areas, in fact the government buildings, so that will

1 raise alarm in the international community."

2 Now, pause there. Do you recall Bockarie giving such an  
3 instruction to Gullit?

4 A. I did not hear, but during those days I did not hear that  
12:38:47 5 Bockarie gave instruction to Gullit to burn down government  
6 buildings in Freetown. And even the expert witness that the  
7 Prosecutor - that the Prosecutor called on forced marriage,  
8 that's a prominent person in Sierra Leone, when he was being  
9 cross-examined, when he was being cross-examined by our Defence  
12:39:11 10 lawyers --

11 THE INTERPRETER: Your Honour, can he kindly specify the  
12 gender of this person he's talking about.

13 PRESIDING JUDGE: Mr Sesay, this witness, the expert, was  
14 it a she or a he? The interpreter wants to know was the expert  
12:39:31 15 witness a he or a she? Male or female?

16 THE WITNESS: A she, a female, my Lord.

17 PRESIDING JUDGE: So, please tell us again what you were  
18 saying about this expert witness.

19 THE WITNESS: That woman said that she, because she was  
12:39:58 20 asked that she was organising --

21 THE INTERPRETER: Your Honour, this answer is not clear.  
22 It's very ambiguous.

23 PRESIDING JUDGE: Mr Sesay, the interpreter is not  
24 understanding what you're saying. Perhaps rephrase what you're  
12:40:19 25 saying in a manner that is clear to the interpreter for him to  
26 interpret to us. Repeat your answer, please.

27 THE WITNESS: My Lord, I said when they were  
28 cross-examining the woman who came to testify, the expert  
29 witness, they asked her, my lawyer asked her, "Is it you who was

1 organising civilians to come out in front of the armed men during  
2 the January 6 invasion?" She said yes, she was organising the  
3 civilians to come out in front of the armed men who were  
4 attacking Freetown because they knew that the AFRC, the members  
12:41:09 5 of the Sierra Leonean army, and it was their money, the  
6 taxpayers' money that the government used to train those  
7 soldiers. She said that was why when they came, instead of  
8 protecting the civilians, they were committing atrocities against  
9 them. Against the civilians in Freetown. And that was why she  
12:41:28 10 organised the population to come out. So even the prominent  
11 people in Freetown testified to that as Prosecution witnesses,  
12 that it was the AFRC who carried out the attacks, because they  
13 saw them live in Freetown.

14 PRESIDING JUDGE: What does all that have to do with the  
12:41:57 15 allegation that Bockarie gave an instruction to Gullit to burn  
16 down Freetown? What does that - what you've just said, what does  
17 all that have to do with the issue of whether Bockarie did give  
18 instructions to Gullit to burn down Freetown?

19 THE WITNESS: Yes, ma'am. Because senior commanders who  
12:42:26 20 carried out the attack in Freetown were natives of Freetown and  
21 they went to school in Freetown and it was in Freetown that they  
22 joined the military. And Bockarie, as far as I'm aware, his  
23 first time of coming to Freetown was during the days of the AFRC.  
24 How could Bockarie have told those people to destroy Freetown and  
12:42:47 25 how could they have listened to him?

26 MR GRIFFITHS:

27 Q. In plain language, Mr Sesay, what this witness said was  
28 heard over the radio message was Bockarie saying, "Burn the  
29 fucking place down." Do you recall such a blunt instruction

1 being given by Sam Bockarie at the time of the Freetown invasion?

2 A. I did not hear that. What I heard was that when Gullit and  
3 others entered Freetown, he did not call Sam Bockarie until when  
4 they started pushing them from the Congo Cross Bridge. That was  
12:43:51 5 the time that he called Sam Bockarie. And when he called Sam  
6 Bockarie, he asked him to send reinforcement and that they had  
7 started pressuring them in Freetown. And Sam Bockarie told him  
8 that, "I had told you not to attack and that you should wait.

9 Now that you've attacked, you go ahead." Because Sam Bockarie  
12:44:09 10 did not instruct me to send reinforcement to Freetown and I did  
11 not send anybody to Freetown.

12 Q. Very well. I'm going to move on to yet another witness,  
13 TF1-539, and I cannot mention this witness's name. Now, help us  
14 with this: Do you recall anyone making a trip to Burkina Faso at  
12:44:43 15 or about the time of the Freetown invasion?

16 A. During the time of the Freetown invasion, no. I only know  
17 about the trip that Bockarie made; he, SYB Rogers and Eddie  
18 Kanneh in November of '98. After their return I did not know  
19 about any other person going to Burkina Faso.

12:45:19 20 Q. Let's look at some evidence these judges heard on 11 June  
21 2008 in open session. Line 22:

22 "Q. You told us earlier that when you were in Monrovia  
23 before your arrest you heard about what you call the 6  
24 January incident in Freetown.

12:45:41 25 A. The 6 January incident that has gone past long ago."  
26 And then let's just skip a couple of pages because there  
27 was then various exchanges between counsel and the judges. Let's  
28 skip to page 11508, line 25:

29 "A. 6th of January had gone past long ago. I didn't want

1 you to be bringing me back. 6th of January had passed long  
2 ago. It was after 6 January, long after that, it was about  
3 the second phase that Benjamin Yeaten discussed with me  
4 that the second phase was for us to try and gain grounds.  
12:46:26 5 That was everywhere where ECOMOG were, we were to try and  
6 push them from those places. 6th of January had passed  
7 long ago before that could happen even. "

8 Jump ahead again.

9 Line 24.

12:46:48 10 "Q. You said that you went to the mansion which you said  
11 was the office of the President. What happened when you  
12 got there?

13 A. Well, as I said, Colonel Razak and I were waiting in  
14 the protocol officer's office while General Sam Bockarie,  
12:47:05 15 General Ibrahim, Pa Cisse Musa, Eddie Kanneh had gone to  
16 the President's office. I don't know what they discussed  
17 there but when they left there, Pa Cisse Musa told me that  
18 I was to expect some money that they should give to me  
19 because I had told him if I had got the money - I was  
12:47:28 20 expecting that if I got the money I should use it to take  
21 my family to Liberia".

22 And then this - I missed the point. We need to go back to  
23 page 11508, line 22:

24 "Q. Sir, how long after you heard Sam Bockarie talk on the  
12:48:12 25 BBC about the 6th of January incident do you think it was  
26 that you took this trip to Burkina Faso?

27 A. 6th of January had gone past long ago. I didn't want  
28 you to be bringing me back. 6th of January had passed long  
29 ago. "

1 And the learned judge on the subsequent page asked:

2 "Mr Witness, this is very simple. All the judges want to  
3 know is this: This trip you have described that you went  
4 to Burkina Faso, can you remember the year or the month  
12:48:47 5 when you went to Burkina Faso?

6 THE WITNESS: It was around March. That would be March  
7 1999."

8 Now, Mr Sesay, do you recall any representative or agent of  
9 the RUF travelling to Burkina Faso in March of 1999, after the  
12:49:10 10 Freetown invasion?

11 A. No. I never heard that.

12 Q. If such a trip took place, would you have known about it?

13 A. Well, I would have heard it from Sam Bockarie. Although  
14 I was not in Buedu, but I would have heard it from Sam Bockarie  
12:49:34 15 because in April I went to Buedu and from April to October '99  
16 I was in Buedu. But I did not hear such a thing. This is my  
17 first time of hearing that in March '99 a representative of the  
18 RUF went to Burkina Faso, but I never heard that before.

19 Q. Mr Sesay, tell me, does the name Augustine Mallah mean  
12:50:17 20 anything to you?

21 A. Yes. I know him.

22 Q. How do you come to know him?

23 A. I knew him in '96 in Zogoda. That was when I knew him in  
24 person. When I was under investigation in Zogoda, he and Mike  
12:50:43 25 Lamin came from a patrol in the Northern and Western Jungles and  
26 they met me in Zogoda around July, July of '96.

27 Q. And what was this individual's role within the RUF?

28 A. Well, he was a bodyguard to Mr Sankoh in Zogoda from '94 -  
29 from '94 to early '96. When Mike Lamin arrived to Mr Sankoh in

1 Zogoda, Mr Sankoh posted him to Mike Lamin as a bodyguard.

2 Q. And thereafter, what was his position?

3 A. He remained a bodyguard to Mike Lamin up to the time they  
4 went to Pujehun and in October they crossed over and surrendered  
12:51:52 5 to ULIMO in Liberia. He was with Mike Lamin in Liberia until  
6 they returned and rejoined the RUF after the AFRC had seized  
7 power from the SLPP.

8 Q. I want you to listen to some testimony given to these  
9 judges on 12 November 2008. Page 20096, line 13:

12:52:26 10 "Q. Can you tell us, when you arrived in Zogoda in 1994,  
11 what was the command structure of the RUF?

12 A. At the time that I got there, I saw Foday Sankoh who  
13 was the leader of the RUF, and then they told me about  
14 Mohamed Tarawalli who was one of the Special Forces, and he  
12:52:48 15 was the battlefield commander. They said Mosquito, Sam  
16 Bockarie, was the battle group commander. Issa Sesay -  
17 Issa was there, Issa Sesay, but he was in Kailahun. They  
18 said he was deputising Mosquito and he was the deputy  
19 battle group commander. That was how it was structured  
12:53:10 20 initially."

21 Pause. Is that true?

22 A. That's a black lie. Mosquito never became a deputy to  
23 anybody in '94, '95, '96.

24 THE INTERPRETER: Your Honour, can he kindly take the last  
12:53:32 25 bit of his answer clearly again.

26 PRESIDING JUDGE: Can you please repeat the last bit of  
27 your answer, Mr Sesay.

28 THE WITNESS: My Lord, I said from '94, '95, '96, nobody in  
29 the RUF ever heard that I was deputy battle group commander to

1 Sam Bockarie.

2 MR GRIFFITHS:

3 Q. Thank you, Mr Sesay. Then this:

4 "Q. How long did you remain assigned at Zogoda?

12:54:03 5 A. I was there from 1994 up to the end of 1994 when Foday  
6 Sankoh said he was going to send me on a mission to Sierra  
7 Rutile.

8 Q. When you say he was going to send you on a mission to  
9 Sierra Rutile, were you going alone or were others going  
10 with you?

12:54:19 11 A. Well, he told us that he was going to send us as on a  
12 mission to Sierra Rutile and that we were to wait for CO  
13 Mohamed Tarawalli who was the field commander who was to  
14 lead us, the soldiers, who were to go on that particular  
15 mission.

16 Q. And were there any other commanders who were mentioned  
17 as being part of that mission?

18 A. Yes, they called Superman, Dennis Mingo and they called  
19 Jalloh - Jalloh who was another commander.

12:54:52 20 Q. Who was Jalloh?

21 A. Jalloh was an RUF junior commander, he was a Sierra  
22 Leonean Fullah.

23 Q. What was this mission that you were given to go to  
24 Sierra Rutile?

12:55:06 25 A. Well, at one time before CO Mohamed came, Foday Sankoh  
26 had almost told us that he had been receiving advice that  
27 we should go and attack Sierra Rutile. He said but we were  
28 to await CO Mohamed Tarawalli. He said that when he came -  
29 comes, he will tell us exactly what we were to do to go to



1 Sierra Rutile. So after that, for or five days afterwards,  
2 CO Mohamed Tarawalli came, alias Zino, he called a  
3 formation and said he had received advice from the other  
4 side that we should attack Sierra Rutile and terrorise the  
12:55:53 5 area starting with the civilians, the towns, and to  
6 capture, if possible, the white employees who were there."

7 Now, Mr Sesay, as far as you're aware, did Foday Sankoh  
8 receive any advice to attack Sierra Rutile?

9 A. No. As far as I was aware, it was Mr Sankoh himself who  
12:56:28 10 was directing his war at this time. He himself was giving  
11 orders. Nobody instructed him, nobody advised him. RUF attacks  
12 a lot of towns, Kabala, Kono, before they attacked Sierra Rutile  
13 in '95. Nobody was advising him. And at that time, Mr Sankoh  
14 too was saying that before he leaves, before he left Kailahun, he  
12:57:00 15 would demonstrate to Mr Taylor that he was able to lead the war  
16 in Sierra Leone. So those moves that were made by the RUF were  
17 purely Mr Sankoh's - were purely to Mr Sankoh's knowledge, as he  
18 was directing the war.

19 Q. Mr Sesay, do you recall on any occasion Foday Sankoh  
12:57:40 20 advising Sam Bockarie to take advice from the other side, that  
21 is, Charles Taylor in Liberia?

22 A. I never heard that, and even when Mr Sankoh visited  
23 Kailahun in November 1996, he did not make any mention of  
24 Mr Taylor until he returned. Instead he gave some money to  
12:58:11 25 Bockarie for him to make contacts and establish friendship with  
26 ULIMO in order to get ammunition for us to be able to defend  
27 Kailahun.

28 Q. Well, listen to this. Some testimony heard by these judges  
29 on 12 November of 2008, page 20126:

1 "Q. You mention Mosquito, who was Mosquito?

2 A. Mosquito was a Sierra Leonean, he was Sam Bockarie, who  
3 was taking care of RUF whom Foday Sankoh had told to take  
4 care of the RUF in Sierra Leone.

12:58:54 5 Q. And who was it who said to take advice from the other  
6 side, who said that?

7 A. It was Foday Sankoh.

8 Q. And who was it who was to take advice from the other  
9 side?

12:59:06 10 A. Mosquito, Sam Bockarie.

11 Q. Did you understand what was meant by the other side?

12 A. Yes. That is just what I'm about to say. The next  
13 night, Action Man called me together with CO Brown, we went  
14 to the house where Pa Musa Cisse was and we sat there. We

12:59:26 15 were about two yards away from where Action Man was sitting  
16 but it was in the same room, we saw him contact Mosquito  
17 and I heard Foday Sankoh's voice and Foday Sankoh asked  
18 about Mike Lamin. Action Man replied that he had been  
19 arrested, he spoke to Mosquito.

12:59:42 20 Q. Who spoke to Mosquito?

21 A. Foday Sankoh. He told Mosquito that - he told Mosquito  
22 that Mosquito should not take anything from Faya Musa and  
23 others. He said even the detention that he was in, Faya  
24 Musa and others had hands in it - in that, so the only  
13:00:00 25 thing that he was telling him was that he should take  
26 advice directly from Charles Taylor in Liberia."

27 Now, who was saying to take advice directly from Charles  
28 Taylor in Liberia? Who was that?

29 A. Foday Sankoh told Mosquito, Sam Bockarie. He said Sam

1 Bockarie should take advice from Charles Taylor in Liberia.  
2 He said even before he was arrested in Nigeria, he said he  
3 had spoken to Charles Taylor, that is Foday Sankoh. He  
4 said he had spoken to Charles Taylor for his Sierra Leonean  
13:00:42 5 fighters who had been with the NPFL and fought alongside  
6 the NPFL. He said being that Mike Lamin had crossed over  
7 with a lot of his fighters into Liberia, he will want those  
8 fighters who had been fighting for a long time alongside  
9 the NPFL to find ways to be transported back to Sierra  
13:01:02 10 Leone to Mosquito to continue the fight and therefore he  
11 should take advice from Charles Taylor."

12 Now, do you recall Foday Sankoh giving any such instruction  
13 to Sam Bockarie, Mr Sesay?

14 A. No. This is the first account, because it was October that  
13:01:30 15 he and Mike Lamin went and surrendered to ULIMO. They disarmed  
16 them and disarmed the communication from them. So where he was  
17 when he was monitoring the communication between Mr Sankoh and  
18 Sam Bockarie until Mr Sankoh was arrested in Nigeria? Where was  
19 he to be able to monitor these conversations between Sankoh and  
13:01:55 20 Sam Bockarie? That man crossed over into Liberia and he had no  
21 access to communication because ULIMO had taken the communication  
22 set from them.

23 JUDGE DOHERTY: Mr Griffiths, who is the "he" that has been  
24 referred to several times?

13:02:12 25 MR GRIFFITHS:

26 Q. Who is the "he" that you're referring to, Mr Sesay?

27 A. They.

28 THE INTERPRETER: Can he repeat again?

29 MR GRIFFITHS:

1 Q. Who is the "he" that you're referring to?

2 A. Augustine Mallah, alias OJ. He's the one I'm talking  
3 about.

4 Q. And when you refer -

13:02:38 5 THE INTERPRETER: Your Honour, can he kindly repeat, is it  
6 OG or OJ? It's not very clear.

7 PRESIDING JUDGE: Can you repeat the names of the person  
8 you're referring to as "he".

9 THE WITNESS: Augustine Mallah, alias OG.

13:02:58 10 PRESIDING JUDGE: OG or OJ?

11 THE WITNESS: I knew OG, Augustine Mallah. He had no teeth  
12 in front. He was Mike's bodyguard.

13 PRESIDING JUDGE: The witness said he was Mike Lamin's  
14 bodyguard. Isn't that what the witness said, Mr Interpreter?

13:03:32 15 THE WITNESS: Yes, yes, ma'am.

16 MR GRIFFITHS:

17 Q. Now, you mentioned in your initial answer, Mr Sesay,  
18 October. October of which year?

19 A. October of '96.

13:03:46 20 Q. In 1999, Mr Sesay, did you tell Sam Bockarie over the radio  
21 that if he, Bockarie, did not obey Sankoh, that you and the rest  
22 of the RUF soldiers would be against him? And as a consequence  
23 of you saying that to Bockarie, Bockarie stated that he would  
24 leave Sierra Leone for Liberia and seek refuge with Charles  
13:04:39 25 Taylor if his brothers in the RUF were against him? Do you  
26 recall such a conversation with Bockarie?

27 A. No. I did not tell Sam Bockarie that.

28 Q. And do you recall - well, first of all, let's just deal  
29 with that suggestion. Let's go to some testimony heard by these

1 judges on 13 November 2008, page 20235, line 6:

2 "A. The following day we saw Issa arrive with about four  
3 to five vehicles loaded with arms and ammunition, including  
4 manpower. And on his arrival we asked him what was the  
13:06:02 5 matter. He said he was going to advise his brother. We  
6 asked who the brother was and he responded Mosquito but he  
7 said that he knew Mosquito very well. He said, 'Mosquito  
8 alone on his own will not be able to corrupt the whole RUF  
9 system.' He said that we were going to advise him and if  
13:06:30 10 he said he was not going to take orders from Foday Sankoh  
11 and maybe we will want to resort to attacking us - and  
12 maybe he will want to resort to attacking us. He said that  
13 we will fight against him. So he told Mosquito, he, Issa.

14 Q. How did he tell Mosquito?

13:06:53 15 A. That is the point I'm trying to arrive at. Issa  
16 informed Mosquito through the radio, he told Mosquito, he  
17 said the problem between him, Mosquito, Foday Sankoh, he  
18 said he was - they were going there to advise him, he said,  
19 but the advice we are about to bring to you is a military  
13:07:17 20 advice and it is accompanied by violence. He said that if  
21 Mosquito refused to take Foday Sankoh's order, he said he,  
22 Issa Sesay, including all the RUF members, will force him  
23 to take orders from Foday Sankoh. And Mosquito told Issa,  
24 we were all sitting by him and he was communicating through  
13:07:42 25 the radio, he said one thing, I had been leader on behalf  
26 of Foday Sankoh. He said that he was actually trying to  
27 resist, not wanting to take Foday Sankoh's command, but he  
28 said the attitude that he had put up, if he had now  
29 realised that all RUF soldiers, together with Issa Sesay

1 himself and all other RUF senior officers, if we do not see  
2 that his attitude is a correct one and that all of us had  
3 gone against him for that, he said he was not ready at all  
4 to fight against anyone amongst his RUF brothers or  
13:08:24 5 companions. But he said the only thing he would want to  
6 tell the RUF and the leadership was that all that the RUF  
7 had fought for at the time he was in control of the RUF and  
8 that he had with him at that present moment in Buedu, or  
9 the things that Issa knew that both of them got from  
13:08:43 10 outside Sierra Leone, he said he was going to take  
11 everything with him to Charles Taylor in Monrovia, in  
12 Liberia, he said he was going to seek refuge to Charles  
13 Taylor in Monrovia."

14 Do you recall such a conversation between yourself and Sam  
13:09:02 15 Bockarie, Mr Sesay?

16 A. I and Sam Bockarie did not have any such conversation. And  
17 the time that this confusion was on, up to the time that Sam  
18 Bockarie left the RUF, this witness was not - this man was not  
19 with Sam Bockarie in Buedu. So he did not even have access to  
13:09:29 20 sit close to Sam Bockarie when Sam Bockarie was talking. That's  
21 a lie. He was not in Buedu at all.

22 Q. Where was he?

23 A. This witness was in Freetown when the problem started, and  
24 Bockarie started challenging Mr Sankoh. So Mr Sankoh sent this  
13:09:47 25 witness and two other Black Guards to go to Segbwema to meet  
26 Momoh Rogers so that they can talk to the RUF, to advise Momoh  
27 Rogers and the RUF in Segbwema not to follow Sam Bockarie. So  
28 they were there in Segbwema when Sam Bockarie sent about 85 armed  
29 men to come to Segbwema to persuade the fighters in Segbwema. So

1 Momoh Rogers were able to trick them, to disarm and arrest the  
2 armed men that were sent by Sam Bockarie. They locked them up.  
3 So this witness was not across to Sam Bockarie at all. He was in  
4 Segbwema. That was what happened when Mr Sankoh informed me that  
13:10:48 5 I was to come to Segbwema because they had arrested RUF men who  
6 had been sent by Sam Bockarie; but, before this arrest, before  
7 these men were arrested, I, Morris Kallon, Lawrence Womandi a,  
8 were in Makeni because we too were monitoring the problem between  
9 Mr Sankoh and Sam Bockarie. So we too discussed among ourselves  
13:11:17 10 in Makeni that the best thing to do was that I should not talk to  
11 Bockarie on the radio and that we were to drive to Kailahun to  
12 Bockarie to tell him to calm down. On our way coming, Bockarie  
13 sent to Bunumbu for them to set an ambush for me so that I could  
14 not proceed. So I returned. When I returned, that was the time  
13:11:44 15 that Mr Sankoh sent to me that they had arrested the men whom Sam  
16 Bockarie sent to Segbwema and that I was to go there. So I left  
17 for Kono, and I was in Kono when I received the radio message  
18 that was sent by Bockarie to all stations, that he was no longer  
19 a member of the RUF and that he had resigned. That was what  
13:12:08 20 happened. And when I went to Segbwema, I met this witness there,  
21 together with Momoh Rogers and others. And I was not able to go  
22 to Segbwema with armed men to go to Kailahun because the ECOMOG  
23 were in Daru, and I had to pass through Daru; I couldn't have  
24 been able to pass through there with arms. So I went to Segbwema  
13:12:32 25 without arms. My armed men, who are my security guards, went  
26 through Manowa to cross the Moa River to wait for me in Pendembu.  
27 Q. Mr Sesay --  
28 A. For him to say he saw me with a vehicle full of ammunition  
29 is a black lie.

1 Q. Now, did you ever have any conversation with this witness  
2 about diamonds and your use of diamonds, Mr Sesay?

3 A. Not a day did we have such a conversation. In fact, from  
4 Segbwema, I left Kailahun and went to Segbwema. I did not meet  
13:13:24 5 with this witness face-to-face, except when I went to Tongo  
6 during the disarmament. Before I went to Tongo, when they were  
7 arrested in Tongo and brought to Makeni, he was in custody before  
8 the disarmament in Tongo.

9 Q. Listen to this, testimony heard by these judges on 13  
13:13:48 10 November 2008:

11 "Q. Mr Witness, perhaps you did not understand my question  
12 so let me say it again. After Issa became interim leader,  
13 you said that you presented everything to him. Do you know  
14 what he did with the diamonds you presented to him?

13:14:10 15 A. Yes. He took most of the diamonds to Liberia to  
16 Charles Taylor.

17 Q. How is it that you know that?

18 A. He" - that's you - "told us that such and such a  
19 diamond or diamonds, in fact, even at a time he took  
13:14:31 20 diamonds, about 51 carats in Kono, I mean, we heard it over  
21 the radio, I mean, our communication set, we were told  
22 that, even Issa told us that they had found such a diamond.  
23 Then one of our brothers who was in Tongo found a  
24 diamond, and it was Colonel Ranger's the deputy brigade  
13:14:53 25 commander and the diamond weighed 52 carats, 60 per cent,  
26 but he wanted to hide it away from people, but those who  
27 had found the diamond for him, there were a lot of them, at  
28 that time, Beneto was there so they told the brigade  
29 commander, the mining commander, they said they had found a



1 big di amond, and they asked colonel ranger about the  
2 di amond and he deni ed knowl edge about i t. But Beneto  
3 passed an order, and he was beaten to near death, and he  
4 presented the di amond, that 52 carat, 60 per cent, plus 51  
13:15:30 5 carats which we heard about in Kono, I did not see it, all  
6 of these went to Issa, Issa told us he was going to take  
7 the di amonds to Charles Tayl or in Li beri a, and Issa took  
8 the di amond to Li beri a.

9 Q. Mr Wi tness, do you know if Issa received anything for  
13:15:54 10 the di amonds that he took to Li beri a to Charles Tayl or?

11 A. Yes. Issa brought back some ammuni ti on, which I saw,  
12 and he brought a lot of US doll ars, and he told us that we  
13 were raising funds for the RUF because we had to di sarm and  
14 we had to go i nto poli ti cs and poli ti cs wi ll never go  
13:16:17 15 wi thout money. "

16 Do you recal l such a conversati on wi th thi s man?

17 A. I and thi s man di d not have any such conversati on. Thi s  
18 man was a Prosecuti on wi tness agai nst me. When he was  
19 prosecuti ng me, why di dn' t he tel l the Court that he gave me  
13:16:37 20 di amonds? Not a day di d I - di d the two of us exchange di amonds.  
21 He was a wi tness agai nst me. He prosecuted me. But he di d not  
22 gi ve such an account, that they took di amonds that were turned  
23 over to Issa. No.

24 Q. Now, Mr Sesay, that is all I want to ask you, in terms of  
13:17:12 25 evi dence heard by thi s Court implicati ng you and your relati ons  
26 wi th Charles Tayl or.

27 Now, tel l me, Mr Sesay, do you know Charles Ngebeh?

28 A. Yes, I know him very well but, my lawyer, I want them to  
29 gi ve me two mi nutes for me to use the bathroom.

1           PRESIDING JUDGE: Very well, Mr Sesay, you may be escorted  
2 out momentarily, please.

3                               [In the absence of the witness]

4           PRESIDING JUDGE: Yes, Mr Koumjian?

13:19:33 5           MR KOUMJIAN: Just to take advantage of the witness being  
6 out, there was - I'm still requesting a reference from this  
7 morning at - from my LiveNote I think it was the bottom of page  
8 14. The question put, the assertion put was:

9           "The reason I'm asking you, Mr Sesay, is that a number of  
13:19:51 10 Prosecution witnesses, radio operators, have come to this Court  
11 and said that they recall direct conversations between Sam  
12 Bockarie and Charles Taylor, between you and Charles Taylor, over  
13 the radio."

14           So I'm requesting it - I don't recall that evidence, and  
13:20:07 15 I'm requesting any reference to it.

16           PRESIDING JUDGE: Mr Griffiths, are you able to provide  
17 transcript either now or even in due course?

18           MR GRIFFITHS: I will provide the references in due course.

19           PRESIDING JUDGE: Very well. Thank you. Please do so  
13:20:32 20 before cross-examination ensues.

21           I want to take advantage of the pause to inform the parties  
22 that the decision on Defence motion to exclude the statements of  
23 Issa Sesay will come out shortly, today.

24           MR GRIFFITHS: I'm grateful.

13:21:22 25                               [In the presence of the witness]

26           MR GRIFFITHS:

27 Q.   Mr Sesay, first of all, forget about Charles Ngebeh.

28 I want to ask you about Faya Musa. When did you first meet

29 Faya Musa?

1 A. In 1991.

2 Q. Where?

3 A. In Kailahun Town, around the first three months.

13:22:52 4 Q. Now, did there come a time when Faya Musa was detained  
5 within RUF territory?

6 A. Yes.

7 Q. And is it the case that he was detained, along with others,  
8 who had been part of the RUF external delegation?

9 A. Yes.

13:23:13 10 Q. Now, whilst they were in detention, Mr Sesay, did you ever  
11 tell Johnny Paul Koroma to give you instructions to kill Faya  
12 Musa?

13 A. No. I did not tell Johnny Paul Koroma to give me  
14 instructions to kill Faya Musa because before we arrested Faya  
13:23:51 15 Musa and others, at that time I did not know Johnny Paul. So  
16 when Johnny Paul came to Kailahun, Faya Musa and others were in  
17 custody. And the members of the War Council who investigated the  
18 matter, they had given their findings to Sam Bockarie, saying  
19 that Faya Musa and others must be kept until Mr Sankoh returns  
13:24:19 20 to the RUF. So I did not see any reason for me to go to Johnny  
21 Paul to give me orders to kill him.

22 Q. Faya Musa told these judges, on 13 April of this year,  
23 this, this is page 38887, transcript of 13 April:

24 "There was another day Mosquito and Issa Sesay went to the  
13:24:51 25 village where we were imprisoned in Kangama. When they went,  
26 they told Johnny Paul Koroma, whom they had also arrested, they  
27 told him to give them instructions to kill us."

28 What do you say about that?

29 A. No. That did not happen, because before Johnny Paul

1 retreated to Kailahun, Faya Musa and others had been in custody  
2 for almost a year. They had been in prison for almost a year,  
3 different prisons in Kailahun, from Buedu, Bayama, Kailahun Town  
4 and back to Buedu, before they went to Kangama.

13:26:01 5 Q. Mr Sesay, as far as you're aware, does Faya Musa have any  
6 motive to lie about you?

7 A. Yes, because before Faya Musa and others went to the  
8 external delegation in December 1994, Faya Musa liked me, he was  
9 fond of me, and even when I went to the Ivory Coast for  
13:26:36 10 treatment, he used to do - he used to do - extend personal  
11 kindness to me. But when he saw that I was involved in his  
12 arrest and he was transferred to Buedu, he did not like me any  
13 longer because he did not expect that I was going to be a part of  
14 his maltreatment, together with Sam Bockarie.

13:27:02 15 During the Lome Accord - before the Lome Accord, around  
16 early '99, Bockarie took them from Kangama and brought them to  
17 Buedu. So until the Lome Accord he was in Buedu. So when I used  
18 to go to the MP office between April to June, I used to go to the  
19 MP office and I used to give the Nigerians cigarettes and when he  
13:27:30 20 used to ask me I used to refuse to give him and he said, "Those  
21 people who were fighting you, now you are giving them cigarettes  
22 and leaving Faya Musa out? Have you forgotten where the  
23 troubles had come from?" So he had the right to be against me  
24 because the way he was expecting me to behave to him, that was  
13:27:48 25 not how I behaved to him.

26 Q. The reason I ask you that question, Mr Sesay, is this:  
27 Faya Musa came and testified to these judges as a Defence  
28 witness and this is how he described you:

29 "He was a blind loyalist because I remember" - and I'm

1 Looking at testimony of 13 April this year, page 38893. He's  
2 describing you here:

3 "He was a blind loyalist because I remember, when we were  
4 arrested, one day he came to our cells, invited us out and said  
13:28:28 5 he has more respect for Foday Sankoh than for his father because  
6 Foday Sankoh had made him a colonel which his father wouldn't  
7 have done by any means. Therefore, anyone who says no, Foday  
8 Sankoh, would be killed like a dog by him. That is why  
9 I describe him as a heartless, blind loyalist."

13:28:56 10 A. Oh, my God. Well, he is talking about the rank of colonel.  
11 What about when Foday Sankoh endorsed the rank of brigadier  
12 general in December of '99 and made me the field commander of the  
13 RUF? Because when you look at the RUF, the RUF will tell you  
14 that I was not a man who was loyal to Foday Sankoh. In fact  
13:29:22 15 I was the man who betrayed Foday Sankoh. That's a common  
16 knowledge in the RUF, that I was the one who betrayed Foday  
17 Sankoh; that I spoiled the revolution because I disarmed the RUF.  
18 Foday Sankoh was in jail and the RUF was suffering. Even  
19 Prosecution witnesses, they were testifying like that during my  
13:29:42 20 case, that I was the cause of their suffering because I disarmed  
21 them. So Foday Sankoh made me colonel. Then Foday Sankoh made  
22 me a general. He felt that being a general could have elicited  
23 more dedication from me than being a colonel. I think Faya  
24 Musa, the RUF would not accept the - that statement from him,  
13:30:07 25 that I was a diehard loyalist dedicated to Mr Sankoh. The RUF  
26 would say Mr Issa was a betrayal to Mr Sankoh.

27 PRESIDING JUDGE: Mr Griffiths, it is 1.30. Perhaps we  
28 should take the luncheon break now and reconvene at 2.30.

29 [Lunch break taken at 1.30 p.m.]

1 [Upon resuming at 2.32 p.m.]

2 PRESIDING JUDGE: Good afternoon. Mr Griffiths, please  
3 continue.

4 MR GRIFFITHS:

14:32:27 5 Q. Mr Sesay, there's another matter that I want to deal with  
6 with you in respect of Faya Musa. Now, we spoke some weeks ago  
7 now about an incident in Giehun where, amongst others, Jande was  
8 - Foday Sankoh's was killed. Do you recall us talking about  
9 that?

14:33:10 10 A. Yes, I recall.

11 Q. And that happened in Luawa Chiefdom in Giehun, did it not?

12 A. Yes.

13 Q. Now, Faya Musa told these judges that, during the course  
14 of that incident, 300 people - 350 people were killed and the  
14:33:32 15 biggest killers organising that massacre were Sam Bockarie and  
16 you. Is that true?

17 A. Well, it did not happen that way. That was not the way it  
18 happened, because Mohamed Tarawali, Rashid Mansaray were the  
19 most senior people who were based in Giehun. And, during this  
14:34:04 20 time, they took part in the killing of the people, but the figure  
21 was not up to that. I did not hear about 300 people, and I was  
22 at the Kailahun hospital when I had got wounded during an attack  
23 on Pendembu.

24 Q. Now, do you recall on any occasion, Mr Sesay, attending a  
14:34:41 25 meeting with Charles Taylor, President of Liberia, in which he  
26 suggested to you that Sam Bockarie should be taken back into the  
27 RUF fold?

28 A. Yes.

29 Q. When was that?

1 A. That was in December of 2000.

2 Q. And what was your reaction to that?

3 A. Well, my reaction was negative because I told him - whilst  
4 we were there I told him that I would go and inform the RUF and  
14:35:23 5 some other commanders in the RUF force, and since then I never  
6 responded to him any longer.

7 Q. And help me: At that meeting, who was present?

8 A. Well, myself, Gibril Massaquoi, Lion, Eddie Kanneh - Eddie  
9 Kanneh and Samuel Jabba were at that meeting.

14:36:00 10 Q. Was Jonathan Kposowa present at that meeting?

11 A. Jonathan Kposowa, yes, he was present.

12 Q. And was Sam Bockarie present at that meeting?

13 A. Yes, Sam Bockarie was there.

14 Q. And what was Charles Taylor's position, insofar as the  
14:36:34 15 return of Sam Bockarie to Sierra Leone?

16 A. Well, what I observed from what he said during the meeting  
17 was that he wanted us to come together, the way we had been  
18 before, for us to come together as one organisation. So it's  
19 like he was trying to mediate peace between us, but I also told  
14:37:04 20 him that the problem was not between myself and Sam Bockarie, nor  
21 was it between Sam Bockarie and any other commander. I said the  
22 problem was between Mr Sankoh and Sam Bockarie, so those of us  
23 who were there would not just take a decision without informing  
24 our colleague commanders.

14:37:23 25 Q. Yes. Did Charles Taylor put any pressure on you to take  
26 Sam Bockarie back into the RUF fold?

27 A. No, he did not put any pressure on me. When he invited us  
28 and explained to us the purpose of the meeting, after speaking to  
29 us was when I also responded. And after my response, he said

1 okay, he would wait to listen to me. Since then, I did not meet  
2 with him any longer, so I did not get any pressure from him.

3 Q. Now, Mr Sesay - and one final matter on that: What was the  
4 result of that meeting?

14:38:21 5 A. Well, the result was negative because what Mr Taylor told  
6 me and my colleagues to do, we did not accept it, so that was the  
7 end of it.

8 Q. Very well. Now, Mr Sesay, before I sit down, there's a  
9 couple of things I want to ask you. You were convicted of  
10 various offences at the Special Court for Sierra Leone sitting in  
11 Freetown, weren't you?

12 A. Yes.

13 Q. And you're currently serving a lengthy prison sentence,  
14 aren't you?

14:39:05 15 A. Yes.

16 Q. How long is it, Mr Sesay?

17 A. Well, the Court convicted me for 52 years.

18 Q. Now, help us, Mr Sesay: Are you gaining any benefit by  
19 coming to this Court to give evidence for Charles Taylor?

14:39:23 20 A. I have nothing absolutely to gain. The reason why I came  
21 here is because I was in Freetown, I used to listen to radios in  
22 my cell room, the way of my fellow RUF have been exaggerating  
23 stories, lying against me, as a result of the disarm - that I  
24 have disarmed the RUF. That was the reason why I also decided to  
14:39:53 25 come here. But I have nothing absolutely to gain.

26 MR GRIFFITHS: Would you stay there, please. There may  
27 well be some further questions for you.

28 PRESIDING JUDGE: Mr Koumjian, will you be addressing the  
29 cross-examination?



1 MR KOUMJIAN: Yes, I will, your Honour.

2 Two short preliminary matters. First of all, your Honour,  
3 Madam President, you asked the Defence to address the references  
4 before the close of direct examination.

14:40:26 5 MR GRIFFITHS: If I can be given a moment, I'll give him  
6 two references that I have immediately to hand. The first one I  
7 give Mr Koumjian is evidence of 15 September 2008, page 16173,  
8 beginning at line 2.

9 MR KOUMJIAN: [Overlapping speakers]

14:41:42 10 MR GRIFFITHS: Evidence of 20 February 2008 at page 4375,  
11 line 27; page 4381, testimony of 20 February 2008, at page 4381;  
12 testimony of 21 February 2008, at page 4439. Those are the ones  
13 that I have immediately to hand.

14 PRESIDING JUDGE: Thank you. Mr Koumjian, please proceed.

14:42:24 15 MR KOUMJIAN: Your Honour, I would note that I've only had  
16 a chance to look up the first two. Neither involves a radio  
17 conversation between Sam Bockarie or Issa Sesay and  
18 Charles Taylor. The first involves a conversation between  
19 Foday Sankoh and Mr Taylor - excuse me, Benjamin Yeaten and  
14:42:41 20 Mr Taylor; and the second, Foday Sankoh and Mr Taylor.

21 Your Honour, very shortly, I understand a decision has been  
22 issued which would affect the structure of my cross-examination.  
23 I haven't read it yet.

24 I'm prepared to proceed today. Frankly, I would have  
14:43:04 25 reached this today in the first hour, but I can alter and  
26 proceed, but I may not - it's going to affect the structure of my  
27 cross-examination.

28 PRESIDING JUDGE: Mr Koumjian, I'm sure you can adjust.  
29 Other people have had to adjust their methodologies because

1 you've changed one or two things yourself. Given that you have  
2 four weeks ahead of you in which to cross-examine Mr Sesay, a few  
3 moments will not throw you off balance.

4 This decision could have been published over the lunch  
14:43:43 5 break, but I understand that the Court Manager was doing some  
6 other - was attending to some other matters in the ICC building,  
7 in the vault, so that's why the decision is not published.

8 MR KOUMJIAN: May I proceed, Madam President?

9 CROSS-EXAMINATION BY KOUMJIAN:

14:44:09 10 Q. Mr Sesay, welcome to The Hague.

11 A. Thank you.

12 Q. Sir, let's go right to the heart of your testimony. I  
13 don't want to keep you here in The Hague longer than necessary.

14 Let's talk about the attack on Kono, Koindu Town,  
14:44:25 15 in December 1998. You led that attack; correct?

16 A. Yes, you're right.

17 Q. And, sir, you told us that the ammunition for that attack  
18 came from Liberia; correct?

19 A. Yes.

14:44:38 20 Q. Sir, that - you recognise, don't you, you appreciate how  
21 important that attack was and is to the issues in this case; do  
22 you understand that?

23 A. Yes, I understand.

24 Q. Because - because of your successful attack on Kono, you  
14:44:57 25 captured a large amount of ammunition and weapons, correct?

26 A. Yes.

27 Q. You - in that attack, there were four battalions of ECOMOG  
28 that you were able to defeat at Koindu Town and surrounding  
29 areas, correct?

1 A. Well, I did not know the strength of ECOMOG, so I cannot  
2 tell you about the strength of the ECOMOG who were in Kono.

3 Q. In Koidu Town, there also were Loyal - Koidu Town, Loyal  
4 SLA troops assisting the ECOMOG, correct?

14:45:38 5 A. Yes. SLA were fighting alongside ECOMOG.

6 Q. After that victory of yours, because of that victory, you  
7 were able to move on and take Magburaka and take Makeni, correct?

8 A. Yes. We took Magburaka, and the Makeni attack was a joint  
9 attack with the other group that came from the Koinadugu axis.

14:46:05 10 Q. So, thanks to the capture - to the ammunition that you  
11 received from Liberia, you were able to take Koidu and Magburaka  
12 and move on to Makeni, correct?

13 A. Yes. That was the ammunition that Sam Bockarie said he  
14 bought in Lofa. Those are the ones we used.

14:46:25 15 Q. Sir, do you realise you're the only witness in this case to  
16 say that Sam Bockarie bought that ammunition in Lofa?

17 A. Well, that was the information that I got.

18 Q. When did you get this information, sir?

19 A. Well, I do not recall that.

14:46:51 20 Q. What year did you get the information?

21 A. Well, at the time Sam Bockarie returned. That was  
22 in December of '98.

23 Q. Before we go back to that, this ammunition that led to the  
24 victory for the RUF in Koidu Town led to the attacks on Magburaka

14:47:16 25 and Makeni. This also made it possible for the RUF, according to  
26 you, for Sam Bockarie to order the RUF to move on to Freetown to  
27 attack Waterloo, correct?

28 A. Well, Waterloo and Freetown are not the same. From  
29 Waterloo to Freetown is 20 miles, and the ammunition that we

1 captured in Kono was what we used to enter Makeni, and the  
2 material and ammunition that we captured in Teko Barracks, yes,  
3 those are the ones we used to go to Masiaka and Waterloo, but not  
4 Freetown.

14:47:57 5 Q. Thank you. And you said you went to Waterloo because you  
6 were going to Freetown, that was the seat of power. That's what  
7 you told the Court, correct?

8 A. Yes, that was what I said.

9 Q. So this attack aimed at Freetown that reached all the way  
14:48:12 10 to Waterloo came through the ammunition that Sam Bockarie brought  
11 back from Liberia. We agree on that, don't we?

12 A. Well, the ammunition that Bockarie brought, we used that in  
13 Kono. That one got finished in Kono. The ammunition that we  
14 captured in Kono was what we used to go up to Makeni.

14:48:37 15 Q. Because you told us the RUF was desperate for ammunition  
16 before that time, you didn't have any before Bockarie brought  
17 back this ammunition, correct?

18 A. Yes. In '98, we had ammunition constraints.

19 Q. So all that attack on Koidu Town, Kono, Magburaka, Makeni,  
14:48:58 20 all the way up to Waterloo, none of that would have happened  
21 without the ammunition Sam Bockarie brought back from Liberia,  
22 correct?

23 A. Well, yes, because we captured Kono. But if we were not  
24 successful in capturing Kono, we wouldn't have gone ahead with  
14:49:24 25 the attacks. But the ammunition that we captured in Kono was  
26 what we used to go up to Makeni.

27 Q. Now, sir, I don't want to repeat reading transcripts, but  
28 transcripts have been read to you, and you've heard of witnesses,  
29 such as TF1-338, Karmoh Kanneh, that's Eagle, Daf, Zigzag Marzah,

1 Isaac Mongor, all testified in this Court that Sam Bockarie  
2 brought that ammunition back, he obtained it in Burkina Faso, the  
3 plane landed, he brought it back through Liberia, the plane  
4 landing in Monrovia. And that's the truth, isn't it?

14:50:08 5 A. Well, I did not go on that trip. What I heard from  
6 Sam Bockarie was what I said here.

7 Q. Sir, because there's a big difference, isn't there, between  
8 getting the ammunition from Lofa, as you testified, and the  
9 ammunition coming from a plane that lands at Roberts

14:50:29 10 International Airport in Monrovia? You appreciate the difference  
11 to this case in that evidence, don't you?

12 A. Well, I said that was what I heard from Sam Bockarie.

13 Q. Because, Mr Sesay, you know Charles Taylor, you've had  
14 discussions with him, you said, at least five times, correct?

14:50:53 15 A. Yes.

16 Q. Did he appear to you to be a stupid man?

17 A. No, he did not look that way.

18 Q. Did he appear, in fact, rather than that, to be a strong  
19 leader, aware of what was going on in his country?

14:51:11 20 A. Well, as a President, you'll not know everything that goes  
21 on in your country because even other Head of States in some  
22 other countries, Sierra Leone, Guinea, they will not be able to  
23 know about everything that happens, because - I can give you a  
24 reference. We used to buy ammunition from Guinea, so --

14:51:38 25 Q. Sir, my question's dealing with Charles Taylor. Did he  
26 appear to you to be a strong leader?

27 A. He was a leader in his country.

28 Q. Mr Sesay, using your knowledge of Charles Taylor, and your  
29 intelligence, you're a clever man, do you think a plane could

1 have landed at Roberts International Airport, unloaded a large  
2 quantity of ammunition, and have that ammunition trucked across  
3 Liberia, over the border to Sierra Leone, without the knowledge  
4 of the President of Liberia, Charles Taylor?

14:52:15 5 A. Well, I'm unable to answer that. I don't know. I was not  
6 a security agent for Mr Taylor.

7 Q. But you know he had many security agents; you know that,  
8 don't you?

9 A. Yes, I know, because he was a head of government.

14:52:36 10 Q. Could the witness be shown P-67, and could we show page 6,  
11 please.

12 PRESIDING JUDGE: What is the CMS number on the page in  
13 question?

14 MR KOUMJIAN: It should be 9677. Excuse me - 9678, the  
14:54:11 15 next page.

16 Q. Sir, I'm reading from the third line in this report from  
17 the Black Guard unit to the leader - The  
18 Black Revolutionary Guards Unit to the leader. It states:  
19 "In October the high command was again called by President  
14:54:42 20 Taylor." Mr Sesay, what does the high command - what did those  
21 words mean in the RUF in October 1998?

22 A. Well, this document that you are bringing before me from  
23 The Black Revolutionary Guards, I knew about the Black Guards but  
24 I did not know about The Black Revolutionary Guards.

14:55:13 25 Q. Really, Mr Sesay, you never heard that term before?

26 A. Well, that was not the title. The title was Black Guards,  
27 not Black Revolutionary Guards.

28 PRESIDING JUDGE: Mr Sesay, the question is: What does  
29 high command - what do the words "high command" mean? What did

1 the words "high command" mean in the RUF in October of 1998? You  
2 weren't asked about the revolutionary guards. What is your  
3 answer, please?

4 THE WITNESS: The word - the phrase "high command" means  
14:55:59 5 the commander who was the head of the revolution at that time.  
6 That was the field commander.

7 MR KOUMJIAN:

8 Q. Sam Bockarie, is that right?

9 A. He was the field commander.

14:56:15 10 Q. The document reads:

11 "We, therefore, went along with him to Monrovia. The high  
12 command was instructed by President Taylor to move to  
13 Burkina Faso and meet with the Burkina President. The high  
14 command, the War Council chairman."

14:56:38 15 First let me stop there. Mr Sesay, who was the War Council  
16 chairman in October 1998?

17 A. The War Council chairman was Mr SYB Rogers.

18 Q. "And one SLA representative, Colonel Eddie Kanneh, took the  
19 trip to Burkina Faso. They met President Blaise Compaore  
14:57:08 20 and they were highly welcome. They took two weeks in  
21 Burkina Faso. They were given work of confidence and  
22 assurance by President Blaise and that he will not let  
23 Corporal Foday Sankoh down at all. The President told the  
24 high command to be very hard in command and uphold his  
14:57:30 25 movement."

26 I'm going to skip a few lines to where it's underlined:

27 "On their return, they were given huge quantity of  
28 materials for serious offensive to start a campaign for the  
29 release of our leader. The delegation returned back to

1 Monrovia in December."

2 PRESIDING JUDGE: "November".

3 MR KOUMJIAN: "November". Thank you. Sorry, November.

4 Q. Mr Sesay, by the way - how do you pronounce your name?

14:58:08 5 A. Issa.

6 Q. Sesay, what pronunciation do you use?

7 A. Sesay.

8 Q. Mr Sesay, this is what you knew when Sam Bockarie came  
9 back, isn't it, that he'd been sent by President Taylor to meet

14:58:28 10 Blaise Compaore and to obtain ammunition?

11 A. Well, I knew that Mr Taylor spoke to President Blaise,  
12 according to Bockarie, that he should go and meet him for them to  
13 revisit the Abidjan Accord.

14 Q. Well, didn't Sam Bockarie tell you that he was going to  
14:58:54 15 Burkina Faso for ammunition?

16 A. No, he did not tell me that he was going to collect  
17 ammunition.

18 Q. Mr Sesay, when you test - when you were on trial in the  
19 case in Freetown, in which you just explained you're serving a  
14:59:17 20 52-year sentence, did you testify?

21 A. Yes, I testified.

22 Q. Did you take an oath to tell the truth?

23 A. Yes, I took an oath.

24 Q. Did you tell the truth or did you lie?

14:59:32 25 A. Well, I said all that I recalled. I wouldn't have been  
26 able to say everything that happened.

27 Q. So what you said is what you remembered, is that right?

28 A. I said not all that I said I can recall now.

29 Q. What I'm saying is when you testified you told the judges



1 in that trial what you remembered. Correct?

2 A. Yes, what I recalled was what I said.

3 Q. Well, let's - what did you tell them about the ammunition  
4 that you used to take Koidu Town, Makeni, and move on to  
15:00:17 5 Waterloo?

6 A. Well, I told them that it was Sam Bockarie who brought the  
7 ammunition.

8 Q. Really? Mr Sesay, do you want to think about that? Is  
9 that what you - did you tell them that Sam Bockarie brought the  
15:00:35 10 ammunition from Burkina Faso?

11 A. Well, I do not recall. But I told them that it was  
12 Bockarie who gave me ammunition to go and attack Kono.

13 Q. Mr Sesay, you know that Sam Bockarie brought that  
14 ammunition from Burkina Faso and he came through Liberia, don't  
15:00:56 15 you?

16 A. Well, that is what I've said. I do not recall.

17 Q. So what you told us before about Bockarie telling you it  
18 came from buying it in Lofa County, you don't really know whether  
19 you remember that correctly or not; is that what you're saying  
15:01:16 20 now?

21 A. Well, I have said that that is what I recall that that was  
22 what Bockarie told me.

23 MR KOUMJIAN: Could the witness be shown, I believe the  
24 Court Management Officer has the transcripts from the RUF trial,  
15:01:35 25 the transcript for the 17th of May 2007, page 29.

26 MS IRURA: Your Honour, note that this is a closed session  
27 transcript.

28 MR KOUMJIAN: Well, your Honour, it will not reveal the  
29 testimony. This page will not reveal the testimony - excuse me.

1 I'll read from the transcript then.

2 Mr Sesay, I'm reading from the transcript, and I'm reading  
3 from line 12. This is what you said:

4 "Well, inside the third week of November 1998, Sam Bockarie  
15:03:16 5 called me. By then they were working on the field, so he called  
6 me from Pendembu and I reported at Buedu, and he told me that I  
7 and Mike Lamin should be responsible for Buedu."

8 Mr Sesay, so far, all of that you agree with?

9 A. Yes, I agree.

15:03:41 10 Q. Don't want to change your testimony on that, do you?

11 A. No, Bockarie called me.

12 Q. Can I read to you the next line? The next line is: "He is  
13 going to Burkina Faso for ammunitions." That's what's  
14 Sam Bockarie told you, isn't it?

15:04:01 15 A. I do not recall if that was what Bockarie told me.

16 Q. Mr Sesay - Mr Sesay, why did you testify in your own trial  
17 that Sam Bockarie told you he was going to Burkina Faso for  
18 ammunition if you didn't remember that? Well, let me help you.  
19 Are you saying that you remembered it in 2007 but you forgot it  
15:04:36 20 when you came to testify for Charles Taylor?

21 A. Well, when I was testifying there was certain things that I  
22 did not recall. I cannot recall everything. Even as I am  
23 sitting here, it's not every event that I can recall.

24 Q. Mr Sesay, you didn't - your answer was not you cannot  
15:04:57 25 recall. Your answer was that you spoke to Bockarie, he called  
26 you from Pendembu, and he said he is going to Burkina Faso for  
27 ammunition. That's what Sam Bockarie told you, wasn't it?

28 A. I said I do not recall.

29 Q. Let's go to the same date, page 61. There is nothing on

1 this page that would reveal the name of a witness. It can be  
2 displayed.

3 PRESIDING JUDGE: Madam Court - it is displayed now.

4 MR KOUMJIAN: Thank you.

15:05:56 5 Q. I'm going to start reading to you, Mr Sesay, from line 7.  
6 You told the Trial Chamber - Trial Chamber I in the RUF case, you  
7 said:

8 "A. Well, when he came. I explained yesterday that when  
9 he came - when he arrived, he killed Foday Kallon."

15:06:27 10 Mr Sesay, who were you talking about when you said he  
11 killed Foday Kallon?

12 A. It was Sam Bockarie.

13 Q. "A. Then the next day he called me, Mike Lamin, Pa Rogers,  
14 Prince Taylor and him, Bockarie. Then we drove - he drove.  
15:06:46 15 He drove the jeep. His own jeep. Then he drove to a place  
16 where the civilians would sit down during the time of the  
17 jet. They called the place Waterworks. It was just a mile  
18 from Buedu on the road to Liberia, on the road to Dawa. So  
19 when we arrived there he told us, because it was he and Pa  
15:07:13 20 Rogers who went on the trip. And Pa Rogers himself was  
21 amongst us."

22 Let me pause for a moment. Mr Sesay, Pa Rogers is SYB  
23 Rogers, the man mentioned in that document, correct.

24 A. Yes, that's him.

15:07:33 25 Q. "Then he told us that the trip that I told you about that I  
26 was going to Burkina Faso - these are the items that I had got,  
27 including money which was \$20,000. He said he was led by  
28 Diendere and they met the Head of State in Burkina Faso,  
29 President Blaise. He was the one that gave them these provisions

1 on behalf of Foday Sankoh. "

2 Mr Sesay, were you telling the truth when you testified in  
3 the RUF on the page that I've just read so far?

4 A. Well, there were things that I did not recall because, like  
15:08:23 5 even the names of people who attended the meeting, not all of  
6 them that I recalled.

7 Q. Mr Sesay, you say in this paragraph I've read that  
8 Sam Bockarie told you "they met the Head of State in Burkina  
9 Faso, President Blaise. He was the one that gave them these  
15:08:45 10 provisions on behalf of Foday Sankoh. "

11 You were talking about the ammunition for the attack on  
12 Koidu; correct?

13 A. Well --

14 Q. Well, what, Mr Sesay? Well, what?

15:09:06 15 A. I said I do not recall that it was about the ammunition for  
16 the attack on Kono.

17 Q. Are you testifying honestly now?

18 A. Yes, what I recall is what I am saying. What I remember is  
19 what I am saying.

15:09:30 20 Q. Well, let me continue to read:

21 "Q. Did anything else get said at the meeting?

22 A. Yes, Mr Lawyer, let me just explain. So when he has  
23 told us this he said well this ammunition, he would  
24 dispatch me to go attack Kono. So he was thinking about  
15:09:52 25 how many boxes of this ammunition he would give me. He  
26 said after that he would arrange with Mike Lamin. He said  
27 when I left to go to Kono he would arrange with Mike Lamin  
28 and other commanders how they should attack Segbwema and  
29 other areas. "

1 That's what you testified to in the RUF trial, isn't that  
2 correct?

3 A. Well, for some that was what happened. But it's not  
4 everything that I said before that I recall now, because I said  
15:10:27 5 the attack on Segbwema was after the capture of Kono. That was  
6 when the attack on Segbwema took place.

7 Q. Well, let me concentrate on one matter asserted in what I  
8 just read. The ammunition that you used to attack Kono that led  
9 all the way down to Waterloo, it came from Burkina Faso, correct?

15:10:53 10 A. Well, Bockarie said he bought it from Lofa.

11 Q. Well, why didn't you say that in the RUF trial, Mr Sesay?  
12 Why are you only saying that in the Charles Taylor trial?

13 A. Well, I have said it's not all the events that I recall.

14 Q. Is it because this information you realise that

15:11:25 15 Charles Taylor sent Sam Bockarie along with his own chief of  
16 protocol to Burkina Faso to arrange that arms deal and that the  
17 arms came back through Roberts International Airport and were  
18 trucked across Liberia, that this information which you testified  
19 to in the RUF trial would incriminate Charles Taylor on all of  
15:11:51 20 these events in 1998 and 1999? Is that why you've changed your  
21 testimony?

22 A. No. I have said that it's not everything that I said  
23 during my trial that I recall. What I recall is what I am giving  
24 testimony about.

15:12:11 25 Q. Sir, in the RUF trial you recalled the ammunition came from  
26 Burkina Faso. Is that right?

27 A. Well, I don't recall. I don't recall that that was what  
28 Bockarie told me.

29 Q. Well, let's go to 22 June 2007, your testimony on that day,

1 page 33. Excuse me. I don't have in my notes the entire  
2 page but it's open session. It can be displayed. It's open.  
3 Thank you. I'm going to start reading to you, Mr Sesay, and you  
4 can follow along from line 9. You were asked this question:

15:13:38 5 "Q. Yes, you can say you don't see arms but I'm saying to  
6 you that you know that they were transported from Liberia a  
7 to Sierra Leone during the years 1997 to 2000.

8 A. Well, I only knew once that Bockarie, he himself came  
9 with ammunition in December 1998, and he told me - he gave  
15:14:11 10 me an order that he brought this ammunition from Burkina  
11 Faso."

12 That's what you testified to in the RUF trial, Mr Sesay,  
13 isn't it?

14 A. Well, I have said that I do not recall. What I recall that  
15:14:31 15 Bockarie said was that he bought the ammunition from Lofa and  
16 that was part of the ammunition that he gave to me for the attack  
17 on Kono.

18 Q. Mr Sesay --

19 PRESIDING JUDGE: Sorry. Mr Sesay, when counsel reads the  
15:14:44 20 transcript, you don't need to recall, you just need to listen to  
21 what he's reading. He's not asking you to recall in your memory.  
22 He has just read to you what you testified in your own trial and  
23 asking you why that is different from what you are telling us in  
24 this trial. So you don't need to recall anything, just listen to  
15:15:06 25 the - and I'm sure you can see a copy of the transcript in front  
26 of you, not so?

27 THE WITNESS: Yes, I'm seeing it.

28 MR KOUMJIAN:

29 Q. Mr Sesay, do you testify to things under oath that you

1 don't remember? Is that your practice?

2 A. Well, you can take oath but it's not everything that you  
3 can recall. Not everything you remember.

4 Q. That wasn't my question. Do you testify to things under  
15:15:38 5 oath that you don't remember? Do you make things up?

6 A. No, I don't make things up. What I recall is what I say.

7 Q. And this is - let me read it to you again so we know again  
8 - you can hear again what you said in 2007 on 22 June, page 33.

9 You said:

15:16:02 10 "A. Well, I only know once that Bockarie, he himself came  
11 with ammunition in December 1998 and he told me - he gave  
12 me an order that he brought these ammunition from Burkina  
13 Faso."

14 That's the truth, isn't it?

15:16:23 15 A. Well, what happened when Bockarie brought the ammunition  
16 and what he said was that he got the ammunition from Lofa. He  
17 said he bought them in Lofa.

18 Q. Well, Mr Sesay, if that's the case, why did you testify  
19 under oath that the ammunition came from Burkina Faso and that  
15:16:49 20 Bockarie told you that?

21 A. Well, at that time I did not recall. I did not recall.  
22 What came to my mind was what I said.

23 Q. So, sir, you were preparing for your own trial, your own  
24 freedom was at stake, and it was closer in time to the events  
15:17:14 25 than you are at today; it was three years ago. Are you saying  
26 you didn't remember where the ammunition came from in 2007 and  
27 now you do?

28 A. Well, being that the Court had convicted me, now I can sit  
29 down during my own quiet times and then I read about so many

1 things - I recall so many things.

2 Q. So when was it that you recalled the ammunition came from  
3 Lofa and not, as you testified under oath, it came from Burkina  
4 Faso? What did you read or who talked to you to tell you to  
15:17:53 5 change your - to cause you to change your recollection?

6 A. Well, after my testimony I used to go through the  
7 transcripts. That was when I recalled that that was not what  
8 actually obtained.

9 Q. Mr Sesay, I'm putting it to you, let me be clear: You're  
15:18:19 10 lying about that. You know the ammunition came from Burkina  
11 Faso. You testified to the same fact that it came from Burkina  
12 Faso as all of these Prosecution witnesses I mentioned earlier.  
13 And now you're lying to protect Charles Taylor. That's the  
14 truth, isn't it?

15:18:36 15 A. I have nothing to benefit from lying.

16 Q. Let's look at page 35 of 22 June 2007. Your testimony  
17 again. Mr Sesay, you're very clear here and I'm going to line 7  
18 where the question was:

19 "Q. And I think you said that that ammunition brought by  
15:19:23 20 Bockarie, around December 1998, was from Burkina Faso. Do  
21 you remember saying that?

22 A. Yes, that was what Bockarie told me and other people.  
23 SYB Rogers, he himself also confirmed that, because he and  
24 Bockarie went.

15:19:48 25 Q. And that ammunition was transported into Sierra Leone  
26 from Liberia. That's right, isn't it?

27 A. Yes, it was Bockarie that came with it.

28 Q. And it was transported into Sierra Leone from Liberia?

29 A. Yes, it was through Liberia that Bockarie passed and



1           came to Buedu."

2           Mr Sesay, you said that in June of 2007, a little over  
3 three years ago, isn't that true? First of all, didn't you say  
4 that?

15:20:27 5       A.     I said that but I'm saying that I did not recall at that  
6 time and now I have seen that it's not the right thing.

7       Q.     And how is it, Mr Sesay? What has caused you to change  
8 your testimony?

9       A.     Well, when I recalled that it was in Lofa that Bockarie  
15:20:52 10     said he'd buy the ammunition from, that was why I said this now.

11     Q.     When did you recall that?

12     A.     Well, after I had testified when my lawyers used to give me  
13 the transcript, that was when I used to pick them up.

14     Q.     When you say your lawyers, which lawyers are you speaking  
15:21:16 15     about?

16     A.     I am talking about those who defended me. It was Sareta  
17 who came with the transcript.

18     Q.     Mr Sesay, how did Sam Bockarie travel? We can agree on one  
19 thing, I think. Sam Bockarie came back from Burkina Faso through  
15:21:37 20     Roberts International Airport outside Monrovia in Liberia,  
21 correct?

22     A.     Yes, because they used aeroplane.

23     Q.     And you said you've been along the road there and you've  
24 seen where that airport is; correct? Is that right? You've been  
15:21:59 25     to the airport, is that right?

26     A.     Yes, I've been there.

27     Q.     Mr Sesay, you'd agree that a large shipment of ammunition  
28 that landed at that airport would be obvious to the security at  
29 the airport, correct?

1 A. I don't know.

2 Q. This ammunition that came from Liberia was the ammunition  
3 that led to the attack on Kono, to all the destruction on Koidu,  
4 to the attack on Magburaka and Makeni, to the defeat of the  
15:22:41 5 ECOMOG at Daru Barracks and to the ability of the RUF to move on  
6 to Lunsar and Waterloo. Correct?

7 A. Well, that's a lie, because no destruction took place in  
8 Kono. No destruction took place in Kono and RUF did not capture  
9 Daru.

15:23:03 10 Q. Teko Barracks, excuse me, in Makeni, was taken by the RUF  
11 in December 1998. Correct?

12 A. Yes, but it was the ammunition that we got from ECOMOG that  
13 we used.

14 Q. The ammunition that you say you captured in Koidu.  
15:23:22 15 Correct?

16 A. Yes, that was it.

17 Q. In December 1998, correct?

18 A. You are correct, yes.

19 Q. And the way you attacked ECOMOG in Koidu, the means that  
15:23:38 20 you used, was the ammunition Sam Bockarie brought back in  
21 Liberia. Correct?

22 A. Yes, those were the ammunition that Bockarie brought from  
23 Lofa. That was the one we used to attack Kono - Koidu.

24 Q. In Koidu you defeated a large ECOMOG force. Correct?

15:24:15 25 A. Yes. The ECOMOG who had, yeah, they run away.

26 Q. They ran in disarray, some towards Kenema, others towards  
27 Makeni. Correct?

28 A. Some - they did not go to Makeni. Some went to Tongo Field  
29 and some went towards Kenema.

1 Q. Then you moved on and attacked another large ECOMOG force  
2 at Makeni taking Teko Barracks; is that right?

3 A. The ECOMOG in Makeni, yes, but that was a joint operation  
4 with the men who came from Koinadugu.

15:25:00 5 Q. And together your forces joined with Superman's forces, you  
6 were able to defeat this large ECOMOG force in Makeni. Correct?

7 A. The Superman forces, Mani and General Bropleh's troops, all  
8 of them attacked Teko Barracks.

9 Q. All of you together working jointly, correct?

15:25:27 10 A. Well, we met in Makeni, yes.

11 Q. So when you had taken Koidu, and you had taken Makeni, you  
12 had you had defeated two of the major ECOMOG positions in  
13 Sierra Leone; is that right?

14 A. Yes, the ECOMOG were running away.

15:25:51 15 Q. And capturing Makeni opened up the north of the country to  
16 the RUF. Correct?

17 A. Yes, though the Superman's group were in the north even  
18 before that time, and though there was no communication between  
19 him and Bockarie, nor was there with the other RUF members.

15:26:21 20 Q. Takes about two hours to drive from Makeni to Freetown; is  
21 that right?

22 A. Well, that depends on individual vehicles. Some people use  
23 their vehicles for more than two hours.

24 Q. I said "about". Give me your estimate, how long does it  
15:26:43 25 take to drive from Makeni to Freetown?

26 A. Well, some vehicles - it depends on the condition of the  
27 vehicle. Some vehicles spend about two hours and some vehicles  
28 spend beyond two hours.

29 Q. When - what was the date you captured Makeni?

1 A. The 24th of December 1998.

2 Q. And then in the next week you attacked Lunsar. Correct?

3 A. No.

4 Q. When did you take Lunsar?

15:27:28 5 A. Lunsar, it was in January. Because the troop - the troops  
6 had captured Makeni. We did not go to Lunsar. We went back to  
7 attack Kabala with one group, and another group to Bumbuna. So  
8 that the following week the RUF was to advance towards Lunsar.

9 Q. So it was in very early January that you attacked Lunsar.

15:27:56 10 Correct?

11 A. Yes, that was in January.

12 Q. So, Mr Sesay, thanks to the ammunition sent through Liberia  
13 the RUF took Koidu, took Makeni, Magburaka, Lunsar, opening the  
14 way for the AFRC Gullit led troops with RUF elements to enter

15:28:21 15 Freetown; isn't that right?

16 A. No. Because you are calling the names of towns that  
17 fighting did not take place. Fighting did not take place in  
18 Magburaka, for instance. ECOMOG did not fight in Magburaka. And  
19 when the RUF captured Lunsar, the RUF went first to fight in Port

15:28:47 20 Loko, so even if the RUF fought towards Waterloo, Gullit and  
21 others, they bypassed and went and attacked Freetown, so they  
22 could have bypassed again to move out of Freetown, because the  
23 ECOMOG still remained in control of Jui when Gullit and others  
24 attacked. And until the time Gullit and others left Freetown  
15:29:12 25 ECOMOG was still in control of Jui.

26 Q. Mr Sesay, the strategic situation in Sierra Leone had  
27 changed dramatically from the time you left to attack Koidu  
28 to January 6th because, in between that time, you had taken  
29 Koidu, Makeni, Teko Barracks, Lunsar and other areas, isn't that

1 true?

2 A. Well --

3 THE INTERPRETER: Please ask your question once more,  
4 please.

15:29:54 5 MR KOUMJIAN:

6 Q. The strategic situation between the RUF and ECOMOG, the RUF  
7 and its enemies, ECOMOG and its enemies had changed dramatically  
8 between the time, mid-December, when you attacked Koidu  
9 and January 6th because, in between that time, with the  
10 ammunition that you got from Liberia, you had taken Koidu; that  
11 victory allowed you to move on to Makeni, Lunsar; all of that had  
12 changed before January 6th, correct?

13 A. Well, the capture - with the capture of Lunsar, at that  
14 time the AFRC had already attacked Freetown. So you cannot say  
15 that we captured Lunsar at the time the AFRC had not yet attacked  
16 Freetown. The AFRC had already attacked Freetown even before we  
17 put Lunsar under control, and around the 24th, when we captured  
18 Makeni, the AFRC were almost around the peninsula area going  
19 towards Freetown, because that very day we captured Makeni on the

15:31:16 20 24th was the same 24th that the AFRC captured Benguema and they  
21 went up around the hills and they went and surfaced somewhere  
22 around Hastings. So they were almost in Freetown because they  
23 were around Freetown at that time and, whilst they were moving,  
24 they used bypasses as they moved on, leaving enemies behind them.

15:31:45 25 So you cannot say that it follows that because we captured Makeni  
26 - Kono and Makeni that was the reason why the AFRC were let to  
27 capture Freetown. No, these were two different operations.  
28 Q. Mr Sesay, thank you. You've indicated that simultaneously  
29 ECOMOG was facing, for example, on the very same day, attacks on

1 Benguema from AFRC forces, Gullit led - or SAJ Musa-led forces  
2 and RUF-led forces at Makeni, those two battles were happening  
3 simultaneously. Correct?

15:32:29 4 A. Yes, but there was no communication with SAJ Musa. We had  
5 no business with SAJ Musa. SAJ Musa didn't even want to hear  
6 about the RUF.

7 Q. So ECOMOG, their efforts to defend Sierra Leone were  
8 divided between facing two folds simultaneously, SAJ Musa-led  
9 forces and RUF forces; correct?

15:32:49 10 A. ECOMOG - ECOMOG was well armed. ECOMOG had the jets, they  
11 had tanks, so ECOMOG was well equipped.

12 Q. My question was, and I'll repeat it for you, you haven't  
13 answered it: So ECOMOG, in their efforts to defend Sierra Leone,  
14 they had to divide their forces to face simultaneous attacks by  
15:33:18 15 SAJ Musa-led forces and RUF forces. Correct?

16 A. Yes, because SAJ Musa and others had been fighting from  
17 Masiaka on the way coming to Freetown from Lunsar because they  
18 attacked Lunsar and, at that time, the RUF had not even attacked  
19 Kono.

15:33:39 20 Q. And when I say "RUF forces", I'm talking about the forces  
21 you led from Koidu to Makeni, correct? You led that, right?

22 A. Isn't that the answer I'm giving, that we had not even  
23 captured Kono. I was the commander who captured Kono. When the  
24 AFRC were on the move to Makeni they attacked Lunsar in  
15:34:03 25 early December, we had not even attacked Kono then.

26 Q. Your forces included former SLAs - AFRC, if you want to  
27 call them - people like Leather Boot and others, Akim Turay was  
28 under the command of you and Sam Bockarie. Correct?

29 A. Leather Boot did not take part in the attack. It was Akim

1 who was in Kono.

2 Q. None of these attacks would have been possible without the  
3 ammunition from Liberia; we agree on that, don't we?

4 A. Well, the RUF had made an attempt to capture Kono, to  
15:34:54 5 attack Kono. They attacked Kono around July to August '98, I  
6 think early in August '98. RUF had attacked Kono before this  
7 time, so --

8 Q. You said that attack was unsuccessful, according to you,  
9 because you had poor ammunition; isn't that right?

15:35:11 10 A. Yes, because we were using buried ammunition that Bockarie  
11 had given to Superman.

12 Q. So thanks to the ammunition that Sam Bockarie brought back  
13 in December 1998 from Liberia, all of these attacks happened -  
14 all of these events in December and January, all the things that  
15:35:35 15 happened to the people of Sierra Leone would not have happened  
16 without that ammunition from Liberia; isn't that true?

17 A. No, I disagree. Because you cannot just put it in that  
18 form, that all that happened to the people of Sierra Leone  
19 wouldn't have happened, because the atrocities that were  
15:35:58 20 committed in certain parts of the country - this group that  
21 attacked Kono had no business with those places. And even that's  
22 a surprise for me to bring AK rounds to attack Kono. And, at the  
23 end of the day, ECOMOG ran away because they were just engaged in  
24 mining. So you can't say that because I captured Kono what  
15:36:26 25 happened in Freetown was as a result of that ammunition. No, no,  
26 those are two different things. Those who attacked Freetown had  
27 their own strengths, they had their own plan. That had nothing  
28 to do with the people who came from Kono to Makeni because, when  
29 you look at what happened during those attacks, the capturing of

1 Kamajors, the Nigerian ECOMOG soldiers, we did not capture  
2 civilians, the civilians remained in their towns. Up to the time  
3 that we came to Makeni there were no burning of even government  
4 structures, I wouldn't say - I wouldn't say civilian houses. So  
15:37:08 5 you can't compare that with what happened in Freetown. They  
6 amputated civilians.

7 Q. Mr Sesay, my question was: Without the ammunition from  
8 Liberia a none of this would have happened because you would have  
9 been in Buedu and the attack on Koidu never would have taken  
15:37:28 10 place; isn't that true?

11 A. Yes. Had we not - if I hadn't got ammunition to attack  
12 Kono, I wouldn't have attacked Kono. But even if we hadn't  
13 attacked Kono, the AFRC had plans. They were on the move.  
14 From October, they had made their plans, and they were on the  
15:37:51 15 move to go to Freetown. So that's a different thing. Whether we  
16 had attacked Kono or not, they would have attacked Freetown.

17 Q. Without the ammunition brought back from Liberia, those SAJ  
18 Musa forces in the north would have faced ECOMOG all by  
19 themselves; isn't that right?

15:38:11 20 A. They would have carried out their plans that they had,  
21 because they were not communicating their plans with us.

22 Q. And they would not have had a chance to get into Freetown  
23 without the RUF attacks on Koidu, Makeni and other locations;  
24 isn't that true?

15:38:38 25 A. No, I disagree. Because the RUF was in Buedu. RUF was not  
26 in Koidu Town. The AFRC captured Waterloo - I mean, captured  
27 Lunsar, they captured Lunsar and then Masiaka. So if the RUF  
28 hadn't attacked Koidu, they had made their plans to come to  
29 Freetown. So nothing would have stopped them because they had



1 made their plans and they were on the move and they captured  
2 Lunsar and Masiaka.

3 Q. It was the RUF that captured Lunsar, wasn't it?

4 A. No, no, no. From around the 5th - between 5 and 10  
15:39:38 5 December 1998, the AFRC captured Lunsar. It was on Focus on  
6 Africa.

7 THE INTERPRETER: Your Honour, can he kindly repeat the  
8 last part of his answer.

9 PRESIDING JUDGE: Mr Sesay, please repeat the last part of  
15:39:54 10 your answer for the interpreter.

11 THE WITNESS: Yes, my Lord. I said between 5 and 10  
12 December 1998, the AFRC captured Lunsar. They captured a huge  
13 amount of ammunition, what I understood later. That was where  
14 they got combat uniforms, which they wore to come down to  
15:40:20 15 Freetown.

16 MR KOUMJIAN:

17 Q. Mr Sesay, before I leave this topic, let me just go back  
18 for a moment. When you said that all these Prosecution witnesses  
19 who testified to the ammunition for that attack being what  
15:40:36 20 brought - Bockarie brought back from Burkina Faso, you said all  
21 of these Prosecution witnesses were lying. But you didn't tell  
22 the truth to the Chamber about that, did you?

23 A. Well, I said - I have said what I recall here.

24 Q. Because you yourself testified in 2007, I read to you four  
15:41:08 25 different passages, that the ammunitions came from Burkina Faso,  
26 and you are lying to this Trial Chamber about it, trying to  
27 protect Charles Taylor for his responsibility for the terrible  
28 things that happened in 1998 and 1999 in Sierra Leone; isn't that  
29 true?

1 A. No, that's not true. Because that ammunition really -  
2 where I fought with that ammunition coming down to Makeni,  
3 terrible things did not happen there. Terrible things did not  
4 happen there because - yes, I said terrible things did not happen  
15:41:59 5 there because even the civilians from Kono, one was called as a  
6 Prosecution witness, that is the prominent person.

7 Q. I have to stop you, because that wasn't my question. My  
8 question is about why you changed your testimony. Mr Sesay, you  
9 testified under oath in 2007 the ammunition came from Burkina  
15:42:25 10 Faso. That was the truth. Were you telling the truth in 2007 or  
11 were you lying?

12 A. I said when - after I had testified, when I was reading the  
13 transcript, I realised that the account I had given was not the  
14 right account. I said the ammunition - that part of the  
15:42:49 15 ammunition, Bockarie told me that he had bought them from Lofa.

16 Q. I'm going to move on, Mr Sesay.

17 JUDGE DOHERTY: Mr Sesay, you read the transcript and then  
18 realised. How soon after giving the evidence did you read the  
19 transcript and make this realisation?

15:43:17 20 THE WITNESS: My Lord, when I finished testifying, my  
21 lawyers brought the transcripts to me. So it was at that time  
22 that I read the transcripts.

23 JUDGE DOHERTY: Did you mean that when your entire evidence  
24 was finished, you read the transcripts, or when you were finished  
15:43:47 25 for that particular day?

26 THE WITNESS: No. After I had finished testifying, because  
27 they were not bringing them every day. It was after I had  
28 completed my testimony, they put it all together and brought  
29 them.

1 JUDGE DOHERTY: Thank you, Mr Koumji an.

2 MR KOUMJIAN:

3 Q. Mr Sesay, I read you transcripts where you talked about  
4 Burkina Faso from 17 May to 22 June, four times. Four times you  
15:44:21 5 said the ammunition came from Burkina Faso; isn't that correct?

6 A. Well, I can't remember.

7 Q. More than a month in between 17 May and 22 June, and you  
8 were consistent in saying the ammunition came from Burkina Faso;  
9 isn't that right?

15:44:43 10 A. Well, after I had finished testifying, that was when they  
11 made the transcripts available to me, when my lawyers brought  
12 them to me.

13 Q. And Mr Sesay, before you testified in this case that the  
14 ammunition did not come from Burkina Faso, did you realise that  
15:45:07 15 Charles Taylor testified that he sent his chief of protocol,  
16 Musa Cisse, on that trip to Burkina Faso with Sam Bockarie? Did  
17 you know that?

18 A. I don't know that.

19 Q. Well, did Musa Cisse go on that trip?

15:45:27 20 A. I did not go on the trip, so I don't know.

21 Q. Well, you've talked a lot about the trip. You talked in  
22 detail during your direct about who went. Who went on the trip,  
23 Mr Sesay?

24 A. Well, those who left Sierra Leone that I was aware of were  
15:45:51 25 Bockarie, SYB Rogers and Eddie Kanneh, because Lawrence and  
26 others said they stayed in Monrovia.

27 Q. You said Lawrence Womandia was sent because he spoke  
28 French, right?

29 A. Well, I don't know.

1 Q. Well, that is what you testified on direct, isn't it?  
2 Lawrence Womandia was chosen to go on the trip because he spoke  
3 French.

4 A. Well, they left Buedu to go, Lawrence, Bockarie, Eddie  
15:46:31 5 Kanneh, Pa Rogers. They left Buedu to go.

6 Q. Lawrence Womandia speaks French, correct?

7 A. Yes, he speaks French.

8 Q. And you know that's why he was chosen to go on the trip,  
9 correct?

15:46:45 10 A. Yes.

11 Q. Eddie Kanneh also speaks French, doesn't he?

12 A. Yes, but Lawrence's French is better than Eddie Kanneh's.

13 Q. So there'd be no reason for Charles Taylor to send an  
14 interpreter to go along with the delegation of Sam Bockarie,  
15:47:06 15 would there be?

16 A. Well, I don't know that.

17 Q. Well, do you know that Charles Taylor testified that Musa  
18 Cisse, his chief of protocol, would arrange arms deals, illicit  
19 arms deals, for him?

15:47:28 20 A. I don't know.

21 Q. Did you know that Charles Taylor testified that Musa Cisse  
22 would bribe people in various countries to allow arms to come  
23 into Liberia?

24 A. Well, I was not monitoring Mr Taylor's testimony.

15:47:48 25 Q. So, Mr Sesay, based on what you know about the delegation,  
26 if I told you that now that you know that Musa Cisse went on that  
27 delegation, he went there in order to arrange the arms deal;  
28 isn't that right?

29 A. I don't know.

1 Q. Okay. I'm going to move on to a different topic. Could  
2 the witness please be shown D-336. Excuse me. I forgot I have  
3 to readjust my outline a bit, so I'm going to skip this section  
4 for the moment, until I read the latest decision.

15:49:02 5 Mr Sesay, I want to talk to you about Sam Bockarie. He was  
6 a wicked man; would you agree?

7 A. Yes, I agree.

8 Q. He was a dictator, correct?

9 A. Yes.

15:49:27 10 Q. Let me tell you how a Defence witness described him, and  
11 this is from 13 April, page 2010, the bottom of page 38884, the  
12 last three lines, if that could be put on the screen. The last  
13 three lines:

14 "A. When Mosquito left after the Top Finals, when they  
15:50:30 15 took over finally, when they took over command of the RUF -  
16 I mean, when the Sierra Leonean vanguards took over command  
17 of the RUF" - next page - "he became a very senior person.  
18 That was where he started becoming the devil he was.

19 Q. You describe him as a devil?

15:50:52 20 A. Yes, I do, yes."

21 You would agree with that description of Sam Bockarie,  
22 wouldn't you?

23 A. He was a wicked man, but he was a human being, he was not a  
24 spirit.

15:51:09 25 Q. Let's go to page - to 12 April, page 38659. April 12  
26 page 38659. This is from another Defence witness.

27 Mr Sesay, so you understand, I'm going to start with the  
28 Prosecutor's question, where the Prosecutor was reading from a  
29 document about radio threats made by - or about threats made by

1 Sam Bockarie. So going towards the middle of the page, line 17.

2 The Prosecutor read:

3 "Q. 'The Revolutionary United Front will destroy every  
4 living thing if anything happens to their leader,  
15:52:11 5 Corporal Foday Sankoh,' RUF commander Sam Mosquito Bockarie  
6 told the newspaper For the People in a report published on  
7 Wednesday. Sankoh is currently being held at Pademba Road  
8 Prison in Freetown where he is preparing an appeal against  
9 his conviction and death sentence on treason charges. 'I  
15:52:35 10 am a ruthless commander,' Bockarie said in a telephone  
11 interview. 'I am ready to damage, but I am waiting until  
12 something happens to Sankoh. When I take Freetown, I shall  
13 clear every living thing and building. To my God, I'll  
14 fight, I'll kill and kill, and the more they tell me to  
15:52:57 15 stop, the more I'll kill. Only Sankoh can tell us to  
16 stop.'"

17 Before I go on, Mr Sesay, do you recall Sam Bockarie making  
18 threats like this in 1998, in late 1998 and early 1999?

19 A. Well, in late '98 December to early '99 I was not in Buedu  
15:53:24 20 with Bockarie. I left to go to Kono and I was in Makeni  
21 until April when I went back to Buedu '99.

22 Q. You had a radio; correct? Let me clarify. First of all,  
23 you had a commercial radio. You could listen to Focus on Africa  
24 and other programmes, correct?

15:53:47 25 A. Yes, I used to listen to radio but not on a daily basis  
26 because during those times I was under operation.

27 Q. And, sir, you are aware that Sam Bockarie was making these  
28 threats to attack Freetown in December 1998, aren't you? You  
29 were the battle group commander of the RUF; weren't you aware of

1 these threats?

2 A. Sam Bockarie usually makes threats when he's far away from  
3 Freetown.

4 Q. So your answer is yes, you do know that Sam Bockarie was  
15:54:25 5 making threats to attack Freetown. Is that what you're saying?

6 A. No. Because Sam Bockarie was not in communication with SAJ  
7 Musa who was going to attack Freetown. So he wouldn't be able to  
8 threaten Freetown when he didn't have people who would attack  
9 Freetown.

10 Q. So are you saying you, Issa Sesay, the battle group  
11 commander of the RUF, were unaware of threats made by  
12 Sam Bockarie to attack Freetown in late 1998 and early 1999?

13 A. Sam Bockarie used to - do you mean Sam Bockarie used to  
14 call BBC to make those threats?

15:55:12 15 Q. BBC and other media, yes. Newspapers, radios. You know  
16 that, don't you?

17 A. No, well, I was not in Buedu in early '99, so if  
18 Sam Bockarie speaks in his telephone, if he did not - if he does  
19 not tell me I wouldn't know. Except if he tells me that, "Oh, my  
15:55:33 20 man so and so a thing is going on," then I'll know.

21 Q. But, Mr Sesay, you've testified throughout your direct  
22 about knowing all the things that Sam Bockarie was doing. You  
23 talked about all of his trips to Monrovia. Now are you saying  
24 that you only know what was happening in Pendembu, you don't know  
15:55:51 25 what was going on in Buedu?

26 A. No. Being in Pendembu - the distance between Pendembu and  
27 Buedu is 34 miles. Makeni and Buedu, they would have to inform  
28 me through a radio because it's a very long distance and somebody  
29 cannot just leave Buedu to Makeni. But if I was in Pendembu I

1 would find out that Mike Lamin would come from Buedu to meet me  
2 in Pendembu. Every week Mike Lamin would come two or three  
3 times. But I won't dispute the fact that Bockarie did not call  
4 and make threats because even some ambassadors in Guinea, he used  
15:56:31 5 to call people to make threats that he would fight until Sankoh  
6 is released.

7 Q. So you heard Sam Bockarie make threats to attack Freetown;  
8 correct?

9 A. He was talking in terms of releasing his leader. He was  
15:56:48 10 saying if they do not release his leader, nobody would tell him  
11 to stop fighting. But those who had attacked Freetown were not  
12 sent by Sam Bockarie. So he cannot make threats on behalf of SAJ  
13 Musa when SAJ Musa was not telling him his day-to-day movement  
14 towards Freetown.

15:57:05 15 Q. He was making threats on behalf of the RUF, correct? He  
16 was making threats on behalf of the RUF to attack Freetown,  
17 correct?

18 A. He was making threats on behalf of the RUF because he had  
19 control over the RUF.

15:57:21 20 Q. And Freetown was a seat of power, that was the objective of  
21 the RUF throughout the war; correct?

22 A. Yes, you're right.

23 Q. Freetown was also the headquarters of ECOMOG, correct? And  
24 the Government of Sierra Leone? That's two questions. Let me  
15:57:37 25 break it down. It was the headquarters of the Government of  
26 Sierra Leone, correct?

27 A. The answer to all the two questions is yes.

28 Q. Thank you. So Sam Bockarie was threatening to attack  
29 Freetown. When he said he's going to overthrow the government



1 it's clear he was threatening to attack Freetown, correct?

2 A. Yes, Sam Bockarie, if he threatened to attack Freetown, he  
3 was the field commander of the RUF, but it was not Sam Bockarie  
4 who went to the battlefield. For example, they sent me from Kono  
15:58:16 5 down to Makeni. So if Sam Bockarie threatens to kill and kill,  
6 the RUF was just there to kill. But when I came to Makeni I did  
7 not kill civilians. But when Bockarie comes on the radio and  
8 says something, what happens on the ground are two different  
9 things. Look at the hundreds of Kamajors in Makeni. No

15:58:40 10 atrocities were committed in Makeni. I did not kill civilians.  
11 So Bockarie's threat was to just make himself fearful or wicked  
12 to the world. But when it comes to what happened on the ground,  
13 those of us who were fighting the war on the battlefield, we were  
14 Sierra Leoneans.

15:59:00 15 Q. Yes. You have claimed in your direct examination that you  
16 captured, I believe, a couple thousand Kamajors and you sent them  
17 to training and integrated them into the RUF or sent them back to  
18 their homes. Is that right? That's what you claimed?

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

15:59:16 20 Q. Those were civilians, they weren't Kamajors?

21 A. Oh, my God. You were not in Sierra Leone, that's why you  
22 are saying they were civilians. You were not in Sierra Leone.  
23 And even during my defence case, some of them came and confirmed  
24 before the Court that they were Kamajors who surrendered and were  
15:59:36 25 retrained and were deployed in the RUF. They came as my defence  
26 witnesses. The commander in Masingbi became, the other commander  
27 came. They came and testified. And even the commander in Makeni  
28 for the Kamajors, the Civil Defence Force, he came to testify on  
29 my behalf as a witness. So if you are claiming that they were

1 civilians, you were not in Sierra Leone.

2 Q. The people that you captured, civilians, in areas not  
3 controlled by the RUF, you considered enemies. Any civilian in  
4 an area that had not been controlled by the RUF that you captured  
16:00:13 5 was considered an enemy. Isn't that right?

6 A. No, no, no.

7 Q. The people of Koidu in particular, in Kono District, they  
8 were considered your enemies because they'd expelled you after  
9 the intervention. The young people of Kono had expelled the RUF  
16:00:35 10 and the AFRC. Isn't that right?

11 A. Well, I would respond to your question because there is  
12 some truth in it and some part of it is not true, because if you  
13 say the young men of Kono during the intervention joined the  
14 Kamajors against the AFRC, because the AFRC had a battalion of  
16:01:03 15 soldiers in Kono, some of them were captured and burnt alive and  
16 the AFRC withdrew from Kono. So there was that grudge between  
17 the AFRC and the RUF and the Konos. This was what caused the  
18 destruction in Kono between March - between April and May before  
19 ECOMOG captured Kono.

16:01:27 20 But when I came in December and captured Kono, a prominent  
21 civilian - in fact, it was the Prosecution - Prosecutor who  
22 brought him as a Prosecution witness and he confessed that at the  
23 time that I captured Kono in '98, I and the Kono people came back  
24 to Kono and life changed for them. And that was the fact. And I  
16:01:50 25 did not terrorise the people of Kono, because that was where I  
26 captured ECOMOG. ECOMOG who was attacking us with jets and  
27 cluster bombs. If I could capture ECOMOG and does not kill them,  
28 I don't see any reason why I should kill civilians. I have no  
29 good reason of killing civilians.

1 Q. How many he ECOMOG were killed in the attack on Koidu?

2 A. I don't know. I only know about those whom we captured.

3 It was - it was a war. They killed us and they too died.

4 Q. Let me continue with where I was reading on this page.

16:02:34 5 Sorry if it's been taken off the screen. It's the bottom of  
6 page 38659 from 12 April, the very last line. The Defence  
7 witness was asked.

8 "Q. Now, Mr Witness, you were aware that Sam Bockarie made  
9 that threat in November 1998, weren't you?

16:03:04 10 A. Well, now you've come to the point that I want when  
11 you've mentioned Foday Sankoh. I know that Sam Bockarie  
12 can - would even say more than this. The date Foday Sankoh  
13 was captured he made that threatening remark against the  
14 country, yes. And now that you've mentioned Foday Sankoh,  
16:03:23 15 yes, Sam Bockarie would do that. Yes, he said that. He  
16 would do it."

17 And then he was asked if that was the only threat  
18 Sam Bockarie made in 1998 and he said:

19 "Yes, I told you Sam Bockarie. I told you that since '97  
16:03:40 20 he was a bad leader. I told you. I told you in my statement he  
21 was a bad leader. He can make any remark. Even those of us who  
22 were fighting, he threatened us. Who else? Now that you've  
23 called Pa Sankoh's name, I've got the gist of it. He just made  
24 that statement".

16:04:00 25 Going down a few lines he says, "He was a wicked  
26 commander." And you've already agreed - you agree, don't you,  
27 that Sam Bockarie was wicked? Is that right?

28 A. Yes, I said so. Because even towards the Kamajors whom  
29 they said were civilians, when he captured Kamajors in Kailahun

1 he killed all of them.

2 Q. Those weren't Kamajors. Again you're calling Kamajors  
3 civilians. Those people were just civilians that were captured.  
4 Isn't that right?

16:04:37 5 A. Well, I was not present when they were arrested but those  
6 who carried out the investigation, they said they had Kamajors  
7 marks. Those who investigated them did not see Kamajors marks -  
8 those who did not have Kamajor marks from Bambara were released.  
9 Those who carried out the investigation, they came to the Court  
16:05:02 10 and they explained that.

11 Q. Kamajor marks are marks - Kamajor is a traditional hunting  
12 society. Isn't that right?

13 A. Kamajor marks --

14 Q. Let me rephrase my question because perhaps I wasn't clear.

16:05:19 15 A. Yes, sir.

16 Q. Kamajor is a traditional hunting society. Isn't that  
17 right?

18 A. Well, I won't call them so because their marks were at the  
19 back and in front. I am a traditional man too. I am a Poro man.  
16:05:37 20 I know that the marks of the Kamajors are different from that of  
21 the natural hunter.

22 Q. And those people that were killed by Sam Bockarie at the  
23 roundabout in Kailahun Town, and on his orders, they were people  
24 that he had called back to come back to Sierra Leone after the  
16:05:56 25 coup. Isn't that right?

26 A. Yes, I agree. When he stood in Daru and told the civilian  
27 population - the paramount chief, the battalion commander, he  
28 called them in Daru. He told the paramount chief and the  
29 civilians that they are allowed to return to their various homes

1 in Kailahun. He said they were welcome to go back.

2 Q. In fact, the real Kamajors didn't come back. They kept  
3 fighting the RUF throughout the junta period. Isn't that right?

4 A. Well, what I heard, because I was not there - some of the  
16:06:37 5 people whom Bockarie killed, Bockarie had no right to kill them,  
6 even if they had been Kamajors. But some of those who were  
7 killed had marks and they said they were Kamajors.

8 Q. In fact, those who came back were generally people that  
9 were related in some way to the RUF and many of those killed were  
16:06:57 10 RUF relatives. Isn't that true?

11 A. Some of them were RUF relatives, but they were Kamajors.

12 Q. We've heard a lot about that killing in Giehun from many  
13 witnesses who were part of the RUF. Mr Sesay, help me a little  
14 bit about that. Those two instances are so well known among the  
16:07:19 15 RUF, both the Luawa Giehun killings and the alleged Kamajor  
16 killings at Kailahun Town by Bockarie, because it was RUF killing  
17 its own people. That's why it's so famous among the RUF. Isn't  
18 that right?

19 A. Well, I can recall two incidents in Kailahun that happened  
16:07:46 20 in relation to killings. For the Kamajors, there were Kamajors  
21 whom Sam Bockarie asked to be investigated and it was proven that  
22 they were Kamajors that killed him on his own but without  
23 consulting any of the commanders. It was an independent act  
24 carried out by himself. And the killing in Giehun, that - Foday  
16:08:08 25 Sankoh himself gave instruction to his commanders, Rashid  
26 Mansaray and Mohamed Tarawalli. And by then Bockarie was not a  
27 prominent commander. It was Mohamed and Rashid who were the  
28 prominent commanders. And the killing of Isaac Mongor at the  
29 Guinean border. These were the incidents that happened in

1 Kailahun, that up until now he cannot go to Kailahun.

2 Q. Jande was killed in that killing at Luawa Chiefdom, Giehun;  
3 isn't that right?

4 A. Yes, that's where he was killed, in Giehun Town, Luawa.

16:08:56 5 Q. And she was a wife or concubine, whatever word you want to  
6 use, of Foday Sankoh, isn't that right?

7 A. Well, that was what everybody knew. I was not the only  
8 person.

9 Q. How was she killed?

16:09:15 10 A. Well, I was not on the scene but what I heard was that she  
11 was executed. She was shot.

12 Q. Mr Sesay, everyone in the RUF knows she was killed by  
13 boiling oil being poured on her. You heard that, didn't you?

14 A. No. I don't know. I was injured. I was in the hospital  
16:09:49 15 and I was in the hospital when Mohamed Tarawalli went and  
16 arrested Jande in Mofindor, placed her in a pick-up and Ansu  
17 Nemahun, they tied them.

18 THE INTERPRETER: Your Honour, can he kindly repeat this  
19 answer slowly.

16:10:03 20 PRESIDING JUDGE: Please repeat the answer slowly.

21 THE WITNESS: I said, my Lord, they killed them in Giehun.  
22 I heard that they were killed in Giehun. But the time that they  
23 killed Jande and others I had been injured before this arrest in  
24 Pendembu when we went on an attack. I was at the hospital in  
16:10:29 25 Pendembu, I mean in Kailahun, sorry, when Mohamed Tarawalli  
26 arrested Jande.

27 PRESIDING JUDGE: Mr Sesay, I'm going to stop you there.  
28 That is why counsel asked you whether you heard the manner in  
29 which she died. He didn't ask you whether you were there. He

1 didn't ask you where you were even. He asked you if you had  
2 heard that Jande was killed by boiling oil being poured on her.  
3 Did you hear that?

16:11:07 4 THE WITNESS: I heard that she was shot. She was shot when  
5 they killed her.

6 MR KOUMJIAN:

7 Q. And who killed her?

8 A. It was Mohamed Tarawalli who arrested them and it was - it  
9 was Mohamed Tarawalli took them to Gi ehun, she and Ansu Nemahun.

16:11:27 10 Q. How many people, according to you, in Gi ehun were killed?

11 A. I did not know the exact figure because I was not there.

12 PRESIDING JUDGE: What was the second name that the witness  
13 said? She and who?

14 THE WITNESS: Ansu Nemahun.

16:11:53 15 PRESIDING JUDGE: Mr Interpreter, please spell that for us.

16 THE INTERPRETER: Ansu is A-N-S-U, and Nemahun is  
17 N-E-M-A-H-U-N.

18 MR KOUMJIAN:

19 Q. Who killed her? You said Mohamed Tarawalli arrested them.

16:12:11 20 Who killed her?

21 A. I heard that it was Mohamed.

22 Q. How many people from Gi ehun - did you hear how many people  
23 were killed?

24 A. No, I did not hear the figure. I did not hear the figure.

16:12:36 25 Q. Mr Sesay, you don't want to talk about how she died or how  
26 many of the civilians were killed in Gi ehun because you were one  
27 of the executioners, isn't that true?

28 A. No. If I was involved in the killing in Gi ehun, believe  
29 you and me, the name that I showed, that man was Ansu's brother,

1 and there were other two witnesses. In fact, the oldest witness  
2 in my defence case was an old man from Giehun. Three Defence  
3 witnesses came to testify for me from Giehun Town itself.  
4 Honestly, had I been involved in that killing - those people  
16:13:20 5 wouldn't have abandoned their jobs to come and testify on my  
6 behalf. They wouldn't have done so. In fact, they would have  
7 had a grudge for me.

8 Q. If you were the one that saved them out of all the others  
9 that you killed. Mr Sesay, you told a story on your direct  
16:13:36 10 examination that you couldn't have done the killing because you  
11 were in the hospital; is that right?

12 A. I said I wouldn't have been able to kill these people  
13 because I was in hospital, and, if I was involved in that  
14 killing, those people wouldn't have come because they had heard  
16:13:55 15 that I had been arrested. What would they have come to do there?  
16 And even if they were coming - I mean, they would have been  
17 afraid for their own people. They wouldn't have even come to  
18 close to me. If I had protected them for them not to be killed,  
19 and if that was the case, then they wouldn't have liked to come  
16:14:15 20 close to me, for people not to know that they had come to defend  
21 me.

22 Q. Let me ask the question again: You told a story in your  
23 direct about being in the hospital when the killing took place;  
24 is that right?

16:14:26 25 A. Well, when I was being led, I am not sure they asked me  
26 about killing in Giehun, so I cannot recall that I testified  
27 about that or I testified about the whereabouts, I don't know.

28 Q. So now you don't remember whether or not you were in the  
29 hospital at the time of the killing?



1 A. I said I don't know whether my lawyer did not ask me about  
2 that.

3 Q. I'm talking about in this trial. In this trial.

4 A. Yes.

16:14:59 5 Q. Did you say you were in the hospital when the killing took  
6 place? In Gi ehun when the killings --

7 A. I said I was in a hospital when they went and arrested  
8 Jande. That was what I said.

9 Q. But you obviously were not in the hospital, were you?

16:15:18 10 A. No, I was in the hospital.

11 Q. Because you told us that you saw her tied on the jeep of  
12 Mike Lami n, so how would you be in the hospital and saw her being  
13 brought - being tied to a jeep?

14 A. The hospital by then that was being used was right at the  
16:15:37 15 roundabout. The storey building at the roundabout was the  
16 hospital. It was not Mike Lami n's jeep. I said a pick-up that  
17 Mohamed was using. It was at the back that they were put, not a  
18 jeep.

19 Q. Sir, you said you were in the hospital because you'd had a  
16:15:53 20 wound to your buttock; is that right?

21 A. That was what I said.

22 Q. And is that your alibi for the Gi ehun massacre, that you  
23 were in hospital with a wound to your buttock?

24 A. That was what happened.

16:16:11 25 Q. So how is it that you saw her on Mohamed Tarawalli's  
26 vehicle when she was tied and brought?

27 A. I was at the clinic at the hospital that was being used,  
28 the storey building going towards the police station, and the  
29 pick-up came from Mofi ndor and parked by the mango tree close to

1 the court barri. You could be up that building and you'd see  
2 right down the mango tree. When they came - when Mohamed  
3 Tarawalli and others came and parked the vehicle the MPs  
4 assembled there.

16:16:47 5 Q. And you walked up and talked to him, right?

6 A. No. Where I was in the building, I did not come down from  
7 there.

8 Q. The killing of Rashid Mansaray and others, that's all part  
9 of the same broader incident with the killing of Jande, isn't  
16:17:09 10 that true?

11 A. No, that's a different incident. That was after the  
12 killing of Jande and others had taken place.

13 Q. It was all part of one Foday Sankoh paranoid kill his  
14 imagined enemies. Isn't that true?

16:17:27 15 A. I said those were two different incidents that you are  
16 talking about. Those are two different incidents.

17 Q. Let's treat them differently. Rashid Mansaray was arrested  
18 and you were appointed to investigate him, isn't that true?

19 A. Okay. Let me explain. It's not true because, after the  
16:17:46 20 killing of Jande and others, RUF was in control of Kailahun Town.  
21 After the NPRC had pushed the RUF from Giahun and Kailahun Town,  
22 Mr Sankoh was in Sandiaru, Rashid Mansaray was in --

23 THE INTERPRETER: Your Honours, can he kindly repeat the  
24 name of this place.

16:18:10 25 PRESIDING JUDGE: Please pause. You said "After the NPRC  
26 had pushed from", I don't know pushed who, "from Kailahun Town,  
27 Mr Sankoh was" - was where - was in where?

28 THE INTERPRETER: Sandiaru, a village away from Balahun.  
29 You would have to branch off.

1 PRESIDING JUDGE: So is that your answer?

2 THE WITNESS: Well, I did not complete my answer when you  
3 stopped me, ma'am. I said Issa - Rashid was in Mano Sewaru,  
4 Mr Sankoh was in Sandiaru, Mohamed Tarawalli was in Kpandebu,  
16:19:04 5 while Bockarie was in Giema. It was Mr Sankoh who arrested - who  
6 called - who called Rashid Mansaray to a meeting. He took him  
7 from Mano Sewaru and brought him to Sandiaru. When they arrived,  
8 Mr Sankoh told him that he was under arrest because of certain  
9 information that Mr Sankoh had gathered. He arrested him in  
16:19:28 10 Sandiaru. He investigated him, it was recorded on the  
11 tape-recorder, and it was after the investigation that Mr Sankoh  
12 sent him to Kpandebu to Mohamed that he should be sent to a  
13 battle front where he should be killed. So he sent him to  
14 Mohamed.

16:19:48 15 PRESIDING JUDGE: And where were you when all of this  
16 happened, Mr Sesay?

17 THE WITNESS: My Lord, I said I was in Kpandebu. I was in  
18 Kpandebu with Mohamed Tarawalli, but I did not investigate  
19 Rashid. It was Mr Sankoh himself who investigated Rashid.

16:20:05 20 PRESIDING JUDGE: Mr Interpreter, could you spell the word  
21 of that location.

22 THE INTERPRETER: Kpandebu? It's K-P-A-N-D-E-B-U.

23 MR KOUMJIAN:

24 Q. Mr Sesay, what role did Sam Bockarie have in the killing of  
16:20:23 25 Rashid Mansaray and others in that same incident?

26 A. Well, the other people who were involved with Rashid were  
27 sent to Sam Bockarie.

28 Q. And killed?

29 A. Yes. Yes, like Kei fa Wai, they were sent to Sam Bockarie's

1 area, Kei fa Wai and G1 Kanneh. But Rashid, it was on the main  
2 road, which was Rambo's target. Rambo and others killed him.

3 Q. Rambo, as in Boston Flomo?

4 A. Yes, that same.

16:21:03 5 Q. How about Jaffa Massaquoi, what happened to Jaffa  
6 Massaquoi, Jaffa, J-A-F-F-A?

7 A. Jaffa was Mr Sankoh's bodyguard. They were involved in  
8 that case. He was sent to the other target. Yes, yes. They  
9 were involved.

16:21:24 10 Q. Richard Horo, H-O-R-O, he was killed?

11 A. Yes, Richard Honero.

12 Q. Honero? Can you spell it?

13 A. No, I don't know how to spell it, Honero.

14 MR KOUMJIAN: H-O-N-O-R-O, just phonetically, your Honour.  
16:21:50 15 Phonetically, your Honour.

16 Q. Kei fa Wai was your friend?

17 A. Yes.

18 Q. He had been tricked into the RUF the same way you were,  
19 isn't that true?

16:22:01 20 A. Yes.

21 Q. You used to sell cigarettes together with him in the Ivory  
22 Coast; is that right?

23 A. Yes.

24 Q. What happened to him when he was killed?

16:22:15 25 A. Rashid called him - Rashid named him, that he had recruited  
26 them, for them to overthrow Mr Sankoh, and he joined them to a  
27 certain group of the SLAs who would have formed a certain  
28 organisation to fight against the NPRC.

29 Q. You are saying Rashid Mansaray gave this confession on

1 tape; is that right?

2 A. Yes, it was Mr Sankoh who conducted the investigation in  
3 Sandiaru.

4 Q. And why did Rashid Mansaray, if you know, confess to  
16:22:52 5 something that would obviously get him killed?

6 A. Well, it was the leader who conducted his investigation in  
7 Sandiaru. I was in Kpandebu.

8 Q. Was Mansaray tortured?

9 A. Yes. He was flogged. Mr Sankoh gave an order for him to  
16:23:18 10 be flogged he too had just killed people because of the same  
11 reason: conniving. Because he was with Mohamed in Giahun when  
12 they killed people. So he too - an information came out that he  
13 was organising to overthrow Mr Sankoh.

14 Q. So let's go back to your friend Kei fa Wai. What happened  
16:23:41 15 to him?

16 A. I said when Rashid confessed and named them, Kei fa Wai too  
17 was arrested and Mr Sankoh gave an order that all of them who  
18 were involved, Mr Mohamed should distribute them to the front  
19 line and they should face execution, because his fighters were  
16:24:00 20 dying at the front line and they were organising to overthrow  
21 Mr Sankoh and join the NPRC, so let them go and answer questions  
22 to the fighters who were dying on the front line. So it was he  
23 who gave orders for them to be killed at the front line.

24 Q. So which ones were sent to you for killing?

16:24:21 25 A. Say that again?

26 Q. Which ones were sent to you for killing?

27 A. No, I did not kill. They did not kill anybody on the  
28 ground where I was in Kpandebu. I said Rashid - the highway is  
29 Kpandebu. Ahead of the highway there is Boubu. That was where

1 Rambo was as commander. So I was in Kpandebu with Mohamed. So  
2 when Mr Sankoh sent Rashid, that he should go to Boubu, I sent  
3 him to Boubu. That was where Mohamed sent him.

4 Q. Who killed your friend Kei fa Wai?

16:25:01 5 A. Kei fa Wai was sent to Mosquito's area.

6 Q. Did Sam Bockarie, Mosquito, kill Kei fa Wai? He's your  
7 friend. You know who killed him, don't you?

8 A. Yes, but you've asked me a question. Can't you wait for me  
9 to answer it? I said he was - Kei fa Wai and others were sent to

16:25:29 10 Sam Bockarie's target. It was the soldiers who were at the front  
11 lines that killed them, but it was Sam Bockarie who was the  
12 commander in that area.

13 Q. And what happened to Kei fa Wai's body?

14 A. Well, I understood that the soldiers at the battlefield  
16:25:49 15 killed him.

16 Q. That wasn't my question. What happened to his body?

17 A. It would have remained at the front line.

18 Q. They put his head on a stick; isn't that true?

19 A. Well, I did not know whether his head was put on a stick.  
16:26:08 20 I heard that he was killed at the front line, and when they kill  
21 you at the front line, that is where your body would remain.

22 Q. You know that they put heads on sticks before in the RUF;  
23 isn't that true?

24 A. Well, I never did it, and I never did it where I was, but  
16:26:32 25 it used to happen at the battlefield.

26 Q. And why did you put heads - Why did the RUF put heads on  
27 sticks, Mr Sesay?

28 A. Well, ask the soldiers too who were killing the RUF. They  
29 removed their remains and placed their heads on sticks, and the

1 Kamajors were doing the same thing.

2 Q. That wasn't my question. Please answer it. Why did the  
3 RUF put heads on sticks?

4 A. Well, for example, if a soldier comes and attacks - if a  
16:27:07 5 soldier attacks and he meets with the RUF and they fight, the way  
6 the RUF sees the --

7 THE INTERPRETER: Your Honours, can he take his answer very  
8 slowly and repeat.

9 PRESIDING JUDGE: Mr Sesay, I just want you to answer the  
16:27:21 10 simple question why the RUF had this practice of putting people's  
11 heads on sticks. Simple answer. Why?

12 THE WITNESS: But, my Lord, it was not just the RUF that  
13 was doing it, you see.

14 PRESIDING JUDGE: I am not asking - or I'm not interested  
16:27:41 15 in what other people did, because you cannot speak for other  
16 people. Okay? You cannot speak for the AFRC. You can't speak  
17 for the Kamajors. You can only speak for the RUF. So please  
18 answer the question that I asked.

19 THE WITNESS: Yes, my Lord. If RUF puts somebody's head on  
16:28:00 20 a stick, it was to displace his body. But I used to go to the  
21 battlefield. I used to see what was happening there.

22 MR KOUMJIAN:

23 Q. And it was to create fear; isn't that right? That's why  
24 you put - the RUF put heads on sticks, to frighten people,  
16:28:23 25 correct?

26 A. Well, it was not a civilian zone. It was fighters who were  
27 there. It's a target. And it's the fighters that have done the  
28 killing.

29 Q. Did the RUF learn this practice of putting heads on sticks

1 from the NPFL soldiers who were among you in the beginning of the  
2 war?

3 A. No, I don't know of that.

4 Q. Because the NPFL soldiers, they raped civilians, they  
16:28:55 5 killed civilians, they even committed acts of cannibalism; isn't  
6 that true?

7 A. Yes. They killed people in Kailahun. That was why we rose  
8 against them, which caused Mr Taylor to withdraw them.

9 Q. So did the RUF learn these practices of how to treat  
16:29:15 10 civilians from the NPFL?

11 A. No. Wickedness is not something you learn from someone.  
12 For example, to capture - to capture somebody and start removing  
13 his nails. We started hearing that from the Guineans when they  
14 started capturing RUF at the front lines in Daru. So wickedness  
16:29:43 15 is not something you buy from someone. Even before the war,  
16 people were committing crimes.

17 Q. Mr Sesay, trying to cover a little bit more in the last few  
18 minutes. Sam Bockarie killed BS Massaquoi, a very famous,  
19 prominent, popular man in Kenema, in February 1998; isn't that  
16:30:01 20 true?

21 A. Yes, that's true.

22 Q. And others with him, he killed in Kenema at the same time,  
23 correct?

24 A. Yes.

16:30:11 25 Q. He also ordered the killing of Dr Kamara in the Buedu MP  
26 office; isn't that true?

27 A. That one was killed by Mike Lamin.

28 Q. Correct. On the orders of Sam Bockarie, correct?

29 A. Yes. It was Bockarie who gave the order.



1 MR KOUMJIAN: I want to move on to Operation Stop Election.  
2 I don't know if your Honour - this might be an appropriate time.

3 PRESIDING JUDGE: Yes, indeed. Mr Sesay, we're going to  
4 adjourn until tomorrow at 9 o'clock. In the meantime, you are  
16:30:48 5 not to discuss your evidence. Court adjourns accordingly.

6 [Whereupon the hearing adjourned at 4.31 p.m.  
7 to be reconvened on Friday, 13 August 2010, at  
8 9.00 a.m.]

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## I N D E X

### WITNESSES FOR THE DEFENCE:

DCT-172	46083
EXAMINATION-IN-CHIEF BY MR GRIFFITHS	46083
CROSS-EXAMINATION BY KOUMJIAN	46147