



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 18 AUGUST 2010
9.00 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Ms Erica Bussey

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

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

For the accused Charles Ghankay
Taylor:

Mr Silas Chekera
Ms Logan Hambri ck
Mr Tor Krever

1 Wednesday, 18 August 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.16 a.m.]

09:16:50 5 PRESIDING JUDGE: Good morning. We will take appearances
6 first, please.

7 MR KOUMJIAN: Good morning, Madam President, your Honours
8 and counsel opposite. For the Prosecution this morning, Mohamed
9 A Bangura, Maja Dimitrova, we are joined by our intern Gordon
09:17:11 10 Brandt, and Nicholas Koumjian.

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

14 PRESIDING JUDGE: All right. First of all, I wish to
09:17:31 15 apologise for rising early yesterday. As you all know, we had to
16 rise early because the court was thrown into total darkness and
17 this was due to a technical problem that arose. I understand
18 somebody in the electricity room pushed the wrong button and set
19 us all in pitch darkness. I want to thank you for your
09:17:57 20 cooperation yesterday in rising from the court in a decent way,
21 albeit in darkness. And today we apologise for starting late
22 because we had problems with the server. Fortunately, I think we
23 haven't lost any data as a result of these technical problems and
24 I hope that we won't have any more problems for the rest of the
09:18:23 25 day.

26 However, I'd like to remind the parties that on Friday, 20
27 August, we have been requested not to sit because the technicians
28 want to service the court. We don't have much choice and we've
29 agreed that we will not sit on Friday, 20 August.

1 Good morning, Mr Sesay. We continue with your testimony in
2 cross-examination, and I remind you, as I normally do, of the
3 binding oath that you took to tell the truth.

4 WITNESS: DCT-172 [On former oath]

09:19:00 5 CROSS-EXAMINATION BY MR KOUMJIAN: [Continued]

6 Q. Good morning, Mr Sesay.

7 A. Yes, good morning, sir.

8 Q. Mr Sesay, do you know the expression "civilians have no
9 blood"?

09:19:16 10 A. Yes. RUF used to say that civilians had no blood. That
11 was something they used to say.

12 Q. And what does that mean?

13 A. That was just a slang. Because there were civilians among
14 the RUF throughout the war. That was just a slang.

09:19:40 15 Q. It was a slang that expressed the philosophy or, rather,
16 the practice of the RUF that killing civilians was permissible
17 because civilians had no blood, their blood didn't matter,
18 correct?

19 A. No. That was just a slang. It was not anything in
09:20:11 20 reality, because from 1991 to the end of the war there were
21 civilians in Kailahun.

22 Q. There were civilians that lived and there were civilians
23 that died, correct?

24 A. Yes. Civilians died.

09:20:27 25 Q. Let's go not to civilians but I want to ask you about
26 something involving killings of your fellow RUF and I want to
27 read to you from the transcript of a Defence witness, and this is
28 Mr Musa Faya, 14 April 2010, page 38920, please. I'm going to
29 begin to read from line 17. Mr Griffiths asked the Defence

1 witness:

2 "Q. Were any senior members of the RUF killed as a result
3 of that?

4 A. Yes.

09:21:36 5 Q. Such as?

6 A. Rashid Mansaray was killed as a result of that. He was
7 beaten to death by Mosquito and Issa. Keifa Wai was killed
8 as a result of that. He, they cut off his head."

9 Mr Sesay, the witness - here we have a witness for

09:21:59 10 Charles Taylor who said you participated in the killing, the
11 beating to death of Rashid Mansaray. That's true, isn't it?

12 A. That is the witness's opinion. But where Rashid Mansaray
13 was investigated, it was in Sandiaru and it was Mr Sankoh who
14 conducted the investigation. Where Rashid was killed, I was not
09:22:27 15 there. It was at the front line. I wasn't present there.

16 Q. Mr Sesay, when I hear someone say, "Well, that's the other
17 person's opinion", that means they acknowledge that that could be
18 true from what they know, that could be true. Are you saying,
19 well, it could be true, Fayia Musa could be telling the truth
09:22:47 20 that Rashid Mansaray was beaten to death by you?

21 A. No. I did not take part in it. And where Rashid was
22 killed was at the front line. And he was a civilian. He was not
23 there.

24 THE INTERPRETER: Your Honours, can the witness kindly
09:23:11 25 repeat this last part of his answer.

26 PRESIDING JUDGE: Mr Sesay, you have to slow down. It's
27 early on in the day. You have to slow down, because the
28 interpreters can't keep up with you. Now, repeat your answer,
29 please.

1 THE WITNESS: My Lord, I said Mr Fayia Musa will not have
2 good feelings about me particularly because we were the ones who
3 arrested him, so he can just say negative things against me.

4 MR KOUJIAN:

09:23:41 5 Q. Mr Sesay, this was not your trial so whatever Mr Musa Fayia
6 said would have no effect on you. He simply was called here by
7 the Defence of Charles Taylor and he's talking about what he
8 remembered. But I do agree with you that he has reasons not to
9 like you. And let's look at the transcript for 13 April 2010,
09:24:08 10 page 3887.

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

12 MR KOUJIAN: 13 April 2010, page 38887.

13 Q. Mr Sesay, Musa Fayia, Fayia Musa, showed this Court scars
14 that he had on parts of his body and then he said, if we go down,
09:25:08 15 after those scars were described by the judges, at line 10 he
16 said:

17 "That is not the only place I have scars. I have scars on
18 my back too. There was another day Mosquito and Issa Sesay went
19 to the village where we were imprisoned in Kangama. When they
09:25:31 20 went they told Johnny Paul Koroma, whom they had also arrested,
21 they told him to give them instructions to kill us. Johnny Paul
22 told them he would not do that. He said there was no way he
23 would do that because he was of the SLA and we were the RUF, so
24 he would not risk his own name. He would not place his own name
09:25:54 25 at all at risk by giving him instructions to kill us. So they
26 went to the place. It was a court barri. So they told myself,
27 Palmer and Mr Deen-Jalloh to go and hold the pillar, the pillar
28 of the barri. Then they asked one of the soldier, because by
29 then they were mixed, AFRC and the Sierra Leonean RUF, they told

1 an SLA soldier, a Sierra Leone government soldier, they told him
2 to beat us with the military belt, the belt that has the iron at
3 the end. We were beaten until our backs could get soaked, until
4 our clothes could get soaked. So if you see my back skin, you
09:26:43 5 will see that my skin at the back looks like a tiger."

6 Mr Sesay, you and Sam Bockarie ordered the beatings, the
7 regular beatings of the members of the external delegation, isn't
8 that true?

9 A. That is not the truth. The time they were beaten was the
09:27:05 10 time they were arrested. That is at the initial stage. And the
11 time when Johnny Paul went to Kailahun was almost a year when
12 Faya Musa and others were in custody, and I see no reason why
13 Johnny Paul should have given an order to - for them to be
14 killed.

09:27:33 15 Q. Well, if you convince Johnny Paul to give the order to have
16 them killed, no one in the RUF who was friends with the external
17 delegation could blame you. It would all be the responsibility
18 of Johnny Paul Koroma, isn't that true?

19 A. I did not see any reason for us to go and tell Johnny Paul
09:28:00 20 for them to be killed because they were in RUF custody for almost
21 a year.

22 Q. Mr Sesay, let me move on to another topic, and that is the
23 May 1997 coup by the AFRC. The time of the coup, the RUF was
24 under a lot of military pressure, correct, before the coup?

09:28:28 25 A. Before the coup, yes, because it started from January, the
26 attacks on the RUF started, when the government attacked the RUF
27 '97.

28 Q. And the government included the SLAs, and the Kamajors,
29 Kamajor forces were allied with the government SLAs, correct?

1 A. Yes.

2 Q. And these Kamajors, although not as well armed as the army,
3 they fought a lot harder and they were very aggressive in
4 attacking the RUF, isn't that true?

09:29:16 5 A. Yes. They were aggressive because they used guns, they had
6 five round single barrels, they had AKs. They were armed.

7 PRESIDING JUDGE: They had what?

8 THE WITNESS: Five round single barrels. They had single
9 barrels that used five rounds, that could be fed with five

09:29:39 10 rounds, and they had AKs and other weapons.

11 MR KOUMJIAN:

12 Q. So the single barrels were guns that, of course, could
13 shoot, could kill, they weren't as powerful as AK-47s and
14 couldn't fire as many rounds, correct?

09:30:02 15 A. No. It doesn't have an automatic mode like AK, but it's a
16 weapon also that kills.

17 PRESIDING JUDGE: Are you saying that the Kamajors had
18 these sophisticated guns?

19 THE WITNESS: Yes, my Lord.

09:30:21 20 MR KOUMJIAN:

21 Q. Well, let's go back a second. The Kamajors you said had
22 AKs and single barrels, correct?

23 A. Yes.

24 Q. And the single barrels are less sophisticated than the AKs,
09:30:35 25 correct?

26 A. Yes.

27 Q. The AK is a better weapon because it fires more rounds
28 faster and more accurately, correct?

29 A. Yes.

1 Q. So when the coup happened, how did you first learn of it?

2 A. Well, I was in Giema on 25 May 1997, and the Kamajors and
3 the SLA attacked us in the morning and we started fighting, up to
4 around 3 o'clock in the afternoon. One of my colleagues, CO
09:31:25 5 Lion, had a radio, and we heard on the radio that the Government
6 of President Tejan Kabbah had been overthrown, on the BBC, by the
7 Sierra Leone Army. So it was 3.05 that we got the news from the
8 BBC in detail.

9 Q. It was a regular practice of the RUF to have the BBC
09:31:50 10 monitored because you could learn what was happening in the
11 country, things you otherwise would not have found out about,
12 correct?

13 A. Yes. Some people liked to listen to the BBC. But not
14 everybody had access to a radio.

09:32:08 15 Q. And when news that was important came over the BBC, such as
16 this news about the overthrow of the government, the Government
17 of President Kabbah, that word spread quickly, even those that
18 didn't hear the radio report, they were told by their colleagues
19 very quickly, correct?

09:32:26 20 A. Yes. The word spread, but we were under attack. In fact,
21 on that day we captured a Sierra Leone soldier called Corporal
22 Mohamed in Giema.

23 Q. Thank you. You've explained that story in your direct
24 examination.

09:32:48 25 Now, when was it that you first heard Foday Sankoh instruct
26 the RUF to join with the AFRC?

27 A. Well, I heard that from Sam Bockarie, when Sam Bockarie
28 said that Mr Sankoh had sent a message through the radio in
29 Abidjan, that he had sent a message to him that he had a

1 discussion with Johnny Paul and Johnny Paul had invited the RUF
2 to join them, and later, I think one or two days, other people
3 listened to the SLBS and they heard that Mr Sankoh spoke on the
4 SLBS, that the RUF should join with the AFRC.

09:33:41 5 Q. Mr Sesay, do you know how it was that Johnny Paul Koroma
6 was able to speak to Foday Sankoh so soon after the coup?

7 A. Well, at that initial stage I did not know, but when I came
8 to Freetown, I came to know that after Johnny Paul had
9 overthrown, he called Mr Sankoh on the telephone and he spoke to
10 him. So it was that recorded tape that was played on the SLBS.

09:34:08

11 Q. When was - you were in Kailahun District at this time,
12 correct?

13 A. Yes.

14 Q. Far - about as far from Freetown as you could get, is that
15 right, within Sierra Leone?

09:34:28

16 A. Yes, I was far.

17 Q. When was it that you first came to Freetown?

18 A. I came to Freetown in June.

19 Q. Prior to you arriving in Freetown, there already were RUF
20 members in the city, correct?

09:34:51

21 A. Yes, because when Sam Bockarie got the instruction from
22 Mr Sankoh, that is the radio message that he sent, Sam Bockarie,
23 in turn, instructed Superman to move with his troops to join the
24 AFRC, when they went to Freetown; same with Isaac, from the
25 Kangari Hills to Makeni, and they went to Freetown as well. And
26 Sam Bockarie also left Kailahun, he left me in Daru, and went to
27 Freetown with some RUF.

09:35:17

28 Q. So Isaac Mongor went first to Makeni, on the instructions
29 of Bockarie, and then from Makeni to Freetown, correct?

1 A. Yes.

2 Q. Superman also moved with his troops into Freetown, correct?

3 A. Yes, he was the first RUF, together with his troops, that
4 first went to Freetown.

09:35:54 5 Q. When did Sam Bockarie first arrive in Freetown?

6 A. Sam Bockarie arrived in Freetown, I think around 29 or 30
7 May.

8 Q. In the first meetings of the new junta, the AFRC and the
9 RUF, the RUF was represented at the highest levels - the highest

09:36:22 10 level representatives from the RUF were Superman and Isaac

11 Mongor, correct?

12 A. Yes.

13 Q. Could the witness be shown P-131? Just reading from the
14 top, Mr Sesay, this document is labelled "AFRC secret, copy

09:37:36 15 number 4 of 31, AFRC secretariat, State House", and is dated 19
16 July 1997. And first, on the first page, we see a list of those

17 present. It reads that these are the minutes of the first

18 meeting of the AFRC held at the conference hall, defence

19 headquarters on Saturday, 19 July, 1997. Number 10 is Lieutenant

09:38:08 20 Colonel Issa H Sesay. That is you, correct?

21 A. Yes, that's me.

22 Q. And you were present at this meeting; is that right?

23 A. Yes, I was present.

24 Q. And number 9 is Isaac Mongor; is that correct?

09:38:27 25 A. Yes.

26 Q. Number 8, Dennis Mingo, that's Superman, correct?

27 A. Yes.

28 Q. Now, although Dennis Mingo, Superman, and Isaac are listed
29 above you, you later received an instruction from Foday Sankoh

1 that these Liberians should not be in official positions in the
2 junta, correct?

3 A. No. He did not say that they should not hold official
4 positions in the junta. He said they shouldn't serve as members
09:39:09 5 of the council, nor should they serve as ministers, but that they
6 could serve as military commanders. So Gibril Massaquoi brought
7 that message to Sam Bockarie, not to me.

8 Q. And that was because the - Foday Sankoh and the RUF didn't
9 want the people of Sierra Leone to be reminded that the RUF was
09:39:35 10 an army created in Liberia, correct?

11 A. Well, I don't think that was the reason. What I knew, and
12 what I learned from the message that Gibril brought from
13 Mr Sankoh, was that Mr Sankoh did not want the Liberians to serve
14 as ministers, nor did he want them to serve as council members.

09:40:02 15 Q. And why was that?

16 A. Because Mr Sankoh did not want Liberians to come and serve
17 as leaders or rulers of the Sierra Leonean people.

18 Q. Because you wanted to cover up the reality that the RUF was
19 an army, a surrogate army, of the Liberian leader Charles Taylor,
09:40:31 20 isn't that true?

21 A. Well, it was not the Liberian leader that owned the RUF.
22 The RUF was owned by Mr Sankoh, because he was the one who gave
23 the 90 days ultimatum to President Joseph Momoh, and he was the
24 leader of the RUF.

09:40:49 25 Q. These two Liberians, number 8 and 9, Superman and Isaac,
26 they continued to hold important military positions during the
27 junta, correct?

28 A. Well, Superman did not have a specific position during the
29 junta, although he was the Western Area commander for the RUF.

1 Isaac Mongor then became the anti-looting squad commander for the
2 junta in Freetown.

3 Q. When you worked together with the AFRC, you actually worked
4 out an arrangement where the AFRC, Johnny Paul Koroma, was paying
09:41:39 5 the RUF 30 million leones per month. Is that correct?

6 A. No. It was 50 million leones per month.

7 Q. Okay, 50 million leones per month was paid by the AFRC to
8 the RUF. Is that right?

9 A. Yes. Yes, sir. Yes, sir.

09:42:06 10 Q. And you attended regularly the meetings of the council,
11 correct?

12 A. Yes, I used to attend them at the time we were made council
13 members.

14 Q. But you didn't speak at them, did you?

09:42:30 15 A. No, I never used to speak.

16 Q. Because you never really were a person very politically
17 aware, correct?

18 A. Yes, I was not politically inclined and that was my first
19 time being in such a council, and they never used to ask me to
09:43:01 20 say something. I only used to go there, we would wait until the
21 authorities of the AFRC speak and that was what we used to go by,
22 but I was personally never asked to say anything.

23 Q. Because you weren't a person who had political experience
24 or was particularly interested in political or international
09:43:23 25 events, correct?

26 A. I had interest in politics but I was not asked to speak.
27 Like when Johnny Paul used to speak, he used to ask some other
28 people to speak. But when they did not ask me to speak, how
29 could I have spoken?

1 Q. So you were the type of person that deferred to those who
2 were senior to you, correct, in this area of political and
3 international affairs?

09:44:08 4 A. Well, I was not the only person who never used to talk,
5 because even with Morris Kallon and other RUF members like Mike
6 Lamin, they never used to speak in those meetings. When we went
7 there we used to sit down and the people who were at the high
8 table would speak, and from there the PLOs would speak and after
9 which the meeting was over. The PLO-1 to 3, they speak.

09:44:29 10 Q. The RUF did have some ministers as you just mentioned.
11 Mike Lamin was a minister. Is that correct?

12 A. No, no, no. Mike Lamin was not a minister, sir, during the
13 AFRC.

14 Q. What was his position?

09:44:47 15 A. In late 1997, Johnny Paul appointed him as director of
16 national security. So he had his office at the Wilberforce
17 Barracks and that was around December of '97.

18 Q. So this was an intelligence position. Is that correct?

19 A. Yes, sir.

09:45:09 20 Q. One of the main problems - the main problem facing the
21 junta was your lack of support from outside of Sierra Leone,
22 correct?

23 A. Yes.

09:45:32 24 Q. The international community condemned the coup. Isn't that
25 right?

26 A. Yes, sir, you are right.

27 Q. ECOWAS condemned the coup, correct?

28 A. Some ECOWAS states, because I recall it was not all the
29 ECOWAS states, because like for the Foreign Minister of Ghana,

1 Mr Victor Gbeho, when he visited Freetown, he had an interview
2 with the BBC and the things that he saw in Freetown was what he
3 said. And even the Guinean government used to host meetings in
4 which they gave the junta nine months for them to step down and
09:46:16 5 for them to hand over power to civilian rule. And those meetings
6 were held in mid - in Guinea and the ECOWAS states accepted it.

7 Q. You're speaking now of the Conakry Accord, correct?

8 A. Yes, sir.

9 PRESIDING JUDGE: Could we have the surname of the Ghanaian
09:46:37 10 minister? Victor who?

11 THE WITNESS: Mr Victor Gbeho.

12 PRESIDING JUDGE: Mr Interpreter, can you spell that?

13 THE INTERPRETER: Yes, your Honours, it's G-B-E-H-O.

14 MR KOUMJIAN:

09:46:57 15 Q. So no country officially recognised the junta, the
16 AFRC/RUF, as the Government of Sierra Leone. All countries
17 officially recognised President Kabbah, correct?

18 A. Well, the Conakry Accord at which members of the ECOWAS
19 states were present, I think it was one of the peace meetings
09:47:29 20 that recognised the AFRC to rule for just nine months and that
21 after nine months they were to hand over power back to a civilian
22 government, to civilian rule.

23 Q. So that accord simply acknowledged that Kabbah was the
24 legitimate government and the military junta should turn over
09:47:49 25 power in an orderly fashion within nine months. Is that right?

26 A. Yes.

27 Q. And another problem, a big problem that you faced, was that
28 the Kamajors never accepted the junta, correct?

29 A. Yes, the Kamajors did not accept the junta. But if it were

1 only up to the Kamajors, they wouldn't have been successful to
2 push the junta out of power, but the ECOMOG joined them through
3 the Mano River Bridge from Liberia and the Nigerians joined them.

09:48:47 4 Q. And in fact ECOMOG had conflicts, armed conflicts, with the
5 junta from the very beginning after the coup. It escalated in
6 February 1998, but you had been fighting with ECOMOG throughout
7 the junta period, correct?

8 A. Well, I was not in Freetown on the day of the coup and
9 during the first to second weeks. But when I came to Freetown
09:49:14 10 I was made to understand that on the day of the coup, the coup
11 makers and the ECOMOG had an exchange of fire at the State House,
12 and within a week, around June 2, some fighting took place at
13 Mammy Yoko where the AFRC attacked the ECOMOG and the ECOMOG
14 Nigerians surrendered and they were about 300 and some more.

09:49:43 15 Q. Also ECOMOG continued to occupy Lungi airport, correct?

16 A. Yes, the ECOMOG occupied the Lungi airport throughout the
17 nine months - I mean the AFRC coup time and they also occupied
18 Jui.

19 Q. Thank you. That was my next point. Also there was
09:50:06 20 fighting at Jui throughout the AFRC period; there were frequent
21 gun battles at Jui. Correct?

22 A. Well, I know - I know about two fightings that took place
23 there. Before I came to Freetown, fighting took place there and
24 I think around July also another fighting took place there in
09:50:32 25 '97.

26 Q. The ECOMOG forces at Lungi also hosted a radio station,
27 Radio Freedom. Isn't that correct?

28 A. No. I heard that it was the SLPP radio that was at Lungi
29 with the Nigerians.

1 Q. And this Radio Freedom would report on what was going on in
2 the junta and say things against the junta, correct?

3 A. Yes, but it was not called Radio Freedom. I have forgotten
4 the name but I think it was 98 point something. I don't know the
09:51:20 5 last number now. But that station was saying things against the
6 AFRC.

7 Q. Also, they would frequently reveal information about
8 military matters on that radio station, isn't that true, about
9 AFRC/RUF secrets?

09:51:41 10 A. Yes. Even when we held meetings, sometimes immediately
11 after the meeting, if the meeting ended at around 3 or 4 in the
12 afternoon, before you get to 6 o'clock the SLPP radio would have
13 got the information about what transpired.

14 Q. That was FM 98.1, correct?

09:52:07 15 A. I do not recall the last number now, but it was 98 point
16 something.

17 Q. Throughout the junta period, the civilian population of
18 Freetown was in conflict with the junta. Isn't that true?

19 A. No. What I saw was that civilians were demonstrating
09:52:39 20 against the intervention that President Kabbah called for. The
21 only people that I heard demonstrated against the AFRC/RUF were
22 students. That was what I heard about. But the civilians were
23 demonstrating in support - they were demonstrating against the
24 intervention.

09:53:04 25 Q. From the beginning of the coup, people in Freetown went on
26 strike to protest the overthrow of the government they had
27 elected. Isn't that true?

28 A. Well, I said it was the students who protested against the
29 government, but civilians were protesting against the

1 intervention. That was what I knew. But I also knew that not
2 all the civilians who were in Freetown by then liked the AFRC,
3 because there were some of them who were SLPP supporters and
4 there were many.

09:53:44 5 Q. When the students protested at the university, the junta
6 sent soldiers there, they beat the students, they raped female
7 students and there were killings. Isn't that true?

8 A. That was what I heard, because by then I was at Benguema,
9 and in the morning we drove through the peninsula to Lumley
09:54:16 10 before we entered Freetown. I was not there that morning but
11 I heard that the AFRC soldiers, like Moses Kabia who was the CSO
12 to Johnny Paul, he led them. He led soldiers from the AFRC from
13 Cockerill to go and put a stop to the demonstration that the
14 students were doing.

09:54:42 15 Q. Many of the people of Freetown fled the country during the
16 junta. They went to Guinea and other neighbouring countries,
17 correct?

18 A. Yes. People ran away from Freetown because the ECOMOG were
19 shelling from Lungi and those bombs used to drop around Old Wharf
09:55:04 20 and other places and killed so many people. And the jet was
21 flying over. And most of them also were against the junta. They
22 were afraid. Some of them were afraid of the ECOMOG
23 intervention, so people ran away. They went to other countries,
24 like Gambia --

09:55:20 25 PRESIDING JUDGE: Excuse me, but the question related to
26 the period of the junta. Not after the junta. The question was
27 many people of Freetown fled the country during the junta and
28 went to Guinea and other neighbouring countries. Your answer
29 relates to the intervention, Mr Sesay.

1 THE WITNESS: My Lord, those attacks took place even before
2 the intervention. And the jets used to fly over even before the
3 intervention. And the rockets that were coming from Lungi were
4 before the intervention. But I did hear that people left
09:56:00 5 Freetown when the SLPP government was overthrown, because I was
6 not in Freetown by then, and so many SLPP supporters followed the
7 government to go to Guinea. But some people continued to stay -
8 some people continued to leave Freetown because of the rockets
9 that were flying over and the jet that was flying over and the
09:56:19 10 series of attacks.

11 MR KOUMJIAN:

12 Q. So Mr Sesay, Johnny Paul Koroma faced this situation: He
13 had a hostile civilian population, a very large group of armed
14 militia, Kamajors, operating in the country, he was opposed by a
09:56:42 15 modern military force with jets, ECOMOG, and modern weapons, and
16 that's why he had to turn to the RUF, because you were the only
17 alternative for his survival. Isn't that correct?

18 A. No. The AFRC overthrew the SLPP government successfully
19 and they did before they even invited the RUF, they had
09:57:13 20 overthrown, they had announced that they had seized power from
21 the SLPP, even before they invited the RUF and even during the
22 AFRC, and if only the attacks from the rockets from Lungi that
23 came in, and bodies were in fact - crosses were moved to the
24 stadium and they were assembled there, they were displayed there,
09:57:44 25 and the Alpha Jets was always flying over but, minus that, people
26 went on their normal business, people went to nightclubs, shops
27 were open, hospitals were operating, taxis were running,
28 transportations were running.

29 Q. Mr Sesay, my question was that Johnny Paul Koroma, because

1 of this ECOMOG force, the modern force you talked about with
2 jets, because of the Kamajors, aggressive fighters with arms, his
3 only alternative was to turn to the RUF to survive. Do you agree
4 with that, yes or no?

09:58:22 5 A. No, I disagree with that, because --

6 Q. Let's move - okay, I think you've already given your
7 explanation.

8 A. Yes, but I have a piece of explanation, the reason why
9 I disagree with that, because what I understood, thank you, sir,

09:58:39 10 Johnny Paul invited the RUF so that the RUF will join the AFRC in
11 the interests of peace, so that they will be able to disarm the
12 RUF and peace will return to the country.

13 Q. Did the RUF disarm during the junta?

14 A. No, but Johnny Paul was not given the chance for the RUF to
09:59:03 15 go on with the disarmament so that they will be reintegrated.
16 Johnny Paul was not given the chance but --

17 Q. Excuse me, there never was any attempt to disarm the RUF
18 during the junta, was there?

19 A. Well, they did not give the chance for the programme to go
09:59:25 20 on, but the reason why they invited the RUF was to establish
21 peace, because we had been fighting against the soldiers from
22 1991 to 1997, so if the soldiers invited the RUF, and just within
23 a day or two and the RUF cooperated, then that should have been
24 in the interest of peace.

09:59:45 25 Q. Mr Sesay, the SLAs had not been fighting against ECOMOG
26 until the RUF joined them, until they overthrew the elected
27 government, they were not enemies of ECOMOG, correct?

28 A. No, sir. I disagree, because on the very day of the coup,
29 it was the ECOMOG Nigerian contingents that guarded President

1 Tejan Kabbah at the State House, and for the AFRC to go and take
2 over the State House and announce they should have had some
3 exchange of fires with the ECOMOG, and they also carried out
4 attacks at Jui, I mean, sorry, at Mammy Yoko, because they were
10:00:29 5 using their gunships, they were assaulting the building at Mammy
6 Yoko.

7 Q. I think we agree, because you're pointing out exactly my
8 point, from the beginning, the AFRC was facing two enemies,
9 ECOMOG and the Kamajors; isn't that right?

10:00:51 10 A. Yes, but --

11 Q. And neither the ECOMOG nor the Kamajors were willing to
12 accept the overthrow of the elected government of Tejan Kabbah,
13 correct?

14 A. Yes, the ECOMOG and the Kamajor did not accept, but even
10:01:11 15 before the coup, fighting had been taking place between the
16 Kamajors and the Sierra Leone soldiers before the coup. They
17 fought in Bo where so many Kamajors were killed. It happened in
18 Kenema. It happened in Tongo Field. In fact, they drove the
19 soldiers out of Tongo Field. That was even before the coup.

10:01:28 20 PRESIDING JUDGE: Mr Sesay, I'm going to ask you to slow
21 down again. Your testimony given in a running fashion is not
22 helpful at all. So slow down, please, when you're giving your
23 answers.

24 MR KOU MJIAN:

10:01:40 25 Q. Mr Sesay, when the coup happened, the coast, the ports of
26 Sierra Leone, were controlled by ECOMOG, correct?

27 A. No. At the time I came to Freetown, at the Sierra Leone
28 port, it was the AFRC who were there throughout.

29 Q. My mistake. I didn't phrase the question correctly. The

1 sea outside of Sierra Leone was controlled by ECOMOG; they had
2 the ability to control it because they had jets and they had
3 ships and you didn't, correct?

10:02:26 4 A. Yes. The AFRC did not have them, but a ship came in that
5 brought rice for the AFRC so - they were selling that to the
6 civilians and it passed through the coast and came to Water Quay.

7 Q. Mr Sesay, so the junta, Johnny Paul Koroma-led junta, AFRC
8 and RUF, were facing two hostile armed enemies, the Kamajors and
9 ECOMOG, and, as you've told us before, isn't it correct, the key
10:03:04 10 to successful fighting is to have ammunition, isn't that true?

11 A. Well, the Nigerian ECOMOGs were the main enemies to the
12 AFRC, because if the Kamajors were not being armed through Bo
13 Waterside, they couldn't have been able to ask the AFRC at the
14 Mano River Bridge. They used to go there in their hundreds and
10:03:42 15 thousands and they were being armed there by the Nigerian ECOMOG,
16 and at that time the Defence Minister of the SLPP was in Liberia,
17 Monrovia, with the ECOMOG, who made the arrangements --

18 Q. You're not answering my question, because my question deals
19 with ammunition for the AFRC. Johnny Paul Koroma, what sources
10:04:04 20 did he have to obtain ammunition?

21 A. Yes, sir. At the initial stage, the ammunition that the
22 army had was what the AFRC/RUF used from the army ordnance in
23 Murray Town and from the other ammo dumps, like from Wilberforce
24 and the other military headquarters, until the ammunition that
10:04:40 25 came from Burkina Faso arrived and the arms.

26 Q. So it's correct, isn't it, that the only hope for supplies
27 for ammunition, for Johnny Paul Koroma's regime, which was not
28 recognised by the international community, was through the
29 contacts of the RUF, isn't that true?

1 A. Well, that happened later, when Gibril Massaquoi came from
2 Nigeria. That was the time Mr Sankoh sent Gibril with letters to
3 Johnny Paul that he had ammunition in Burkina Faso, but the arms
4 embargo, it was not only on the AFRC and AFRC - and RUF, it was
10:05:28 5 on all parties in Sierra Leone, but ECOMOG violated that one and
6 they armed the Kamajors, they were supplying them ammunition and
7 they were arming them.

8 Q. This is not a chance for you to give speeches. You're
9 supposed to answer the questions. And the question was about
10:05:45 10 Johnny Paul Koroma's sources of ammunition. Is your answer he
11 had none, except for the RUF and what Foday Sankoh could help
12 arrange for him? Is that your answer?

13 A. Well, my Lord - you used to ask me two-pronged questions.

14 Q. I'm not interested in you telling me how to ask questions?

10:06:14 15 MR CHEKERA: If counsel compounds his questions the witness
16 is entitled to answer the best way he can.

17 PRESIDING JUDGE: No, he's not.

18 Mr Sesay, if you don't understand a question, the response
19 should be, "I don't understand your question." It should not be
10:06:28 20 a running commentary for half a page of something that you were
21 not asked.

22 Now, I don't believe that this particular question was
23 two-pronged, the question that counsel asked.

24 Mr Koumjian, I'm going to ask you to ask the question again
10:06:45 25 and, Mr Sesay, you will answer the question to the best of your
26 ability and only the question, not a running commentary about
27 other things you aren't asked about.

28 MR KOUMJIAN:

29 Q. Mr Sesay, is it true that Johnny Paul Koroma and the AFRC,

1 their only source for ammunition was through Foday Sankoh and the
2 RUF?

3 A. No. Because first, the army had ammunition that the AFRC
4 used. It was later that Mr Sankoh sent Gibril Massaquoi to
10:07:21 5 Johnny Paul, that he had ammunition and some arms in
6 Burkina Faso.

7 Q. So what you're saying is, besides the ammunition that was
8 in the possession of the army at the time of the coup in May
9 1997, there were no - there was no source to resupply the AFRC
10:07:43 10 until contacts were made through the RUF? Is that right?

11 A. Yes, sir.

12 Q. Because the AFRC had no international support and the RUF
13 did have international contacts, isn't that true?

14 A. No. You cannot say the AFRC hadn't international contacts
10:08:13 15 because they had; like the rice that came, many bags, that was
16 one of the AFRC's international contacts.

17 Q. Mr Sesay, the only arms shipment - excuse me - that you
18 acknowledge, the only arms shipment that you acknowledge being
19 received during the AFRC junta was the Magburaka shipment, isn't
10:08:45 20 that true?

21 A. Yes, sir.

22 Q. Because you deny the evidence that was read to you from
23 other witnesses about Daniel Tamba bringing ammunition, for
24 example, to Sam Bockarie in Kenema. You deny that, right?

10:09:01 25 A. Because I never heard that. I never heard that. Nor did
26 I ever see it during the AFRC.

27 Q. Now, you do acknowledge that soon after the coup, Daniel
28 Tamba, Jungle, and Ibrahim Bah, arrived in Freetown, correct?

29 A. Not just after the coup. It took some time when they came

1 to Freetown. I think it was around July when they came to
2 Freetown, when Johnny Paul invited Ibrahim Bah.

3 Q. Thank you. So the coup was May 25, and you think about
4 July, Ibrahim Bah and also Daniel Tamba were in Freetown,
10:09:43 5 correct?

6 A. Yes. Ibrahim Bah was called by Johnny Paul, Tamba was sent
7 by Pa Kallon to come to Mosquito from Abidjan.

8 Q. Mr Sesay, Johnny Paul Koroma would have had no way to know
9 Ibrahim Bah before the coup, would he?

10:10:10 10 A. No, no, no.

11 Q. Bah was a former NPFL fighter, correct?

12 A. I did not know that. I knew him in the RUF zone, with
13 Mr Sankoh.

14 Q. Would you have any reason to dispute President -

10:10:32 15 Charles Taylor's testimony that Ibrahim Bah was with part of his
16 forces during the Liberian war?

17 A. I was not part of the Liberian war. I am talking about
18 where I came to know Ibrahim Bah. It was with Mr Sankoh in
19 Kailahun.

10:10:52 20 Q. Bah was part of the NPFL forces that assisted the RUF in
21 the invasion, correct?

22 A. Bah did not fight, he did not go to the battlefield. When
23 he came, he was with Mr Sankoh in Pendembu and he did not take
24 Long and he returned. When he returned, he did not come from
10:11:15 25 Kailahun - to Kailahun from '91 up to --

26 Q. What was Bah's role in 1991, with the RUF?

27 A. I said Mr Sankoh brought him to Pendembu. He was
28 Mr Sankoh's friend and he did not take Long in Pendembu and he
29 returned with Mr Sankoh.

1 Q. If you know, what was he doing in Pendembu in a war zone in
2 1991 with Foday Sankoh, the leader of the RUF?

3 A. I said I understood that he was a friend of Mr Sankoh's,
4 because in Pendembu, there were civilians there, it was not a war
10:11:59 5 zone. A war zone is a battlefield, the battlefield was around
6 Mobai, Baiima and Kuiiva, but there were many civilians in
7 Pendembu.

8 Q. Let's move on and talk about this Magburaka shipment.
9 Mr Sesay, you said that there were supposed to be three plane
10:12:19 10 trips; is that right?

11 A. No, I think I said two.

12 Q. So, Mr Sesay, how were these arms paid for?

13 A. Well, I understood that Mr Sankoh bought those arms and
14 ammunition in Burkina Faso - that were in the custody of
10:12:57 15 Diendere.

16 Q. When did Foday Sankoh buy these arms, according to you?

17 A. He bought them before he travelled to Nigeria. I wouldn't
18 tell how much he bought them but that was what I was told. The
19 person who brought the letters and that is what the letter
10:13:22 20 stated, the one that Mr Sankoh sent to Sam Bockarie.

21 Q. Who brought the letter?

22 A. Gibril Massaquoi brought the letters.

23 Q. Well, Mr Sesay, if you're expecting - if you purchased
24 something that's important and expensive, you would tell those
10:13:42 25 who were going to receive it exactly what it was that you had
26 bought, isn't that true? Wouldn't you expect that?

27 A. Well, Mr Sankoh was the leader of the RUF. If he sent
28 instructions through a letter to Sam Bockarie to work with Johnny
29 Paul, Sam Bockarie just had to go by what Mr Sankoh said, but --

1 Q. Sorry, complete your answer.

2 A. Yes, because Sam Bockarie could not ask Mr Sankoh how much
3 he bought them and what he bought. What the letter stated was
4 that he had ammunition in Burkina Faso and Sam Bockarie should
10:14:31 5 work with Johnny Paul to be able to transport those arms and
6 ammunition for the RUF and the AFRC to be able to defend
7 themselves.

8 Q. Mr Sesay, when you - you don't give money months ahead of
9 when something is going to be delivered with no delivery date,
10:14:52 10 with no list of items of what you're expecting. Are you trying
11 to say that Foday Sankoh sometime months earlier, or years
12 earlier, had bought ammunition and had not told anyone in the RUF
13 what it was, as far as you know?

14 A. Mr Sankoh did not send a letter to me but what I understood
10:15:19 15 from the letter is what I am saying. And if Mr Sankoh had not
16 told us before that time, what would I say? If that was the time
17 that he sent the letter, then that is it, to inform Bockarie and
18 he sent another letter to Johnny Paul to provide the money for
19 transportation of the arms and ammunition to Sierra Leone from
10:15:41 20 Burkina Faso.

21 Q. Mr Sesay, I think we can agree on one thing: Johnny Paul
22 Koroma was told that the cost of the plane would be, I believe it
23 was \$90,000 US; is that right?

24 A. Yes.

10:15:59 25 Q. And that money was taken from the bank in order to pay for
26 the plane that would deliver the arms and ammunition, correct?

27 A. Yes. Johnny Paul called the bank manager and asked him to
28 give the money.

29 Q. And testimony was also read to you that Ibrahim Bah told

1 Johnny Paul Koroma that also it had been necessary to bring
2 diamonds to President Taylor. And that's true, isn't it?

3 A. No. That is not true. Because I did not hear any mention
4 of Mr Taylor regarding those arms and ammunition that were to
10:16:42 5 come from Burkina Faso.

6 Q. Now, you're saying that more than one plane-load of
7 ammunition was expected, arms and ammunition; is that right?

8 A. Yes. I said I understood that the flight was to make two
9 trips, it should have come and off-load and return and would have
10:17:07 10 come back with another trip.

11 Q. And all of that ammunition, according to you, had already
12 been paid for by Foday Sankoh; is that right?

13 A. Yes. That was what was in the letter that he sent with
14 Gibril, that he had bought some arms and ammunition that were
10:17:31 15 being kept by General Diendere.

16 Q. So when only one plane-load of ammunition arrived - you
17 haven't told us that anything was done about the rest. One
18 plane-load arrived and you just forgot about the rest of the
19 ammunition and arms that were due.

10:17:52 20 A. I did not hear anything about the other one, so I cannot
21 say anything about it because when the plane arrived, the Alpha
22 Jets attacked the field and so the plane did not come back for
23 the second time.

24 Q. So according to you, this was arranged by Foday Sankoh who
10:18:10 25 never explained how much he had paid, never explained what
26 weapons or ammunition were expected, and no one ever did anything
27 to collect the second plane-load of ammunition that never
28 arrived; is that right? Is that your testimony?

29 A. Please repeat the question.

1 Q. Your testimony; is this correct, is that these - the
2 delivery of ammunition and arms was arranged by Foday Sankoh who
3 had bought the ammunition and had it in Burkina Faso but never
4 explained to you and other leaders of the RUF how much he paid,
10:19:01 5 what weapons or ammunition were expected, and when only one
6 plane-load of ammunition arrived, no one did anything to find out
7 or obtain the rest of the arms and ammunition that were due?
8 That's your testimony, correct?

9 A. Yes, that is my testimony. Because Mr Sankoh was in
10:19:27 10 Nigeria when he sent Gibril with the letters. That he had the
11 ammunition that he had bought in Burkina Faso, and at that time
12 there was no contact with Mr Sankoh, he did not call Abidjan, and
13 when Gibril came he did not return.

14 PRESIDING JUDGE: Mr Sesay, did you ever see these letters?

10:20:02 15 THE WITNESS: Yes, the one that was sent to Sam Bockarie.
16 When Gibril delivered the letter to Sam Bockarie in Kenema,
17 Sam Bockarie brought it to Freetown and I saw the letter, ma'am,
18 my Lord.

19 PRESIDING JUDGE: And did you read the letter?

10:20:23 20 THE WITNESS: Yes, Sam Bockarie read it and I heard it.

21 MR KOUMJIAN:

22 Q. What did the letter say?

23 A. The letter said that it was from the leader to
24 Sam Bockarie, who was a field commander, that he was telling
10:20:41 25 Sam Bockarie that he had been arrested in Nigeria, so
26 Sam Bockarie should work with Johnny Paul hand in hand, that he
27 had bought ammunition with some arms and they were in
28 General Diendere's keep in Burkina Faso, and Sam Bockarie should
29 work with Johnny Paul so that he would transport those arms and

1 ammunition to the RUF/AFRC. He said he gave another letter to
2 Gibril Massaquoi to give to Ibrahim Bah and Diendere in
3 Burkina Faso and he sent another letter to Johnny Paul. So
4 Sam Bockarie should work with those people to be able to
10:21:23 5 transport those arms and ammunition to Sierra Leone. And he said
6 Sam Bockarie should continue to take care of the RUF as the field
7 commander until Sam Bockarie and Johnny Paul could fight for his
8 release. That was what I heard from the letter.

9 Q. So the letter had no list of the arms and ammunition that
10:21:50 10 had been purchased, correct?

11 A. No. I did not see a list of arms and ammunition. He only
12 said he had bought arms and ammunition that were in Burkina Faso.

13 Q. Well, in fact, the reason he didn't list what was coming
14 was because the arrangements were all made by Charles Taylor,
10:22:17 15 isn't that true?

16 A. No, no. I did not hear that.

17 Q. Did you know that Charles Taylor - excuse me, when was the
18 Magburaka shipment? It arrived in October 1997, correct?

19 A. No. I don't recall the exact month but it was before the
10:22:41 20 intervention.

21 Q. In September 1997, were you aware that Charles Taylor
22 travelled to Burkina Faso and Libya?

23 A. I did not know.

24 MR KOU MJIAN: Could the witness be shown tab - exhibit

10:23:05 25 D-15. Excuse me, it would make more sense to do these in
26 chronological order, so could the witness first be shown P-272,
27 and then we will deal with D-15. Actually, my notes are confused
28 and I have two different exhibit - contradictory notations.

29 I want the letter for June 26, 1996 first. I'm not sure if

1 that's D-15 or P-272.

2 PRESIDING JUDGE: That is D-15.

3 MR KOUMJIAN: Thank you, D-15.

4 Q. Mr Sesay, this letter, D-15, is dated June 26, 1996.

10:25:11 5 Looking at the second page, is that Foday Sankoh's signature?

6 A. Yes.

7 Q. It says, starting at the first page, it's to Mohamed Talibi
8 in Accra, Ghana, and it says:

9 "I want to thank you and the other brothers back home again
10:25:38 10 for the half million United States US - 500,000 USD, which
11 I received through you for the purchase of needed material to
12 pursue the military mission."

13 Then if we go down three paragraphs, it says:

14 "My representative, Captain Philip S Palmer will elaborate
10:26:01 15 on all this all-important and urgent mission, as he is expected
16 to travel along with my business partner somewhere for these
17 materials. If and only if the above-mentioned amount is
18 available" - and perhaps I need to read something from the second
19 paragraph to make that make sense.

10:26:22 20 In the second paragraph, he says, at the end:

21 "I need one and half million United States dollars in order
22 to purchase twice the listed material for effective and smooth
23 operations."

24 But, Mr Sesay, you told us that the external delegates were
10:26:41 25 kept in the dark about all of Foday Sankoh's arms purchasing and
26 his contacts with Libya. Is that what you testified to?

27 A. Yes, that is what I testified to. But at the latter part,
28 after the signing of the accord by the RUF members, that is
29 Philip Palmer, Deen-Jalloh and Faya Musa, had now come and were

1 in Freetown and serving as members of the CCP, that was when
2 Mr Sankoh did that because he used to call them and they did not
3 go there.

4 Q. And if we turn to the --

10:27:31 5 JUDGE DOHERTY: Mr Koumjian, after the signing of the
6 accord, which accord is this? We've had a few.

7 MR KOUMJIAN:

8 Q. Which accord are you speaking of?

9 A. My Lord, I'm talking about the Abidjan Accord that
10:27:53 10 President Kabbah and Mr Sankoh signed.

11 Q. Which was November of 1996, correct?

12 A. Yes.

13 Q. And then it says on the next page, the first sentence:

14 "The airlifting of these materials to our controlled
10:28:13 15 territory will be done before any payment for this mission is
16 done by me."

17 So Foday Sankoh is saying he's not going to pay for
18 anything until the weapons arrive. Now, before the Magburaka
19 shipment, had any weapons been airlifted to the territory of the
10:28:34 20 RUF?

21 A. No.

22 Q. Let's look at the other document, which is P-272. This is
23 a letter dated 4 December 1996. He says, "I received the United
24 States dollars 29,000 through Mr Daniel Kallon." Now, Mr Sesay,
10:29:10 25 how much money did you testify to on direct that you understood
26 Foday Sankoh had received from the Libyans?

27 THE INTERPRETER: Your Honours, can the - okay.

28 THE WITNESS: I think I testified --

29 PRESIDING JUDGE: Mr Sesay, what did you say? What was

1 your answer? We didn't hear anything.

2 THE WITNESS: The figure I testified to is what I am
3 thinking about. I think I heard that Mr Sankoh received - he
4 received - he received \$2 million and he asked for an additional
10:30:01 5 amount, because that was the information that they said that
6 Mr Sankoh received this money and that from Libya. It was not a
7 single figure. There were varying figures.

8 MR KOUMJIAN:

9 Q. Now, Mr Sesay, it would be pretty impolite for someone to
10:30:26 10 receive \$2 million and then send a letter only saying thank you
11 for, well, the first letter, \$500,000, and the second, 29,000.
12 That would be pretty impolite, don't you agree?

13 A. Yes, but Mr Sankoh before the signing of the accord in
14 1996, when he went to Ivory Coast he went to Libya with a
10:30:54 15 delegation. That was the time I came to Sierra Leone. He said
16 we should come to Sierra Leone. And when he went there he was
17 given money and that money even brought some misunderstanding
18 between him and Faya Musa and others. This is the latter part.

19 Q. Now, if we look at this letter, what Sankoh is - first of
10:31:13 20 all, this letter, as I read it, you'll see, is a plea for more
21 money, for significant money, and what Sankoh claims in the
22 second paragraph - well, let's go to the first paragraph. He
23 says:

24 "We have signed the peace accord on November 29, 1996, just
10:31:33 25 so as to relieve our movement of the enormous pressure of the
26 international community. I will use this opportunity to transact
27 my business in getting fighting materials freely and easily."

28 That's what Foday Sankoh was doing and you told us about
29 the mission of Kposowa that was sent at the same time he was

1 signing the accord. He was signing an accord while he was trying
2 to use that ceasefire, the respite, to arm the RUF. Isn't that
3 true?

10:32:16 4 A. Yes, he did that because his positions too were attacked
5 and he had lost most of his positions during this time.

6 Q. So is it correct what he wrote here, that he signed the
7 peace accord just so as to relieve the movement of the enormous
8 pressure from the international community? Is that your
9 understanding of why he signed the peace accord?

10:32:37 10 A. Well, I cannot say yes or no because I did not sign the
11 accord. It was Mr Sankoh who signed it. But what I knew about
12 the practical things that happened on the ground was that before
13 Mr Sankoh signed the accord, the government troops had dissolved
14 most of the RUF areas where key fighters were killed and many
10:33:04 15 people killed and immediately after the accord was signed they
16 still continued the attacks against the RUF.

17 Q. And, Mr Sesay, what you said - excuse me, as the letter
18 goes on to say:

19 "I have already finished negotiations with my business
10:33:23 20 partners and have so far paid \$300,000 US. Our agreement is that
21 they should receive \$700,000 US from me in Sierra Leone upon
22 their arrival with the materials in my controlled territory. The
23 total cost of the material is US 2 million. The balance will be
24 paid when the operation is completed."

10:33:53 25 So he asks:

26 "I am therefore asking you and your brothers to urgently
27 provide the needed \$700,000 US so that I will be in a position to
28 live up to my commitment to my business partners."

29 And then he says this, Mr Sesay:

1 "As I have already learnt from you people, there is some
2 money with the Burkinabe government for the provision of our
3 needed materials, but as you might have known by now, that
4 government has really not shown any keen interest in assisting us
10:34:29 5 as a movement. I even had conversation with Commandant Diendere
6 these few days but with no positive result."

7 Mr Sesay, do you know was Foday Sankoh telling the truth
8 here when he says he had gotten no support from the Burkinabe
9 government, they showed no interest in assisting the RUF?

10:34:58 10 A. Well, Mr Sankoh might have said this because he needed the
11 money for him to pay to General Diendere so that he could get the
12 ammunition that he wanted. But he had made arrangements with
13 General Diendere and he needed the money at this time, and when
14 you need something from someone you will tell the people what you
10:35:23 15 needed to do with it.

16 Q. So he says, in the last paragraph:

17 "When I went in last week, I was able to organise serious
18 mining operations in precious materials which I believe will help
19 us to generate the needed foreign exchange."

10:35:40 20 This is December 1996. What serious mining operations was
21 the RUF engaged in in December 1996?

22 A. Well, Mr Sankoh was only saying this for him to be able to
23 get money from people, but the Kailahun District does not have
24 diamonds.

10:36:02 25 Q. Well, we can agree then that in this letter of December
26 1996 Foday Sankoh tells some lies in order to try to get money
27 from Libya, correct?

28 A. Yes. He was saying this to get money so that he will be
29 able to accomplish his mission because at this time the only

1 areas where the RUF were in December of 1996 were the Western
2 Jungle, the Kangari Hills and Kailahun.

3 Q. Just a few moments ago, Mr Sesay, when I asked you how much
4 money you said Foday Sankoh had received from the Libyans, you
10:36:44 5 recall there was a long pause. You said, "I think I testified",
6 and you were asked by the Presiding Judge what your answer was.
7 You said, "The figure I testified to is what I am thinking
8 about." Why is it that you were thinking about what you had
9 testified to as opposed to what you knew?

10:37:06 10 A. Well, I was not the one who the money was given to. I did
11 not receive the money and at the time Mr Sankoh received the
12 money I was not present. I only heard information that that was
13 the money that he received from the Libyan government at the time
14 they visited.

10:37:21 15 Q. So Mr Sesay --

16 A. During the time he paid a visit just after Ivory Coast,
17 because that visit was paid around April 1996 when they left me
18 in Abidjan and they went through Burkina Faso to Libya. And
19 I understood later that that was the amount of money that Gaddafi
10:37:45 20 gave to him, and that in fact ignited part of the
21 misunderstanding between him and the external delegation.

22 Q. Well, Mr Sesay, the reason you were trying to think about
23 what you testified to as opposed to what happened is because you
24 had made up a figure in your testimony and you were trying to
10:38:03 25 remember what it was. Isn't that true?

26 A. Well, no. If I was the one who received the money or if
27 I was present I would have been able to know, but it was
28 information that I got. And if I heard an information, when I'm
29 saying it, I say what I said, I say what I heard. If I was there

1 then I would have said what happened.

2 Q. Let's look at your testimony from 7 July of this year, page
3 43858. If we could go to line 8. You were asked:

10:39:24

4 "Q. Now, you mentioned that Foday Sankoh had said
5 something about purchasing ammunition in Burkina Faso; is
6 that right?"

7 And I think we can skip to the next page, 43859. And you
8 testified starting at line 1:

10:39:44

9 "A. He sent a letter that the money he received was not
10 sufficient to buy arms and ammunition or and medicines,
11 food for the troops. So they sent some other money for
12 him, 1.5 million. So the money was now total 3.5 million
13 that was given to him by the Libyan leader."

10:40:04

14 But you said today, trying to remember what you testified
15 to, 2 million. You can't keep the figures straight because
16 you're making them up. Isn't that true, Mr Sesay?

17 A. Well, no, because what I heard was that it was not only
18 once that the Libyan government gave money to Foday Sankoh, that
19 is Gaddafi. The Libyan leader was --

10:40:29

20 THE INTERPRETER: Your Honours, could the witness be asked
21 to slow down and repeat from where I stopped.

22 PRESIDING JUDGE: Mr Sesay, can you repeat your evidence,
23 please, slowly. You said that - you said something about the
24 Libyan leader. What did you say?

10:40:47

25 THE WITNESS: My Lord, I said Mr Sankoh used to receive
26 monies from the Libyan leader on different occasions. At the
27 time, Mr Sankoh went to Abidjan and when he further travelled to
28 Libya, I understood that Gaddafi gave Mr Sankoh money, and in
29 part of '96 he used to send some more money to Mr Sankoh. And

1 even before Mr Sankoh travelled to Abidjan, he had been receiving
2 money from the Libyan government through the ambassador in Ghana.
3 So those were different monies at different times. And the
4 information we received about those monies that Mr Sankoh
10:41:40 5 received.

6 MR KOUMJIAN:

7 Q. Was it \$2 million, like you said today, or \$3.5 million,
8 like you said in July, or is it just that you made up both
9 figures?

10:41:55 10 A. Well, I used to get information about those monies that
11 Mr Sankoh used to receive them, and even the external delegation
12 at the time we arrested them, Fayia Musa and Philip Palmer did
13 say it; that the monies Mr Sankoh had been receiving on behalf of
14 the RUF, he's just been wasting those monies, he and Deen-Jalloh,
10:42:20 15 and that in fact he had not been paying interest to the RUF and
16 that was much money. So that is the reason why they have decided
17 not to follow Mr Sankoh any more. So the figures that I heard
18 about are the ones that I've referred to, they did not tell us
19 about a single figure, and I was not present.

10:42:40 20 Q. Let's move on.

21 JUDGE DOHERTY: Mr Sesay, be clear. Are you saying that
22 Mr Sankoh was receiving monies from both the Libyan government
23 and Gaddafi, two different sources?

24 THE WITNESS: No, my Lord. What I mean by the Libyan
10:43:03 25 government is that it was through the leader of Libya, it was
26 from President Gaddafi that he was receiving the monies, so the
27 monies used to come through the ambassador in Accra and the other
28 time he himself visited.

29 PRESIDING JUDGE: Mr Sesay, should we take from your answer

1 - should we take it that you actually do not know if the total
2 amount that Foday Sankoh received was 2 million or 3.5 million?
3 You're not sure?

4 THE WITNESS: Well, I am not sure about the exact amount
10:43:39 5 but those are the things that the delegations that - used to talk
6 about; that he was receiving millions of dollars that he misused
7 in Abidjan.

8 MR KOUMJIAN:

9 Q. So your source for the amount of money is the external
10:43:57 10 delegates, they are the ones that told you about that; is that
11 right, Mr Sesay?

12 A. The external delegates and Mr Sankoh himself at one time
13 sent a message that Bockarie should hold fast on the ground
14 before he travelled to Nigeria, he said Bockarie should continue
10:44:20 15 to hold fast on the ground and with the small amount of money
16 that he gave to him and he said he would send some more money and
17 that he was expecting money from his brother, Gaddafi, so
18 Mr Sankoh did say it and the external delegates also said it.

19 Q. He gave Bockarie \$7,000; is that right?

10:44:41 20 A. Yes, at the time he visited Kailahun.

21 Q. Let's move on to another topic, the intervention. In
22 February 1998, ECOMOG went on the offensive in Freetown, pushed
23 the junta from the city, isn't that true?

24 A. Yes.

10:45:03 25 Q. And they also went on the offensive in other parts of
26 Sierra Leone, correct?

27 A. They and the Kamajors, yes.

28 Q. This retreat from Freetown was very costly for the AFRC and
29 the RUF, in terms of materials, isn't that true?

1 A. Yes.

2 Q. The army, as you pointed out, the SLAs, the AFRC, had been
3 a professional army and they had a lot of heavy weapons in
4 Freetown, isn't that true?

10:45:47 5 A. Yes, they had weapons but the problem was ammunition. The
6 light weapon ammunitions, like the AK rounds.

7 Q. They left behind much of the ammunition, including some RUF
8 ammunition when they fled Freetown, correct?

9 A. Yes. The BZT rounds that the flight brought, they left it
10:46:15 10 there.

11 Q. And they also left the heavy weapons because they weren't
12 able to take them, they ended up retreating largely by canoe from
13 Tombo to Fogbo; isn't that right?

14 A. Yes.

10:46:39 15 PRESIDING JUDGE: From where?

16 MR KOU MJIAN: Tombo, T-O-M-B-O, and Fogbo, F-O-G-B-O.

17 JUDGE DOHERTY: I think it's Fogbo.

18 MR KOU MJIAN: Fogbo, thank you.

19 Q. Mr Sesay, why was it that they had to take canoes to get
10:46:56 20 out of the peninsula?

21 A. Well, it was because the ECOMOG had captured Waterloo,
22 which was the main route, because you could pass through the
23 peninsula and come to Waterloo but by then ECOMOG had captured
24 there.

10:47:16 25 Q. Mr Sesay, at this time I'd like to show you a video, a
26 satellite view of the western peninsula, the Freetown peninsula
27 and the Waterloo Tombo, Fogbo area.

28 A. Yes, my Lord, please, can I be given two minutes so that
29 I use the restroom?

1 PRESIDING JUDGE: Please escort the witness out.

2 MR KOUJIAN:

3 Q. Mr Sesay, I'm now going to play a video that we have
4 labelled video 1, intervention, that depicts - it's now on the
10:51:15 5 screen in front of you and we will be looking at Waterloo, Fogbo
6 and Tombo. Fogbo is not marked but you can help us, direct us to
7 where that is.

8 So if we could run the video now?

9 PRESIDING JUDGE: Fogbo is marked.

10:51:42 10 MR KOUJIAN: It is marked, thank you.

11 [Video played to the Court]

12 Q. Thank you. Now, it might be useful to have on the screen
13 at this time the photograph behind tab 16J, the satellite
14 photograph.

10:53:44 15 Now, Mr Sesay, I'm showing you these satellite images so we
16 understand your testimony. You explained that it was necessary
17 during the retreat of the RUF and the AFRC from Freetown during
18 the February '99 intervention that the soldiers and their
19 families took boats from Tombo to Fogbo. Is that correct?

10:54:21 20 A. Yes, they crossed from Tombo - Tombo through Fogbo.

21 Q. You explained the reason that they did that was because
22 ECOMOG was at Waterloo; is that right?

23 A. Yes, because before the retreating troops left Freetown,
24 ECOMOG had already captured Waterloo.

10:54:47 25 Q. Because we can see in looking at this map of the Freetown -
26 the western peninsula, that going from the city, out of the
27 peninsula, there is two ways to go. One would be more to the
28 north and go through Hastings to Waterloo, and one would be to go
29 the other way around the peninsula towards the south, to Tombo

1 and then Waterloo and out of the city, correct, out of the
2 peninsula, correct?

3 A. Yes.

10:55:27

4 Q. Both ways out of the peninsula, you have to pass through
5 Waterloo, isn't that correct?

6 A. Yes.

7 Q. So that is why the soldiers were forced to go by boat to
8 Fogbo, in order to get - bypass Waterloo to get out of the
9 peninsula, correct?

10:55:48

10 A. Yes.

11 JUDGE DOHERTY: Mr Koumjian, I'm just trying to come to
12 grips with that description. One way is through Waterloo, as you
13 said, through Hastings but isn't there the other route through
14 Toke, River No. 2, and so on?

15 MR KOUMJIAN:

10:56:43

16 Q. Well, if Toke is marked and, Mr Sesay, do you see you can
17 take the western southern route around the peninsula, not towards
18 Hastings but through Toke, that would eventually take you through
19 Tombo, but again to get out of the peninsula by road you would
20 have to go up through Waterloo because that's the only paved road
21 out of the peninsula, correct?

22 A. Yes.

10:57:00

23 PRESIDING JUDGE: The other clarification though, although
24 Fogbo is not shown on the map we are looking at, is the idea of a
25 canoe from Tombo to Fogbo. Is there some kind of waterway all
26 the way up to Fogbo?

27 MR KOUMJIAN: Thank you.

28 Q. Mr Sesay, you see the map that's in front of you now,
29 there's a place called Bangawilli marked. Where is Fogbo? Is it

1 at that location or is it one of the earlier - the earlier inlet?
2 Fogbo is the same location that's marked on this map Bangawilli.
3 Isn't that right?

4 A. Well, I don't know this village. I know Fogbo because
10:57:52 5 I went there. When they crossed from Tombo they came to Fogbo in
6 the boats.

7 PRESIDING JUDGE: Mr Sesay, my question is quite simply
8 this: Can you get by boat all the way to Fogbo? Right up to
9 Fogbo, can you get in there by boat?

10:58:09 10 THE WITNESS: Yes, my Lord. When you take the boat from
11 Tombo you can go to Fogbo and from Fogbo you can go back to
12 Tombo. But, my Lord, when you asked me the lawyer did not wait
13 for my response and he too asked me.

14 PRESIDING JUDGE: No problem. I understand. Thank you.

10:58:28 15 MR KOUMJIAN:

16 Q. Mr Sesay, you could help us perhaps if he's given a dark or
17 red marker, something that would show up. If you could show us
18 the route the boat took from Tombo to Fogbo, approximately. Can
19 you mark approximately how the boat would have gone, the boats
10:58:46 20 would have gone?

21 A. But I did not use the boats. I did not travel from Tombo
22 to Fogbo by boat. I was out of Freetown - outside Freetown when
23 the intervention took place. I only went to Fogbo to receive my
24 family. That was where I saw Johnny Paul and most of the AFRC
10:59:05 25 commanders. So how do you expect me to tell you the route that
26 the boats used from Tombo to come to Fogbo because I did not
27 travel by boat.

28 Q. I think that's fair enough. You picked up your family at
29 Fogbo and you've already told us that Fogbo is approximately

1 where on this map Bangawilli is marked. Is that correct?

2 A. I said I don't know this village. I know Fogbo. I drove
3 from Newton to Fogbo where I met my family and a large crowd that
4 had retreated through the boats.

10:59:45 5 Q. Okay, Mr Sesay, can you mark on this map where Fogbo is,
6 where you picked up your family?

7 A. Well, I have not seen Fogbo on this map. I saw Fogbo on
8 the previous one.

9 Q. Okay. Fogbo is a village on the water, on the shore. Is
10 that right?

11 A. Yes, it's by the coast, by the sea.

12 MR KOU MJIAN: Thank you. This would be an appropriate time
13 if your Honour wants to break.

14 PRESIDING JUDGE: Very well. We will take our midmorning
11:00:21 15 break and reconvene at 11.30.

16 [Break taken at 11.00 a.m.]

17 [Upon resuming at 11.32 a.m.]

18 PRESIDING JUDGE: Mr Koumjian, please continue.

19 MR KOU MJIAN: Your Honour, before I continue my questions I
11:33:06 20 would ask that video 1, regarding the intervention, it is
21 labelled, be marked for identification, and also the photograph
22 behind - in tab 16, marked J.

23 PRESIDING JUDGE: The photograph, what exactly is the
24 purpose of marking that for identification because the witness
11:33:32 25 could not speak to it at all. Perhaps you could explain.

26 MR KOU MJIAN: He did speak to the fact that the roads on
27 both ways out of the peninsula go to Waterloo, he couldn't speak
28 to Tombo.

29 PRESIDING JUDGE: Do I give them both a single generic

1 number?

2 MR KOUMJIAN: Yes, please.

3 PRESIDING JUDGE: The video clip entitled "The
4 Intervention", that will be marked MFI-20A.

11:34:12 5 The map behind tab - the map of the Freetown - the western
6 peninsula I think it is called, the western peninsula of
7 Sierra Leone, that will be marked MFI-20B.

8 MR KOUMJIAN: Your Honours, I should note the change of
9 appearance for the Prosecution. We are joined by Kathryn
10 Howarth.

11 Q. Mr Sesay, before we go on, I want to go back to one event
12 that happened during the junta period when you were in Freetown
13 before the intervention, and that is something that you spoke
14 about in your direct examination, the looting of the Iranian
15 embassy. You recall those events; correct?

16 A. Yes, I do recall.

17 Q. Now, Mr Sesay, you explained that you were not involved in
18 the looting but you were given chairs by someone; is that
19 correct?

11:35:16 20 A. Yes, I said Gborie gave me chairs.

21 Q. And after Gborie gave you chairs you had some incident with
22 SAJ Musa; is that correct?

23 A. Yes. SAJ Musa said I had - yes.

24 Q. Sir, can you explain the confrontation you had with SAJ
11:35:40 25 Musa regarding the looting of the Iranian embassy.

26 A. Yes. I said SAJ Musa said I was under arrest and I asked
27 him, "What's wrong?" And he said, "Because of the looting at the
28 Iranian embassy." I said, "But I did not go there." I said "I
29 did not go there so why should I be arrested?" And he said it

1 was - I said, "It was one of your honourables, that is Gborie,
2 who gave me chairs." So I did not allow him to arrest me. I
3 went to my house and later when Johnny Paul invited me to his
4 house, that is around 7 to 8 o'clock, I went there, at night.

11:36:25 5 When I went there I explained to Johnny Paul, after he had asked
6 me to explain and I explained my story in the presence of Zagalo
7 and Johnny Paul and Johnny Paul asked Zagalo about the
8 whereabouts of Gborie, and he said Gborie was at Brigadier Mani's
9 house. So Johnny Paul asked me to go there and bring Gborie, so
11:36:49 10 I did, and Gborie explained that he was the one who was - was the
11 one who gave me the chairs and Johnny Paul asked me to take
12 Gborie - to Pademba Road, that was after 10 and I did.

13 Q. So, Mr Sesay, is it correct that the person who wanted to
14 arrest you was SAJ Musa?

11:37:21 15 A. Yes. He was the one who gave the orders.

16 Q. You, with your bodyguards, were able to resist that order
17 and refuse to submit to his arrest, correct?

18 A. No. I said I was not involved in the looting, so I went
19 back to my house because we met in the streets.

11:37:44 20 Q. And was that confrontation friendly or was it an angry
21 confrontation between you and SAJ Musa?

22 A. Well, an argument ensued, but we did not go into any
23 violence. So I just turned my vehicle and went to my house.

24 Q. Before you spoke to Johnny Paul, you spoke to Sam Bockarie;
11:38:12 25 is that correct?

26 A. Yes. I informed Sam Bockarie before Johnny Paul called me.

27 Q. And Sam Bockarie told you SAJ Musa is not in charge of the
28 RUF, that only Johnny Paul Koroma could give him orders and then
29 he could order you arrested, but not SAJ Musa, correct?

1 A. Yes.

2 Q. And when you had the meeting then at Johnny Paul Koroma's
3 house, Johnny Paul Koroma came down on your side of this dispute
4 and he said you should not be arrested, correct?

11:38:54 5 A. When I explained and Gborie himself confirmed that I did
6 not go to the embassy, then Johnny Paul said, "Why should he
7 might be arrested because you did the looting and you gave him
8 part of the items?"

9 Q. So Johnny Paul Koroma overruled SAJ Musa, correct?

11:39:16 10 A. Yes, when he understood what had happened exactly.

11 Q. Now, do you think that that incident was something that
12 nagged in the back of the mind of SAJ Musa, something that he
13 always held some resentment towards you for?

14 A. No. After that, I used to go to SAJ Musa's office. We
11:39:47 15 used to meet. So I did not know whether he had any grudge for
16 that or not, because the two of us used to speak, and I explained
17 to him that I did not go to the embassy. It was Gborie who gave
18 me chairs. So when he got an understanding of what happened, I
19 did not see him to be that he was having any grudge against me.

11:40:09 20 Q. Going back to the retreat from the intervention, you talked
21 about Operation Pay Yourself, correct?

22 A. Yes.

23 Q. And that you knew that RUF and AFRC were looting people's
24 houses and stores in Makeni; is that correct?

11:40:33 25 A. Makeni, Lunsar, yes.

26 Q. I am not going to spend more time on that, and let's move
27 on to taking Johnny Paul Koroma to Buedu.

28 Where was Johnny Paul Koroma when you first saw him after
29 the intervention?

1 A. Well, first, when they retreated from Freetown, I saw him
2 in Fogbo, and from there I saw him in Masiaka. And myself, late
3 Boise Palmer, late AF Kamara and late ABK, FSJ Koroma had said we
4 should go and attack Bo, we should attack the Kamajors, and so
11:41:21 5 while we were to go to Bo, Johnny Paul and others were going to
6 Makeni. So after I got wounded, from Bo I came through Masiaka
7 to Makeni and I saw Johnny Paul in his village that is outside
8 Makeni.

9 Q. That village is Magbonkinah? How do you say it?

11:41:41 10 A. Yes, sir. Yes, sir.

11 Q. When you saw Johnny Paul Koroma in his village, was that
12 before or after - let me start the question over. You also heard
13 Johnny Paul Koroma on the BBC, talking to the reporters of the
14 BBC, saying he was just outside Freetown and he would be
11:42:05 15 returning, correct?

16 A. Yes.

17 Q. He was doing that with a satellite telephone, correct?

18 A. Yes, in Masiaka.

19 Q. Now, when you saw him in his village, you were assigned to
11:42:23 20 go with him towards Kono, correct?

21 A. No. I was not assigned to go with him towards Kono.

22 Q. Explain what your assignment was.

23 A. Well, at this time, I did not have an assignment to go with
24 Johnny Paul. I was wounded from Bo, so when I arrived, Johnny
11:42:46 25 Paul told me that he had spoken to Sam Bockarie and that he had
26 to go to Kailahun, that he had to go to Kailahun, he had spoken
27 to Sam Bockarie. So I returned to Makeni, and from there Johnny
28 Paul invited us and we attended a meeting, together with the AFRC
29 commanders and the RUF. And he appointed Superman with an AFRC

1 man to organise a group to go to Kono, and a troop was mobilised
2 in Makeni to advance to Kono. So Superman came and took Johnny
3 Paul and he went with him.

11:43:33 4 Q. Johnny Paul Koroma, at this meeting, talked about the
5 importance of the RUF and the AFRC working together, correct?

6 A. He said that in the Kono meeting, not in the Magbonkineh
7 meeting. The meeting in Magbonkineh was about his trip to
8 Kailahun. That is what he told us.

11:43:58 9 Q. Thank you. In order to get to Kailahun, part of the
10 strategy was also to take Kono - take Koidu first, and Superman,
11 Isaac Mongor were sent ahead to take Koidu, correct?

12 A. Johnny Paul appointed Superman, but Isaac went with him.
13 All of them were in the advance team.

11:44:25 14 Q. They had to take Koidu Town because, when the intervention
15 occurred, the youths in Kono, Koidu Town, had expelled the RUF
16 and the AFRC from the town; is that correct?

17 A. No, no. The youths could not drive off the AFRC and the
18 few RUF in Kono. The youths were not armed. It was the Kamajors
19 who attacked the AFRC and the few RUF in Kono, and some AFRC
11:44:55 20 soldiers were burnt alive by them.

21 Q. When you first advanced with Johnny Paul Koroma towards
22 Koidu, you were told at one point that there was an ambush or
23 Kamajors ahead, and Johnny Paul turned around and went back to
24 Makeni; is that correct?

11:45:16 25 A. No, no, no. When I came from Makeni together with Mike
26 Lamin and Morris Kallon, we met Morris Kallon in Magburaka. It
27 was Eldred Collins who drove the vehicle where I was. There was
28 no ambush on the way up to Koidu Town because at that time we
29 met, Koidu had been captured.

1 Q. Okay. Perhaps there is a misunderstanding. Isn't it
2 correct that you received word on the way that there was a
3 Kamajors ahead and Johnny Paul Koroma went back to Makeni before
4 going back to Koidu Town after it was taken?

11:46:02 5 A. No. What I knew was that after the capture of Kono,
6 Superman came to Makeni and he gave the information of the
7 capture of Kono, and we went to Kono and Superman went to Johnny
8 Paul's village. He escorted him to Kono.

9 Q. All right. Let's move on, then, to the meeting in Koidu.
11:46:22 10 At this meeting you said Johnny Paul Koroma talked about the
11 importance of the RUF and the AFRC working together, correct?

12 A. Yes. The meeting was held at Kimberlite, where he was
13 lodged.

14 Q. And one of the orders that he gave was that in the units
11:46:46 15 that were formed, whenever there was an AFRC commander, his
16 deputy should be the RUF, whenever there was an RUF commander, his
17 deputy should be AFRC, correct?

18 A. No, he did not say that. What Johnny Paul said was about
19 unity between the AFRC and the RUF, and he appointed Superman to
11:47:09 20 be the commander and Ibrahim Bazzy Kamara who was his PL0-2,
21 should be the deputy to Superman for the Kono trip.

22 Q. We're talking about the meeting where they are already in
23 Koidu, correct?

24 A. Yes, that is the meeting that I am talking about, at
11:47:32 25 Kimberlite, before we went to Kailahun.

26 Q. So Superman was appointed to be in charge of Kono District,
27 the forces there; is that correct?

28 A. Yes, and Ibrahim Bazzy Kamara should be the deputy to
29 Superman.

1 Q. Who was travelling with Johnny Paul Koroma to Kailahun?

2 A. Well, from Kono, Sam Bockarie sent a message that Mike
3 Lamin and I were the only ones to go to Kailahun, including
4 Johnny Paul. After the meeting with Johnny Paul, Isaac Mongor,
11:48:15 5 Peter Vandi, myself and Morris Kallon, all of us came. In fact,
6 it was Isaac Mongor and Rambo that first left because there were
7 Kamajors in Gandorhun, so the Kamajors were pushed out and we got
8 there, that is myself, Morris Kallon and Peter Vandi. So I was
9 in Gandorhun, and Mike Lamin came - Mike Lamin came with Johnny
11:48:45 10 Paul Koroma after one or two days. But we could not dislodge the
11 Kamajors in Koindu Geiya, so Sam Bockarie said he was going to
12 receiving team and it was that receiving team that collected us
13 from Kailahun. After we --

14 THE INTERPRETER: Your Honours, can the witness repeat this
11:49:02 15 part of his answer and can he kindly be asked to speak slowly.

16 PRESIDING JUDGE: Mr Sesay, the question you were asked
17 was: Who was travelling with Johnny Paul Koroma to Kailahun?
18 You told us a whole lot. What is your answer to the question
19 asked? Who was travelling with Johnny Paul Koroma to Kailahun?

11:49:25 20 THE WITNESS: From Koidu Town, Mike Lawood [phon] travelled
21 with him to Gandorhun, and from Gandorhun, it was myself and Mike
22 Lamin that travelled with Johnny Paul --

23 PRESIDING JUDGE: Michael who?

24 THE WITNESS: -- together with his bodyguards. Mike Lamin,
11:49:38 25 my Lord.

26 MR KOUMJIAN: Yes, I think the interpreter just was
27 speaking quickly. Is it correct, the interpreter - the witness
28 originally said Mike Lamin travelled with him?

29 Q. Is that right, Mr Sesay? Is that what you said?

1 A. That's what I said. I said Mike Lamin travelled with him
2 from Koidu Town to Gandorhun, where he met me.

3 Q. Thank you. And Mr Sesay, did Johnny Paul Koroma travel
4 with his family?

11:50:13 5 A. Yes.

6 Q. About how many family members?

7 A. I wouldn't know the exact number now.

8 Q. So there were more than five?

9 A. Well, the other family members stayed in Kono, and the
11:50:40 10 others, his wife and children, went with him, and the other
11 family members, that is his sister, his brother's wife, I think
12 his wife's family, they were in Kono. It was later that they
13 went to Kailahun.

14 Q. Did he travel also with security?

11:51:05 15 A. Yes, he had his securities.

16 Q. Moses Kambia, for example, was with him, correct?

17 A. Yes, he was the CSO.

18 Q. And that's otherwise known as AFRC Rambo, correct?

19 A. Yes.

11:51:21 20 Q. Samuel Kargbo was with him; is that right?

21 A. Yes, Samuel Kargbo was with him. Dumbuya, Savimbi was with
22 him and others, Akim and other people, other bodyguards.

23 Q. Banjah Marrah?

24 A. Banjah Marrah, yes. He was their signaller control.

11:51:53 25 Q. And approximately when was it that you arrived with Johnny
26 Paul Koroma in - you first went to Kailahun Town in Kailahun
27 District; is that right?

28 A. Yes, we passed through there, but we did not pass the night
29 there.

1 Q. Okay. So you went the first night that you passed in
2 Kailahun District, was that in Buedu?

3 A. The first night that we crossed the Moa River and we got to
4 Kailahun, it was Luawa Baoma that we slept. And from Luawa
11:52:30 5 Baoma, the following day we went to Buedu.

6 Q. Approximately when was it that you arrived in Buedu?

7 A. I think it was late February or early March. It was around
8 that time.

9 Q. Was it before or after Daru Barracks was taken by ECOMOG?

11:52:54 10 A. No. When we arrived it took some time before ECOMOG could
11 take Daru.

12 Q. So you were in Kailahun - when you arrived in Buedu the
13 RUF/AFRC still controlled Daru Barracks, correct?

14 A. Yes.

11:53:13 15 Q. When you arrived in Kailahun, in Buedu, how long - how many
16 days between when you arrived and when the diamonds were taken
17 from Johnny Paul Koroma?

18 A. Well, I think it was more than a week, I think so.

19 Q. And during that time Ibrahim Bah, Daniel Tamba and others
11:53:45 20 arrived from Liberia, correct?

21 A. No, Ibrahim Bah and others were not there.

22 Q. I want to talk to you about the diamonds taken from Johnny
23 Paul Koroma and your version of those events. I am not going to
24 go over again the rape of Johnny Paul Koroma's wife, but I want
11:54:13 25 you to tell us how many diamonds were taken from Johnny Paul
26 Koroma.

27 A. Well, the diamonds that were taken from Johnny Paul Koroma,
28 it was Sam Bockarie who kept them and later he gave me the
29 diamonds to go and meet - to go with them to Burkina Faso, but

1 Ibrahim Bah was to pick me up from Monrovia.

2 Q. When did you first see the diamonds?

3 A. It was in the room where Johnny Paul gave the diamonds.

4 Q. And can you describe what - the container that they were
11:55:11 5 in? Were they loose or were they in a container?

6 A. I said they were in a small cup, like in a small bottle
7 like.

8 Q. This bottle, did the bottle have a lid? Was it enclosed?

9 A. Yes. The cup had a lid.

11:55:39 10 Q. Well, was it glass or what was it made out of?

11 PRESIDING JUDGE: What did you say, Mr Interpreter?

12 MR KOUMJIAN: Perhaps I will just --

13 THE INTERPRETER: No, your Honours, it was just some
14 background sound, not from me.

11:56:12 15 MR KOUMJIAN:

16 Q. Mr Sesay, did you hear my question?

17 A. No. Please repeat the question.

18 Q. This bottle, was it made of glass or something else?

19 A. Well, I don't recall. I don't know if it was plastic or -
11:56:39 20 I don't recall where the diamonds were.

21 Q. Well, this was given to you to take to Burkina Faso,
22 according to you; correct?

23 A. Well, when they were given to me, they were not in the same
24 container in which they were when Johnny Paul gave them to
11:57:02 25 Sam Bockarie. Sam Bockarie had turned them in a paper and he
26 handed them to me.

27 Q. Why would he do that if they were in a bottle that was
28 enclosed? Let me ask this question again. Mr Sesay, wouldn't a
29 bottle that's enclosed be a safer way to carry diamonds than a

1 piece of paper?

2 A. No. It was in a plastic - a plastic bag where they usually
3 put tablets.

4 Q. Now I'm a little confused. When was it in the plastic bag
11:57:37 5 that you usually put tablets; when it was taken from Johnny Paul
6 Koroma?

7 A. They were in a plastic bag. When Johnny Paul Koroma gave
8 them to Sam Bockarie, it was not in - they were not in a bottle,
9 so they were in the plastic bag - the kind of plastic bag where
11:58:05 10 tablets are put.

11 Q. Okay. When they were given to you were they in a plastic
12 bag or were they in paper?

13 A. When they gave them to me they were in a paper.

14 PRESIDING JUDGE: Mr Sesay, are you saying that the
11:58:27 15 diamonds were in one plastic bag?

16 THE WITNESS: Yes, ma'am. Those plastic bags that people
17 put medicine in. That was the kind of plastic bag that the
18 diamonds were in.

19 PRESIDING JUDGE: Because those bags are pretty small,
11:58:49 20 pretty small, really small, where you keep tablets. That's why
21 I'm asking. Could you describe for us the size of this bag, or
22 show us or draw the size of the bag on a piece of paper? Madam
23 Court Officer, please, a piece of paper.

24 THE WITNESS: It was like this. It did not even fill it to
12:00:07 25 the brim. The diamonds were like here in the plastic bag. And
26 the diamonds were small pieces. There was only one 14 carat
27 among them.

28 MR KOUMJIAN:

29 Q. So, Mr Sesay, it was the kind of plastic bag - was it the

1 kind that has a zip lock that it closes at the top by pressing
2 the sides together?

3 A. Yes. That's the kind of plastic.

4 Q. So it's the kind of plastic that when empty is flat?

12:00:41 5 A. Yes, when it's empty it can be flat.

6 Q. So that's what the diamonds were in when they were taken
7 from Johnny Paul Koroma?

8 PRESIDING JUDGE: Can we have a look at the piece of paper
9 that the witness has just drawn?

12:01:04 10 MR KOUMJIAN:

11 Q. Mr Sesay, I didn't hear an answer to my question, while
12 that's being brought up to the judges. So that's the kind of
13 plastic that the diamonds were in when taken from Johnny Paul
14 Koroma?

12:01:18 15 A. Yes. I said that's the kind of plastic.

16 JUDGE DOHERTY: So could I remind the witness that he was
17 asked the question how many diamonds there were and he did not
18 actually answer that question. I refer to page 61, line 23, in
19 his answer at page 62, line 1 - 61.

12:02:00 20 MR KOUMJIAN:

21 Q. So, Mr Sesay, how many diamonds were there that were taken
22 from Johnny Paul Koroma?

23 A. I said the only diamond that was amongst them that was a
24 valuable diamond was a 14 carat, but the other ones were really
12:02:18 25 small diamonds. I don't know how many pieces in total.

26 Q. Was it more than ten?

27 A. The small diamonds?

28 Q. The total number of diamonds, was it more than ten?

29 A. Yes, there were more than that.

1 Q. Were there more than a hundred?

2 A. No. I don't believe it was up to that. They were small
3 pieces of diamonds. There was only one diamond that was 14
4 carats. That was the only valuable diamond amongst them.

12:02:55 5 PRESIDING JUDGE: For the record, the witness drew a
6 diagram of the kind of little sachet that he is referring to and
7 the sachet shows a size of 6 centimetres by 8 centimetres and he
8 says it wasn't full.

9 MR KOUMJIAN:

12:03:18 10 Q. Now, Mr Sesay, you have explained that what you drew was a
11 plastic zip lock type bag that medicines would be put in, that
12 would be flat when empty, and that's what was taken from Johnny
13 Paul Koroma. But let's look at what you said on 8 July, page
14 44025. There you explained, on line 3 - on line 2 you were
12:04:24 15 asked:

16 "Q. The diamond was in what?

17 A. It was in a container, a rubber-like container,
18 something like the Ludo game container, the cup. The
19 diamonds were in there. It was something like a small
12:04:38 20 cup."

21 So, Mr Sesay, was it a small cup or was it in a plastic
22 that's flat when empty?

23 A. I don't remember now. I think - I think it was a Ludo cup.
24 It was when Bockarie gave it to me, that's when it was in the
12:05:10 25 plastic cup, the plastic bag.

26 Q. Mr Sesay, you claim that these were the diamonds that you
27 lost in Monrovia, the ones that were taken from Johnny Paul
28 Koroma; correct?

29 A. Yes, correct.

1 Q. And let me make it clear to you: I say you're lying about
2 that because more than 1,000 diamonds were taken from Johnny Paul
3 Koroma. What do you say about that?

12:05:56 4 A. God forbid. It was never up to that. Because even 371,
5 when he was testifying against me, he spoke about that diamond
6 and he confirmed it that the only valuable diamond among the
7 diamonds was the 14 carat and the other ones were smaller pieces.

8 Q. Are you talking now about the diamonds you lost or the
9 diamonds taken from Johnny Paul Koroma?

12:06:17 10 A. The diamonds that we took from Johnny Paul Koroma, I said
11 371 saw them. When he was testifying he spoke about them. He
12 testified about them against me.

13 Q. Mr Sesay, how much were the diamonds worth that you took to
14 Monrovia?

12:06:41 15 A. The diamonds that I went with that got missing from me were
16 the ones that we took from Johnny Paul Koroma. I wouldn't tell
17 how much they cost, but the only valuable diamond amongst them
18 was the 14 carats.

19 Q. You don't know how much they were worth?

12:07:03 20 A. I wouldn't know how much they would have paid for them.

21 Q. Well, you said previously they were all industrial
22 diamonds, hardly worth anything, except for the one 14 carat;
23 correct?

12:07:28 24 A. Small pieces of diamonds were the industrials. The
25 valuable piece of diamond was the 14 carats.

26 Q. Well how much was the whole package worth, according to
27 what you understood at the time?

28 A. I wouldn't have known the total value of the diamonds. You
29 know, those small diamonds, there were some black colours, they

1 were colourless, they were orange colours, they were like that.

12:08:12 2 Q. But, Mr Sesay, you have told us that while you may not have
3 been an expert in diamonds in 1998, from May 2000 through late
4 2001 you controlled all the diamonds of the RUF, so you must have
5 a good idea of what diamonds are worth now, don't you?

6 A. Well, I was not an expert in diamond deals. There were
7 times Eddie Kanneh would be there. The person who would be
8 buying the diamond would be the one who value it. He would say,
9 "I will pay this and this amount for these pieces", because like
12:08:35 10 the diamond which I sold, because there was a problem with it, it
11 was bought \$1,000 for a carat because it was not very good. It
12 was a 52 carats diamond. But industrial diamonds are not much
13 valuable. There are times would you have 200 pieces small
14 diamonds coffee colours, orange colours, at the end of the day
12:09:01 15 you would sell them \$2,000 or \$3,000.

16 Q. Mr Sesay, the reason you don't know how to value diamonds
17 is because you would take the diamonds to Charles Taylor and you
18 would take whatever money he told you to take for the diamonds
19 for whatever arms and ammunition he decided to give you; isn't
12:09:22 20 that correct?

21 A. No, no, no. That is totally wrong, because the people whom
22 I transacted business with, who bought diamonds, they priced the
23 diamonds and - we will negotiate and we will meet on a price and
24 afterwards they will pay for it but I never took diamonds to
12:09:44 25 Mr Taylor.

26 Q. Mr Sesay, what were your instructions with the diamonds
27 that you took - you claim you took from Johnny Paul Koroma? What
28 were the instructions that you had when you were sent to
29 Monrovia?

1 A. Sam Bockarie said Ibrahim Bah had communicated with Memuna
2 from Abidjan with the radio and Memuna had come to pick me up,
3 Memuna communicated with Ibrahim Bah that Bockarie had said he
4 should meet me in Monrovia, that Ibrahim Bah should pick me from
12:10:22 5 Monrovia and take me to Burkina Faso to meet General Diendere.

6 Q. And what were you supposed to do once you got to Burkina
7 Faso?

8 A. Well, I was to go with him, Ibrahim Bah was to give the
9 diamonds to Diendere and Diendere was to give the ammunition.
12:10:44 10 That was the instruction.

11 Q. How much ammunition were you to receive for the diamonds?

12 A. Well, he did not tell me how much I was to receive.

13 THE INTERPRETER: Your Honour, can he kindly repeat his
14 answer slowly.

12:11:00 15 PRESIDING JUDGE: Mr Sesay, please repeat your answer
16 slowly.

17 THE WITNESS: My Lord, I said Sam Bockarie did not tell me
18 how much ammunition I was to receive. Sam Bockarie only told me
19 that the ammunition that we needed was more AK rounds, G3 rounds
12:11:22 20 but I was unable to know how much ammunition I was to receive
21 because the transaction did not take place because I lost the
22 diamonds.

23 MR KOUMJIAN:

24 Q. Well, Mr Sesay, how would you know how much ammunition to
12:11:34 25 ask for if you didn't know what the diamonds were worth?

26 A. Well, that was what they sent me to do; that I was to take
27 the diamonds and General Diendere was to help us with that
28 ammunition. Ibrahim Bah was to talk to General Diendere.

29 Q. But you told us these diamonds weren't worth much, there

1 was only one valuable diamond among them; is that right?

2 A. Yes.

3 Q. How were you to get to Burkina Faso from Monrovia?

4 A. Well, Ibrahim Bah was to take me along. It was Ibrahim Bah
12:12:16 5 who was to take me along. We were to have travelled through
6 Abidjan and when we get to Burkina Faso, Ibrahim Bah would have
7 taken me to General Diendere, he should have assisted me and I
8 would have told General Diendere that whenever we got the
9 diamonds we would be sending them to him but that did not work
12:12:35 10 out because I lost the diamonds and I did not go.

11 Q. How were you to travel from Abidjan to Burkina Faso?

12 A. I said when were to go - we were to go from Abidjan to
13 Burkina Faso, they normally use trains. They normally use - they
14 normally went by road also.

12:12:56 15 Q. How much would your journey have cost you?

16 A. Well, it was Ibrahim who was to form that from Abidjan to
17 Burkina Faso.

18 Q. Now, of course, during this period of time there was an
19 arms embargo on Sierra Leone on the RUF; correct? It was illegal
12:13:19 20 for anyone to sell arms to the RUF; correct?

21 A. There was an arms embargo, yes, in Sierra Leone. All the
22 troops that were in Sierra Leone, that is what I heard.

23 Q. There also was a travel - there were travel sanctions -
24 members of the junta were not permitted to travel outside of
12:13:44 25 Sierra Leone and your name was on the list; isn't that true, of
26 those prohibited from travelling?

27 A. Yes, my name was on it, on the travelling ban.

28 Q. Did you have any problem passing through the Liberian
29 border security?

1 A. Well, at that time in 1998 I did not know that my name was
2 on the travelling ban, I only knew that in 1999, after the
3 Lome Accord.

12:14:19 4 Q. So the answer is no, you had no trouble passing through the
5 Liberian border security; correct?

6 A. I said I did not know that my name was on the travelling
7 ban and, secondly --

8 Q. Sir, that wasn't the question.

9 A. I am answering your question.

12:14:32 10 PRESIDING JUDGE: No, you are not answering the question.
11 You are precisely not answering the question, Mr Sesay. Did you
12 have any trouble going through the Liberian border security?

13 THE WITNESS: No, my Lord. We crossed the border at night
14 and we bordered the civilian vehicle from Foya to Monrovia.

12:14:53 15 MR KOUMJIAN:

16 Q. So unlike Fonti Kanu, who was arrested, according to you,
17 because he crossed at night, you had no trouble crossing at
18 night?

19 A. Well, it was at different borders. That was at Vahun, that
12:15:09 20 was towards the Bomaru area. This is the Koindu area where I
21 crossed at that time.

22 Q. Did you have any problem crossing back through the Liberian
23 border into Sierra Leone?

24 A. Well, Major Mulbah who took me along brought me back
12:15:31 25 across. When we crossed, there was no problem because at that
26 time the border at Dawa, they were transacting business there
27 between the civilians from around Buedu and the civilians who
28 were at Foya Tinkia.

29 Q. So you and Major Mulbah, another RUF, crossed the Liberian

1 border with no problem; correct?

2 A. When the business was going on, we crossed without any
3 problem.

4 Q. Now, Mr Sesay, we still haven't gotten the details of your
12:16:08 5 instructions. When you got to Burkina Faso, were you given
6 instructions on how you would take these materials that you were
7 going to purchase with the diamonds back to Sierra Leone?

8 A. Well, how I could have brought the ammunition back through
9 Sierra Leone?

12:16:36 10 Q. Yes, this is the first time you have thought about that
11 question? When you went to Monrovia, did you know how you would
12 bring the ammunition back to Sierra Leone that you claim you were
13 sent to get?

14 A. Well, we had a field that was been cleared in Buedu, from
12:16:58 15 1996, that place was open. When Mr Sankoh was Abidjan he gave an
16 instruction to Peter Vandi to construct that airfield. It was
17 when I would have got to Burkina Faso and received the ammunition
18 they would have known how the ammunition was to arrive, but when
19 I did not go to Burkina Faso, we were unable to put the cart
12:17:22 20 before the horse.

21 Q. The airfield was never completed; isn't that true?

22 A. Well, the airfield, it was a matter of clearing it and
23 doing some grading, but the shape was there when they walked on
24 it in 1996.

12:17:47 25 Q. But it was bombed, the machine was bombed by ECOMOG and you
26 never completed the airfield, correct?

27 A. No, at the time that ECOMOG bombed it, that was in - it was
28 around - around November to December of '98.

29 PRESIDING JUDGE: Mr Koumjian, the witness said something

1 that's not clear. He said, regarding this airfield, it was a
2 matter of clearing it and doing some grading but the ship was
3 there when they walked - walked on it. What does that mean?

12:18:32 4 THE WITNESS: No, I said the ship, the shape they had
5 cleared the place before, the shape of the runway was there, not
6 ship.

7 MR KOUMJIAN:

8 Q. So shape. There was a rectangular shape of ground, is that
9 correct, that had been worked on?

12:18:53 10 A. The shape, the runway - the airfield has a runway, that
11 would have been cleared. The place was savannah, not forest.

12 Q. So the question is: Was the airfield ever completed, where
13 it was complete enough that a plane could have safely landed?

14 A. Well, during November of '98, the Alpha Jet shot at the
12:19:21 15 machine and it damaged it and at that - since then the work
16 stopped on that field.

17 Q. Now, Mr Sesay, what were you supposed to pay to
18 Ibrahim Bah, if anything, when you went to Monrovia on the way to
19 Burkina Faso with these diamonds?

12:19:40 20 A. Well, it was Sam Bockarie who was supposed to have spoken
21 to him. It was Sam Bockarie who was to have arranged with him,
22 not me. I was sent by Sam Bockarie.

23 Q. So how was Sam Bockarie communicating with Ibrahim Bah?

24 A. I said he sent Memuna - he sent a radio message to Abidjan,
12:20:04 25 spoke to Memuna, for Memuna to come. It was at that time that he
26 told Memuna for her to call Ibrahim Bah to come to Monrovia to
27 pick me up. So if they had - so if the arrangement had gone
28 through to get the ammunition, there was a radio set in
29 Burkina Faso through General Diendere - would have been able to

1 speak to Sam Bockarie in Buedu.

2 Q. Now, Mr Sesay, I am going to ask you again to tell us, as
3 complete as you can, what were the instructions that you received
4 from Sam Bockarie about how you were to obtain ammunition, the
12:20:44 5 amounts of ammunition that you were to obtain, and how it would
6 be delivered to Sierra Leone? What did he tell you before he
7 sent you with the diamonds to Monrovia?

8 A. Well, Sam Bockarie just sent me to meet General Diendere as
9 Mr Sankoh's friend with these diamonds for him to help us to get
12:21:08 10 ammunition. And Bockarie told me that when Ibrahim Bah and I
11 arrives - arrived in Burkina Faso, he would have spoken to
12 General Diendere through the VHF radio and asked Ibrahim Bah as
13 to how we would have been able to travel.

14 Q. What travel documents did you have with you?

12:21:31 15 A. Well, I had an ID card that was prepared for me in Guinea
16 in 1995, when I was travelling to the Ivory Coast. I had that ID
17 card, that is the refugee ID card.

18 Q. Mr Sesay, you talked before that the cost of the flight for
19 the Magburaka shipment was \$90,000 for a plane to go from
12:22:03 20 Burkina Faso to Magburaka. Did you bring \$90,000 to pay for a
21 flight to take this ammunition that were you purchasing to
22 Sierra Leone?

23 A. No, I did not take along such money. I was to go and talk
24 to General Diendere and Bockarie too would have been able to talk
12:22:32 25 to General Diendere for him to assist us, and later Bockarie said
26 we would have been able to give General Diendere diamonds. That
27 was the intention that he had.

28 Q. Mr Sesay, your story, I submit to you - I put to you - is
29 ridiculous that you would travel with one 14 carat diamond and

1 some worthless industrial diamonds all the way to Burkina Faso in
2 order to purchase ammunition at the time there was an arms
3 embargo on Sierra Leone and to have that ammunition delivered to
4 Sierra Leone. It just doesn't make financial sense.

12:23:10 5 A. Well, I am - you are thinking about the financial aspect.
6 We were thinking that Mr Diendere was Mr Sankoh's friend and,
7 because of the situation that we were in, we would have pleaded
8 with him for him to assist us and, in return, the RUF would have
9 been able to be giving him diamonds in advance. And that was
10 Bockarie's intention when he sent me.

11 Q. Mr Sesay, I am just going to go over this briefly but let's
12 briefly cover your story of how the diamonds got lost. You
13 claimed you were running through the rain and the diamonds fell
14 from your pocket. Is that right?

12:23:52 15 A. Yes.

16 Q. And were they in that plastic container that you described
17 and drew, zip lock plastic?

18 A. That was where they were, and I wrapped them up in a paper.

19 Q. And were they in your front pocket, your back pocket?

12:24:17 20 A. The front pocket.

21 Q. Were you wearing jeans?

22 A. No. I was wearing tracksuit.

23 Q. It was April, correct?

24 A. Yes, in late April.

12:24:41 25 Q. Before the rainy season begins, correct?

26 A. No. Late April it rains - it rains once in a while.

27 Q. Mr Sesay, how many days after you arrived in Monrovia was
28 it before you lost the diamonds?

29 A. I was in a hotel for five to six days when the diamonds -

1 when I lost the diamonds.

2 Q. Well, let's see how consistent you were on that. If we
3 could have the transcript for 12 July 2010, page 44274. I am
4 reading from about line 10 - around line 8, you said:

12:26:12 5 "I arrived at the transit point and booked into a hotel.
6 On the evening of my third day at the hotel, Colonel Jungle and I
7 went across the street to a tea shop."

8 So, Mr Sesay, was it the fifth or sixth day - you've said
9 the sixth day before - or was it the third day?

12:26:32 10 A. Well, I'm talking about the days that I spent at the hotel,
11 because when I lost the diamonds I was at the hotel for another
12 two to three days before I went. Two to three days. It was the
13 time that I was travelling, when I was at that hotel, that was
14 the time that I lost the diamond. I cannot remember the exact
12:26:54 15 number of days.

16 Q. Okay. Let me see if I understand what you're saying. What
17 you're saying is that you were at the hotel for two or three
18 days, lost the diamonds and it was on the sixth day that you left
19 the hotel. Is that what you're saying?

12:27:11 20 A. No. I said I was at the hotel for two to three days, then
21 I lost the diamonds. From there, I went to Jungle's house where
22 I spent some days before Pa Mulbah took me and brought me back to
23 Sierra Leone.

24 Q. Well, that's inconsistent with what you said at the bottom
12:27:32 25 of this page. If we can go back to page 44274. You were being
26 read a document about - in fact, you were being read your salute
27 report, the document that was put to you as your salute report
28 that you presented to Foday Sankoh, and Defence counsel here in
29 this Court read that to you and then asked you:

1 "Q. That paragraph describing events in Monrovia, Mr Sesay,
2 is it accurate?

3 A. Yes, about the topic of the diamonds, the diamonds
4 dropped from me from the place where I was waiting for
12:28:25 5 Bah. But that was not on the third day. It was on the
6 sixth day since I entered the hotel."

7 So, Mr Sesay, you've contradicted yourself again on whether
8 you lost the diamonds on the third day or the sixth day because
9 you're making this up, correct?

12:28:47 10 A. Well, this is not a made-up story because if it was a
11 made-up story I wouldn't have survived in the hands of Bockarie.
12 But it was because Bockarie heard about the hotel where I was
13 staying and the announcement on the radio that they discovered
14 diamonds there, that was why Bockarie believed that indeed I lost
12:29:06 15 the diamonds. Honestly, if Bockarie hadn't heard that those
16 diamonds - that they said it - they talked about it on the
17 Liberian radio about the hotel where I lodged, then I would have
18 found it very difficult with Bockarie.

19 Q. Mr Sesay, first of all, let me put it to you, Sam Bockarie
12:29:27 20 wouldn't care if you had stolen or lost the diamonds. If you had
21 lost valuable diamonds belonging to the RUF you would have been
22 punished, unless that something was done with his consent. Isn't
23 that true?

24 A. No, Sam Bockarie was annoyed with me. That was why he said
12:29:52 25 I should not stay with him in Buedu and that I should go to
26 Pendembu. He too was able to hear and people also listened to
27 the announcement on the Liberian radio, ELWA Radio, that they
28 discovered diamonds around the hotel where I was lodged.

29 Q. Mr Sesay, you never were punished, correct, other than this

1 what you claim being transferred to Pendembu. You never were
2 flogged, you never were put in any type of detention facility.
3 You weren't put in a hole in the ground. Correct?

4 A. Yes. I was not imprisoned, I was not beaten, because
12:30:37 5 Bockarie himself believed - the announcement made him believe
6 that indeed the diamonds fell from my hands. That was why he
7 said I should not stay in Buedu, I should go to Pendembu and that
8 I was to be monitoring the front lines in Pendembu.

9 Q. No one even took your statement. Isn't that true?

12:30:57 10 A. MPs, they didn't take any statement from me, but they asked
11 me to explain to Pa Rogers in the presence of Mike Lamin. And I
12 explained, then Pa Rogers said that Bockarie should be patient
13 whilst they are finding out the cause for the --

14 THE INTERPRETER: Your Honour, can he kindly repeat his
12:31:20 15 answer slowly.

16 PRESIDING JUDGE: Pause, pause, Mr Sesay. Repeat your
17 answer, please. The interpreter didn't get you.

18 THE WITNESS: My Lord, I said Mr SYB Rogers - Mosqui to
19 asked me to explain in the presence of SYB Rogers, Mike Lamin and
12:31:39 20 other senior officers in Buedu and I explained the story as to
21 how the diamonds got lost in my possession. And SYB Rogers asked
22 Bockarie to be patient so that he can find out how the diamonds
23 got missing. It was during that time that the announcement was
24 on the ELWA Radio about how diamonds had been discovered at Carey
12:32:01 25 Street at the African Plaza.

26 MR KOUMJIAN:

27 Q. Mr Sesay, do you have any - you have talked about documents
28 that you collected for your Defence, documents that you have in
29 your office, you said. Do you have any documents showing any

1 news reports in Liberia about diamonds being found on Carey
2 Street?

3 A. Well, that was on the ELWA Radio. It was on ELWA Radio
4 when they announced it and people in Monrovia rushed to Carey
12:32:37 5 Street according to that radio. They said diamonds - they
6 thought the diamond had been discovered around that place. It
7 was on the radio. That was what saved me.

8 Q. That would be big news in Liberia if diamonds were found in
9 the middle of Monrovia. It would be very big news. Isn't that
12:32:53 10 true?

11 A. Yes, I said the Liberian radio, ELWA said that.

12 MR KOU MJIAN: Could we have the transcript of 16 September
13 2009, page 29099, please.

14 PRESIDING JUDGE: I presume that is in this trial?

12:33:29 15 MR KOU MJIAN: Yes, in this trial from the testimony of
16 Mr Taylor.

17 Q. If we go to the bottom four lines, Mr Griffiths asked
18 Mr Taylor:

19 "Q. But there's evidence to suggest that there was a radio
12:33:55 20 broadcast in Monrovia which led an initially disbelieving
21 Sam Bockarie to accept the account given by Issa Sesay.

22 Do you recall any such radio --"

23 On the next page Mr Taylor answered:

24 "A. No, I don't.

12:34:14 25 Q. Report in Monrovia of diamonds being lost?

26 A. No, I didn't hear that report."

27 So, Mr Sesay, the President of Liberia at the time never
28 heard any report that diamonds had been found on the streets of
29 his capital. You made that up, didn't you?

1 A. No, no. I did not make this up. This one was well known
2 in Buedu and that was why Sam Bockarie did not take any further
3 actions against me, apart from sending me to Pendembu. That is
4 not a made-up story. If Bockarie and other people - if other
12:35:00 5 people had heard it on ELWA Radio.

6 Q. Mr Sesay, what is not made up, what I said accept, is that
7 diamonds were given to you and they disappeared on a trip you
8 took to Monrovia. Just so you understand my position. But these
9 were not the diamonds from Johnny Paul Koroma, were they?

12:35:24 10 A. No, those were the diamonds. Those were the diamonds. 371
11 himself said it, that those were the diamonds that we got from
12 Johnny Paul. They were the same diamonds that were given to me.
13 Those are the diamonds.

14 Q. Mr Sesay --

12:35:43 15 PRESIDING JUDGE: Just a moment, this ELWA Radio, is that a
16 Liberian radio or a Sierra Leone radio?

17 THE WITNESS: My Lord, it's a Liberian radio.

18 MR KOUMJIAN:

19 Q. Mr Sesay, the diamonds - you made up the story for your own
12:36:11 20 trial that the diamonds that you took to Monrovia that
21 disappeared came from Johnny Paul Koroma because you wanted to
22 dissociate yourself from diamonds from the mining in Kono. And
23 the diamonds that were given to you that disappeared on your trip
24 to Monrovia came from the mining unit. They were mined in Kono
12:36:33 25 by forced - civilians forced to mine for the RUF. Isn't that
26 true?

27 A. No, no, no. We would not arrive in Kailahun in late
28 February or early March, and in April they would be able to get
29 diamonds that Sam Bockarie would give to me to go to Monrovia.

1 It was the diamonds that Johnny Paul gave to Sam Bockarie that
2 Sam Bockarie gave to me to go and meet with Ibrahim Bah. Those
3 are not - that is not a made-up story.

4 Q. Could the witness be shown D-84, page 6 of that document?

12:37:56

5 Mr Sesay, this is from a report that you have looked at
6 several times in your direct examination, the salute report to
7 Foday Sankoh that we say is from you. And on page 6, at the
8 bottom, the last paragraph, we see:

12:38:20

9 "While in Buedu, Captain Michael Coomber of the mining unit
10 reported with a parcel of diamonds from Kono. The parcel was
11 placed in my care by General Mosquito, with the instructions to
12 move with it to its transit point where I would be met by General
13 Ibrahim and together we would travel to a business associate of
14 the leader for arrangements and procurement of military
15 equipment."

12:38:40

16 That's the truth, isn't it, that the diamonds that you -
17 that disappeared with you in Monrovia were diamonds from the
18 mining unit in Kono?

12:39:01

19 A. No, no, no. This report is false. I did not make such a
20 report. And the diamonds that I went with were not from the
21 mining unit. This is a lie.

22 Q. You have said this report, you claim, was written by Gibril
23 Massaquoi, correct?

12:39:23

24 A. Yes. I said it was the Prosecutor and Gibril, because like
25 the report -

26 Q. Let's look at another document please, D-8, the first page.

27 JUDGE DOHERTY: Mr Koumjian, before you do that, I note
28 that the last answer does not appear. I didn't hear a complete
29 sentence. I heard the witness say it was a prosecutor and Gibril

1 because - and I didn't hear anything else and nothing is
2 recorded.

3 MR KOUMJIAN:

4 Q. Mr Sesay, did you complete your answer?

12:40:03 5 A. No. It was because I saw that you wanted to ask another
6 question, that's why I did not complete. I said like the report
7 of Sam Bockarie, that they alleged was made by Sam Bockarie,
8 Sam Bockarie could not give details about the death of Mana
9 Kpaka, the SLPP chairman. Those events were known by Gibri l
12:40:26 10 because he was in Freetown, when he was released from Freetown,
11 from prison. Because after the Freetown invasion, nobody
12 reported to Sam Bockarie in Buedu.

13 Q. Okay, let's look at D-8. This is the verbatim report on a
14 recorded discussion between Corporal Foday Sankoh and his cohorts
12:40:50 15 on his return from detention at Nigeria in 1999, explaining their
16 activities during his detention in 1996 to 1999. And looking
17 down at the first speech given by the adjutant general, we see,
18 number 1:

19 "We start with minerals: - first and foremost, the 1,832
12:41:23 20 pieces of diamonds in nine plastics received from JP Koroma."

21 Then it goes on and says:

22 "Next was the 14 pieces of diamonds misplaced by Brigadier
23 Issa Sesay."

24 PRESIDING JUDGE: I am sorry, Mr Koumjian, what paragraph
12:41:42 25 are you reading?

26 MR KOUMJIAN: I am reading - it is actually the second
27 paragraph, "Number 1".

28 PRESIDING JUDGE: What page?

29 MR KOUMJIAN: If I have the right number - yes, it's on the

1 screen. D-8, the ERN number is 12955, the first page, it's now
2 on the screen, the third line down on the screen.

3 "Next was the 14 pieces of diamonds misplaced by Brigadier
4 Issa Sesay, among which was an 11 carat piece of diamond."

12:42:23 5 Q. Mr Sesay, this is the truth, isn't it? You lost or
6 misplaced or stole, whatever, 14 pieces of diamonds, and 1,832
7 pieces in nine plastics were taken from Johnny Paul Koroma.

8 A. This is a black lie, because {redacted}, who was the
9 {redacted}, you brought him as a Prosecution witness against me,
12:42:52 10 he did not testify about that, and he did not bring such a
11 document during {redacted} testimony to confirm that he was the
12 one who made this document. And he was the only {redacted} in
13 the RUF during that time.

14 Q. Mr Sesay, who else was present from Johnny Paul Koroma's
12:43:15 15 entourage when the diamonds were taken from him?

16 A. It was Johnny Paul's wife who was in the room when he gave
17 the diamonds, but 371 was present. He saw the diamonds.

18 Q. What about Samuel Kargbo? He was there.

19 A. Samuel Kargbo was not in the room. He was not there.

12:43:43 20 Q. No, he wasn't in the room. You were having him beaten
21 outside; isn't that true? Samuel Kargbo, Johnny Paul Koroma's
22 family, his bodyguards, were being beaten and asked to give up
23 any diamonds that they had; isn't that true?

24 A. No, no, no. It did not happen that way. Samuel Kargbo was
12:44:10 25 in Kailahun Town. He was not at the scene where the diamonds
26 were taken from Johnny Paul, no.

27 Q. Mr Sesay, Mr Kargbo says you're the one who finally stopped
28 the beating. Is that true, that you ordered them to leave him
29 alone finally because he had given you a car in Freetown? Is

1 that true?

2 A. Never. He never gave me a car. And he was not at the
3 scene. He was in Kailahun Town, because he used to go and spend
4 some time with Akim in Kailahun. He was not there on that day
12:44:53 5 when the incident took place. The person who was present there
6 was CSO Rambo who gave the information.

7 Q. Who was it that gave you the car in Freetown?

8 A. Well, Johnny Paul gave me a car, a jeep, and Gullit gave me
9 a pick-up. When we got there, I did not have a car, and Gullit
12:45:17 10 gave me a pick-up, and later Johnny Paul gave me a jeep, the jeep
11 that he took from Steve Bio.

12 Q. Let's look at some testimony from Mr Kargbo, 22 May 2008,
13 page 10618.

14 MR KOU MJIAN: Thank you, I am done with the document.

12:45:51 15 Your Honour, I have just been informed that there needs to
16 be a redaction from something apparently that was said in closed
17 session in the RUF trial, and the witness talked about it here,
18 and that is, on my LiveNote, page 85, the answer beginning on
19 line 17, the witness speaks about a person who testified in
12:46:19 20 closed session in the RUF trial, I am informed.

21 PRESIDING JUDGE: Yes. Madam Court Officer, could we
22 redact, first of all, the name appearing and the position
23 appearing on page 85, lines 17 and 18 respectively.

24 MR KOU MJIAN: I believe also on line 20, the name appears,
12:46:57 25 and line 21, the position appears again in line 21.

26 PRESIDING JUDGE: Yes. The name and position appearing in
27 lines 20 and 21 will also be redacted.

28 MR KOU MJIAN: Again, the reference I am seeking is 22 May
29 2008, page 10618.

1 MS IRURA: Your Honour, unfortunately I cannot show the
2 transcript and effect the redaction at the same time.

3 MR KOUMJIAN: I apologise.

12:47:58

4 PRESIDING JUDGE: Very well. I think the redaction is
5 urgent, so we will give the Court Manager time.

6 JUDGE DOHERTY: Perhaps I could ask a few questions, again
7 in relation to the diamonds that were lost.

12:48:24

8 Mr Sesay, you have said, in the course of your recent
9 answers, page 78, line 18, that they were lost and they were
10 later - when you were at the hotel, they were found there. That
11 conveys to me that they were found in the hotel. And then you
12 later said they were found near the hotel. And then you later
13 said, page 80, line 12, they were found at Africa Plaza in Carey
14 Street. I am not clear where exactly you heard that they were
15 found.

12:48:47

16 THE WITNESS: My Lord, the diamonds fell off my hands where
17 I went across the street to drink coffee, when it was raining.
18 They said the diamonds were found in the gutter by the hotel at
19 Carey Street, outside the building, in the gutter, where the
20 water was flowing.

12:49:16

21 JUDGE DOHERTY: Thank you. And slightly unrelated to the
22 question, you have told us you stayed some days at the hotel.
23 Who paid the hotel bill?

12:49:41

24 THE WITNESS: I paid my hotel bills, ma'am. I had some
25 money that was given to me by Sam Bockarie, so I paid for my
26 hotel bills, including feeding.

27 MR KOUMJIAN: Before we go back to the diamonds, perhaps I
28 could have D-9 shown to the witness briefly, and if page 4 could
29 be shown to the witness.

1 Q. Mr Sesay, I am going to read from the last full paragraph.
2 It reads: "We also rescued JP Koroma and his family." Well, I
3 perhaps should preface by saying this is the salute report from
4 Sam Bockarie to Foday Sankoh that you dispute. It says on page
12:51:26 5 4, the last full paragraph:

6 "We also rescued JP Koroma and his family, and under the
7 escort of Brigadier Issa and Brigadier Mike, he was brought to
8 Kailahun."

9 All of that is correct to this point, correct, Mr Sesay?

12:51:45 10 A. Yes. I - all of us came together with Mike Lamin. That's
11 what I said.

12 Q. And it says, "As was advised by your brother". And that's
13 true also, isn't it?

14 A. No, I did not know about that. I never heard that.

12:52:07 15 Q. Foday Sankoh called Charles Taylor his brother, correct?

16 A. Well, he used that expression in 1991 but after the
17 withdrawal of the NPFL I did not hear him refer to him again as
18 his brother because at that time he was grumbling about him
19 bitterly. So I know that there was a friendship between them and
12:52:39 20 they were friends.

21 Q. Thank you, Madam Court Officer. Let's go back to the
22 testimony of Samuel Kargbo from 22 May 2008, page 10618.

23 Mr Sesay, is it correct that in addition to Johnny Paul
24 Koroma, who else had diamonds on them that were taken by the RUF?
12:53:18 25 What other AFRC members or family members, had diamonds? Sir,
26 did you get that question? It is for you, Mr Sesay. Who did you
27 take diamonds from besides Johnny Paul Koroma?

28 A. It was Gullit.

29 Q. How about Samuel Kargbo?

1 A. No, I don't know about him.

2 Q. Did Samuel Kargbo have diamonds on him that he was hoping
3 to escape with?

4 A. No, I don't know about him having diamonds.

12:54:09 5 Q. So, I'm going to read from page 10618, 22 May 2008,
6 testimony of Samuel Kargbo, beginning on line 6:

7 "Q. Where was it that you and Johnny Paul were heading
8 when you were both arrested and found to be in possession
9 of large amounts of diamonds, in your case sewn into the
10 waistband of your trousers?"

12:54:36

11 This was cross-examination.

12 "A. It was through the call of the Godfather of the RUF,
13 Charles Ghankay Taylor, when he called us and he said we
14 were to go and he will send a helicopter to convey us, that
15 when we got to Kono, but even from Kono, Mosquito convinced
16 us to go to Buedu, and whilst we were on our way to
17 Liberia, the Godfather of the RUF, Mr Charles Ghankay
18 Taylor, the RUF razed us and they took all our items from
19 us and then that was done by Sam Bockarie, alias Mosquito
20 and the others who came."

12:54:52

12:55:16

21 Well that's true, isn't it, Mr Sesay?

22 A. No, I did not know about Samuel Kargbo, diamonds being
23 taken from Samuel Kargbo. I know that diamonds were taken from
24 Johnny Paul and for Gullit did not - Johnny Paul who gave us the
25 order who - to go and take the diamonds from him --

12:55:41

26 THE INTERPRETER: Your Honours, can the witness kindly
27 speak slowly and repeat his answer.

28 PRESIDING JUDGE: Mr Sesay, I don't know what makes you
29 think that when you suddenly speak faster it is okay, it is not

1 okay. Now, repeat your testimony slowly. Repeat your testimony.

2 THE WITNESS: My Lord, I said I knew of Gullit because it
3 was Johnny Paul and Bockarie that gave me the orders and Mike
4 Lamin to go and meet Gullit in Kailahun Town, for him to present
12:56:19 5 the diamonds that he had. And we went there, together with Mike,
6 and we met - Gullit had already gone to the border and I met him
7 there. He had some small pieces of diamonds and he presented
8 them and we came to Buedu. These were the only AFRC members that
9 I knew had diamonds that were taken from them, himself and Johnny
12:56:43 10 Paul.

11 MR KOUMJIAN:

12 Q. How many diamonds were taken from Gullit?

13 A. Gullit had small pieces of diamonds. I don't think they
14 were beyond 10 pieces, small pieces.

12:57:00 15 Q. And you're sure that they were small pieces?

16 A. Small pieces, very small ones.

17 Q. I am going to move on to another topic, unless there is
18 other questions, and that is Fitti-Fatta. Mr Sesay, can you give
19 us again your definition of Fitti-Fatta, what do the words mean?

12:57:35 20 A. In my own way, Fitti-Fatta is something that is scattered;
21 something that goes out of control, that is not good -
22 Fitti-Fatta.

23 Q. The Fitti-Fatta mission was when Sam Bockarie gave Superman
24 ammunition and instructed him to attack Koidu Town; correct?

12:58:12 25 A. Yes, it is correct.

26 Q. It was called Fitti-Fatta because he give Superman a lot of
27 ammunition in order to carry out that attack, isn't that true?

28 A. No, that is not the way it was.

29 Q. Was the plan to go beyond Koidu Town if you were successful

1 there, in other words, if Koidu was taken, was there a plan to go
2 and take other parts - other cities in Sierra Leone?

3 A. No. I did not know. I heard about the attack on Kono -
4 the attack on Koidu.

12:58:58 5 Q. But wasn't there a plan that if he took Kono he was to move
6 on and attack Makeni, the same as you did in December '98?

7 A. No, sir. I said I did not hear that. What I heard was the
8 attack on Kono. Superman should go and attack Koidu, because
9 Mike Lamin, Superman and Sam Bockarie were the ones who planned
10 the attack and Mike Lamin came to Pendembu, including Superman,
11 and they told me.

12 PRESIDING JUDGE: Mr Sesay, just a moment. Given the
13 meaning that you have given to the words "Fitti-Fatta", what
14 would be the meaning of the Fitti-Fatta mission?

12:59:46 15 THE WITNESS: Well, I did not hear the expression before
16 the attack. I heard the expression after the attack, that the
17 RUF fighters died, many of them, and many of them got wounded.
18 It's like RUF had never encountered such a number of casualties
19 in a single attack.

13:00:11 20 PRESIDING JUDGE: So what is the answer to my question:
21 Fitti-Fatta mission meant what?

22 THE WITNESS: No plan, no control. That's what caused
23 that. No better organised - no better organisation, Fitti-Fatta,
24 things happened out of the way, out of hand.

13:00:39 25 MR KOUMJIAN:

26 Q. Mr Sesay, wasn't it true that the plan was for Fitti-Fatta;
27 take Koidu Town and move on to Makeni?

28 A. I said it was - the plan for the attack on Kono that they
29 had, even the Fitti-Fatta expression, I heard that after the

1 field attack because they said that people - many people died and
2 many people got wounded. People died Fitti-Fatta and they got
3 wounded Fitti-Fatta.

4 Q. So your answer is the plan was only to attack Koidu Town;
13:01:22 5 is that right?

6 A. That is what I heard from Superman and Mike Lamin after the
7 meet in Pendembu, before Superman travelled back to Kono.

8 Q. Mr Sesay, let's look at what you said under oath on 16 May
9 2007, page 10. It was in closed session but there is nothing on
13:01:49 10 the page that would reveal the name of a witness that I see.

11 PRESIDING JUDGE: This is obviously not in this trial.

12 MR KOUMJIAN: Correct. This is from the RUF trial.

13

14 MS IRURA: Your Honour, this is a closed session transcript
13:02:24 15 and maybe out of an abundance of caution it would not be wise to
16 display it.

17 MR KOUMJIAN: I am happy to read it.

18 PRESIDING JUDGE: Yes, I think you should read it instead.

19 MR KOUMJIAN:

13:02:35 20 Q. Mr Sesay, I am reading from page 10, 16 May 2007, the
21 second line:

22 "A. No, that was not to my knowledge. It was after the
23 meeting that Mike came to Pendembu and he told me what they
24 discussed.

13:02:54 25 Q. What did he tell you had been discussed?

26 A. He said Bockarie told Superman that he was to attack
27 Koidu Town. That was the attack which the Prosecution
28 witness called Fitti-Fatta attack, and the plan was if
29 Superman was able to capture Kono he would have advanced

1 towards Makeni."

2 So, Mr Sesay, why again is it that you remembered this in
3 2007 but you are testifying in a contradictory fashion today?

13:03:40

4 A. Well, I said it is not everything that I said during my
5 trial that I can recall here verbatim when I am testifying here.
6 I cannot recall everything. It is what you ask me, if I remember
7 something, then I'll say it.

8 Q. The ammunition for Fitti-Fatta, we agree, came from
9 Liberia; correct?

13:04:06

10 A. Yes, it was the ammunition that Bockarie bought from the
11 ULIMOs, that's what he gave to Superman. That is what I knew.

12 Q. What we agree is that it came in 1998 from Liberia across
13 the Liberian border; correct?

14 A. Yes, it's correct.

13:04:30

15 Q. Who was President of Liberia at the time that this
16 ammunition for Fitti-Fatta came into Sierra Leone?

17 A. It was President Taylor who was the President of Liberia.

18 Q. Mr Sesay, from 1991 until the end of the war, do you know
19 of a - first of all, let us me ask you: Was Kennedy arrested by
20 Liberia by the Liberian security?

13:05:06

21 A. No. He was not arrested.

22 Q. On your trips to Liberia were you ever arrested?

23 A. No. I was not arrested.

24 Q. Were any of your bodyguards arrested, aside from Pa Rogers
25 being beaten when he tried to go talk to some of Sam Bockarie's
26 bodyguards into coming back, were any of your bodyguards, or
27 people that travelled with you from the RUF, ever arrested in
28 Liberia?

13:05:32

29 A. No, the bodyguards who were travelling with me, the

1 Liberian government was aware of my going to Liberia but I never
2 sent bodyguards to Liberia unknown to the Liberian government.
3 When I was going there, it was the Liberian President who used to
4 call me, so they couldn't arrest me or arrest them. At the time
13:06:12 5 that I went in 1998, the authorities did not know. I just went
6 as a civilian and at that time they did not know me much in
7 Liberia.

8 Q. Were any of your Liberian RUF fighters ever arrested when
9 they went back to visit their families in Liberia?

13:06:42 10 A. I did not hear that.

11 MR KOUMJIAN: Could the witness be shown D-1-86.

12 Q. Mr Sesay, this is a document that was brought into this
13 Court during the testimony of President Taylor. It's dated
14 February 22, 1999, and you will see it's a letter from Dankpannah
13:08:16 15 Dr Charles Ghankay Taylor to Ahmad Tejan Kabbah and it says, "My
16 dear friend and brother". I am going to try to go to the
17 relevant portions:

18 "I present my compliments and, in consideration of our
19 mutual desire to find a common and permanent solution to the
13:08:39 20 problems besetting the peace and security in the sub-region,
21 hasten to seize this opportunity to bring to your urgent
22 attention" --

23 THE INTERPRETER: Your Honour, can I learned counsel kindly
24 read slowly to allow the interpreter to keep pace with him.

13:09:00 25 MR KOUMJIAN: My apologies.

26 Q. "I present my compliments and, in consideration of our
27 mutual desire to find a common and permanent solution to the
28 problems besetting the peace and security in our sub-region,
29 hasten to seize this opportunity to bring to your urgent

1 attention the 1986 non-aggression and security cooperation treaty
2 between member states of the Mano River Union which, inter alia,
3 obliges them in principle and substance to be their brother's
4 keeper and to cooperate in mutual security interest of each
13:09:51 5 other."

6 It then cites the relevant paragraphs or articles. In the
7 next paragraph President Taylor says:

8 "In this connection, I wish to refer to Article VIII which
9 provides that any member of the military or paramilitary forces
13:10:13 10 found within the territory of a high contracting party without
11 proper leave of absence, prior clearance, entry permit and travel
12 document shall be arrested and kept in custody. Further, the
13 government concerned shall be immediately notified.

14 According to Article IX, the establishment of a joint
13:10:45 15 security liaison committee" - I am going to skip a little bit -
16 "shall have the responsibility to liaise on the subject of
17 fugitive criminals, dissidents, as well as subversive activities
18 of the respective countries in the territory of each other" --

19 PRESIDING JUDGE: That is "of citizens of their respective
13:11:11 20 countries."

21 MR KOUMJIAN: Thank you. Let me try that again.

22 Q. "Shall have the responsibility to liaise on the subject of
23 fugitive criminals, dissidents, as well as subversive activities
24 of citizens of their respective countries in the territory of
13:11:29 25 each other, exchange information, investigate reports affecting
26 the security of the high contracting parties with a view to
27 maintaining the desired peaceful coexistence."

28 Let's go a couple of paragraphs to the next page, the
29 second paragraph. It states:

1 "Moreover, my government is prepared to act immediately to
2 arrest and keep in custody, pending prosecution or extradition,
3 any and all persons or dissidents found in violation of the
4 non-aggression and security cooperation treaty and the penal code
13:12:26 5 of Liberia relative to mercenaries. "

6 Mr Sesay, do you remember we discussed your definition of
7 mercenaries, people from one country sent to fight in another
8 country. The RUF, you told us, was always trying to seize power
9 and overthrow the government of Kabbah; correct?

13:12:51 10 A. Yes, that's correct, before the Lome Accord.

11 Q. Were any RUF members ever arrested in Liberia by President
12 Taylor's security forces?

13 A. No, that's not to my knowledge because, when the RUF used
14 to go, they were not - the few who used to cross the border were
13:13:24 15 not making themselves open to the securities. Even in Guinea,
16 the RUF used to go around there, but the securities were not
17 aware until the time Mamie Isatu was arrested.

18 Q. Guinea arrested Isatu Kallon and other RUF members when
19 they were just transversing that country, correct?

13:13:55 20 A. Well, those who were passing through the country who were
21 arrested are the ones I knew about. Philip Palmer and Alhaji
22 Kamara at the same time. Because Mamie Isatu, she opened the
23 base in Guinea. Sometimes she would be in Gueckedou, but she was
24 moving around Guinea.

13:14:16 25 Q. And they were taken to Freetown, they were extradited and
26 turned over to the government of Freetown, correct?

27 A. Mamie I, but Palmer and others were released. It was only
28 Mamie I that was brought to Freetown.

29 Q. Charles Taylor never turned over any RUF to the government

1 of President Kabbah, did he?

2 A. No, no RUF members were arrested. But like Sam Bockarie
3 who crossed over into Liberia, it was - it was another Head of
4 State, including Mr Sankoh, who said Mr Bockarie should stay
13:15:11 5 there in respect of the implementation of the Lome Accord. And I
6 believe that if Obasanjo had attended such a meeting about - had
7 attended such a meeting then President Kabbah too would have
8 known about that.

9 Q. Mr Sesay, the answer to my question - my question again
13:15:31 10 was, "Charles Taylor never turned any RUF over to the government
11 of President Kabbah, did he?" The answer is no. That's
12 sufficient.

13 A. I said no. I said no.

14 Q. Yes. Mr Sesay, in fact RUF members were taken into the
13:15:48 15 Liberian security and military forces of President Taylor, isn't
16 that true? For example, the ATU. Fighters who crossed with
17 Bockarie were put into the ATU, isn't that right?

18 A. I heard of that. I don't know whether it was a true story,
19 but I heard the rumour.

13:16:16 20 Q. You knew John Vincent, correct?

21 A. Yes, I know John Vincent.

22 Q. He was a vanguard, correct?

23 A. Yes.

24 Q. He testified he was NPFL for a week or so before he was
13:16:36 25 taken - joined the RUF and went to Naama. And then he testified
26 that, when he left the RUF, he joined the Liberian army and
27 became part of the SSS. You knew that, didn't you?

28 A. Well, I knew of that because when I said we should disarm
29 the vanguards who crossed into Liberia, I did not know about

1 their activities any longer. What they did or what they did not
2 do, I did not know about. But to say that I knew that he was a
3 former NPFL, no, except if someone says it. But if nobody says
4 it when we were at the base I wouldn't know.

13:17:16 5 Q. What about Jabaty Jaward, he was RUF, correct?

6 A. Yes, he was RUF.

7 Q. And did he become part of the security services for
8 Liberia?

9 A. Well, I said that was what I heard, that some of them who
13:17:35 10 went, Sam Bockarie to whom they were bodyguards, some of them
11 became ATUs. Some of them. So I did not know who ATU and who
12 did not become.

13 Q. Morris Kallon you know had a bodyguard called Nyalay;
14 correct?

13:17:59 15 A. I can't remember Kallon's bodyguard - the names of Kallon's
16 bodyguards.

17 Q. You don't remember Nyalay, a bodyguard who would operate
18 the BZT for Benjamin Yeaten?

19 A. No. No, I don't know him.

13:18:20 20 Q. Did you ever hear how your good friend Daniel Tamba was
21 killed?

22 A. Well, since I left Liberia in March 2001 I did not go to
23 Liberia until after the disarmament, and after the disarmament I
24 never heard anything after --

13:18:42 25 THE INTERPRETER: Your Honours, can he kindly repeat his
26 answer slowly.

27 PRESIDING JUDGE: After the disarmament what happened?
28 Repeat your answer, please.

29 THE WITNESS: My Lord, I said during the disarmament I did

1 not hear and after the disarmament I did not hear about what was
2 happening in Liberia. I was in Makeni and then I later came to
3 Freetown. I was in Freetown up to the time that the Special
4 Court arrested me.

13:19:08

5 MR KOUMJIAN:

6 Q. And you were already in detention when Sam Bockarie was
7 killed, correct?

8 A. Yes, I was in detention.

13:19:23

9 Q. And it was after that that your friend Jungle, Daniel
10 Tamba, was killed. Did you hear that?

11 A. I heard from Eddie Bockarie. That was around - around
12 2005. That was when I heard from Eddie Bockarie, who went to
13 visit me, that he heard, but that he had not confirmed that
14 Jungle had died.

13:19:48

15 Q. Didn't you hear that Jungle was shot in the back by
16 Nyalay's BZT?

17 A. My Lord, I was in your custody at this time. I did not
18 know what was happening in Liberia. I was in Freetown in
19 detention.

13:20:08

20 Q. I appreciate that, but you still talked to people. But it
21 is true, isn't it, at this time when Bockarie was killed, when
22 Jungle was killed, you were safely in the detention of the
23 Special Court. Isn't that true?

24 A. I was in detention when - but because people were not
25 coming from Liberia to visit me, it was only my family members
26 and some few friends that used to visit me in my detention in
27 Freetown. They were not coming from Liberia.

13:20:33

28 Q. Mr Sesay, I want to go - let me ask you, before I leave
29 this subject, quickly: You were visited by fellow RUF members

1 I like Eddie Bockarie and like - and others; correct?

2 A. Yes, Eddie Bockarie, Jonathan Kposowa, all of them used to
3 visit me.

4 Q. Francis Musa?

13:21:12 5 A. Well, Francis Musa used to go to Gbao and when he left the
6 prison he used to come to the detention and he used to work for
7 Gbao as an investigator.

8 Q. Did you hear of the killing of many of your fellow RUF who
9 had crossed over with Bockarie, that they had later been killed
10 in Liberia?

11 A. Well, I heard that some of them died during the fighting in
12 Liberia because I heard different pieces of information, those
13 who died, those who joined LURD rebels, those who were with
14 Sam Bockarie, they too died. So I was not able to get - I was -
13:22:03 15 I did not hear any straight information. It was just - they were
16 just rumours that this died, that one died.

17 Q. Martin Koker died, for example?

18 A. I did not hear about Martin Koker.

19 Q. Mr Sesay, your neighbour, we saw photographs during your
13:22:29 20 direct examination, of where your house was and where
21 Sam Bockarie's house was, your neighbour, the person that lived
22 across from you, the family that lived across from you, was Hawa
23 Bockarie and her children. Correct?

24 A. Yes.

13:22:48 25 Q. And you told us that when Sam Bockarie left the RUF,
26 crossed the Liberian border, he left with his wife, his mother
27 and his children. Correct?

28 A. Yes.

29 Q. How many children did he take with him?

1 A. Well, Sam Bockarie --

2 THE INTERPRETER: Your Honour, can he kindly repeat the
3 names of the children again.

13:23:22

4 PRESIDING JUDGE: Mr Sesay, just pause. You need to repeat
5 the names of the children slowly.

6 THE WITNESS: He had Corporal whom they used to call Foday.
7 The other was called Fatou.

8 PRESIDING JUDGE: What do you mean he had "couple"? What
9 is "couple"?

13:23:41

10 THE WITNESS: My Lord, what I mean, it was Mr Sankoh who
11 named the child like that. So they used to call the child
12 Corporal Foday. So, instead of Foday they just say Corporal.

13 The child's name is Corporal Foday Bockarie, but because

13:24:07

14 Mr Sankoh was called Corporal Foday Sankoh, so they used to call
15 the child Corporal.

16 MR KOUMJIAN:

17 Q. Thank you. Besides Foday Corporal Bockarie, what other
18 children did Sam Bockarie take with him when he left Sierra Leone
19 and went to Liberia?

13:24:22

20 A. The one that he got with Hawa is two - three, sorry.
21 Corporal, Tete and Yatta. That's two girls and a boy. Then he
22 had another child with a lady called Kadie. So all of them went.
23 That was my namesake. He was called Issa. He took the child
24 along.

13:24:56

25 MR KOUMJIAN: Perhaps the interpreter can help us with the
26 names of the two girls. There was - the two child girls.

27 PRESIDING JUDGE: Mr Interpreter, what were the two names
28 of the girls that you gave us? Can you spell them please?

29 THE WITNESS: I remember he said he Tete, which should be

1 T-E-T-E and Yatta, Y-A-T-T-A.

2 MR KOUMJIAN:

3 Q. Mr Sesay, where are these children now?

4 A. My Lord, I am in detention in Freetown. I am in detention.

13:25:36 5 Could I be in detention and know what was happening in Liberia?

6 If you hear that - I heard that Sam Bockarie's people died. That
7 is what I heard.

8 Q. I want to go back and just do one small point before we
9 break.

13:25:57 10 Do you recall - I want to help you to try to recall the
11 date of the Fitti-Fatta mission. Mr Sesay, do you remember the
12 death of Sani Abacha?

13 A. I can't recall the date now, but I think it was around --

14 Q. That's fine. We know the date. My question should have

13:26:22 15 been: Where were you when you heard that?

16 A. I was in Pendembu.

17 Q. And do you recall in 1998, when the World Cup football
18 matches began, do you remember where you were when that happened?

19 A. Well, I did not follow the World Cup football match at that
13:27:00 20 time.

21 Q. Mr Sesay, do you recall that Fitti-Fatta operation began
22 just a few days after the death of Sani Abacha?

23 A. Well, I - if my memory serves me well, the Fitti-Fatta took
24 place before the death of Sani Abacha, that's what I think.

13:27:37 25 Q. Could we have a look at the document behind tab 12, please?

26 Mr Sesay, we see this document is entitled "Sierra Leone:

27 UNOCHA Humanitarian Situation Report", dated 13 July 1998. And

28 going to paragraph 5, the second sentence, I am just going to

29 read the relevant parts of this document:

1 "On 10 June a rapid nutritional survey of 608 children
2 under the age of five living to the east of Koidu Town revealed
3 severe acute malnutrition of 11 per cent and global acute
4 malnutrition of 29 per cent."

13:29:00 5 Now to the next paragraph, paragraph 6. It says:

6 "Following the Koidu assessments, UNICEF deployed staff to
7 Koidu Town to collaborate with Ministry of Health officials in
8 implementing emergency health care in secure parts of Kono
9 District. Representatives of the Catholic church were also
10 deployed to reactivate child protection activities and World
11 Vision staff deployed to monitor influxes of displaced from
12 Kono."

13 It says "Konon", misprint.

14 "These staff were evacuated shortly afterwards in the wake
13:29:41 15 of a massive attack by an estimated 300 RUF on Koidu Town which
16 was repelled with difficulty by ECOMOG."

17 Mr Sesay, it was in June, shortly after 10 June 1998,
18 shortly after the death of Sani Abacha that the RUF launched
19 Fitti-Fatta. Isn't that correct?

13:30:12 20 A. Well, I did not pay attention to the death of Sani Abacha,
21 I did not pay attention to his death. To say I can remember the
22 time, no. What I knew was that Superman was called by
23 Sam Bockarie to Buedu, and, when he went there, he was given the
24 operation to attack Koidu Town. And, just after that attack,
13:30:34 25 Superman fell out with Bockarie and he went to Koinadugu
26 District.

27 PRESIDING JUDGE: Yes, but Mr Sesay, you have been asked
28 whether this attack was in June, or shortly after mid-June 1998
29 that this attack happened. Now what is your answer this regard

1 to that?

2 THE WITNESS: My Lord, I recall that the Fitti-Fatta - that
3 is the attack on Kono, was in early August, because it was in
4 July that Superman came to Buedu; and I am able to recall this
13:31:19 5 because, just after that attack, when Superman went in August,
6 Sam Bockarie called Morris Kallon to report in Buedu, and, after
7 Morris Kallon's discipline, he met me in Pendembu in August of
8 '98.

9 PRESIDING JUDGE: So then the attack can't have been in
13:31:41 10 August if that's when Kallon met you in Pendembu in August. When
11 was the attack, in your view?

12 THE WITNESS: I said I think the attack was in early
13 August, my Lord; late July or early August, the Fitti-Fatta,
14 1998. That's what I know.

13:32:10 15 PRESIDING JUDGE: Thank you. Mr Koumjian, we will take the
16 luncheon break now and reconvene at 2.30.

17 [Lunch break taken at 1.32 p.m.]

18 [Upon resuming at 2.30 p.m.]

19 PRESIDING JUDGE: Good afternoon.

14:31:07 20 Mr Koumjian, please continue.

21 MR KOUMJIAN: Your Honour, before the break I asked the
22 witness to look at a document which was behind tab 12, and I ask
23 - I would ask that that be marked for identification. That's the
24 document entitled "Sierra Leone: UNOCHA, Humanitarian situation
14:31:32 25 report," 98 July 13, and I only read from paragraphs 5 and 6 on
26 the second page. So I would ask the first and second pages be
27 admitted - be marked for identification.

28 PRESIDING JUDGE: Right. Those two pages of the said
29 document are marked MFI-21.

1 MR KOUMJIAN:

2 Q. Mr Sesay, while we were on the topic of the date of the
3 Fitti-Fatta, I'd like to have you look at another document behind
4 tab 13. And this document is entitled - we have - first page is
14:32:46 5 the cover of a book, "The Reversed Victory (The Story of Nigerian
6 Military Intervention in Sierra Leone)". The author is listed as
7 Brigadier General RA Adeshina. The next page indicates that it
8 was published in 2002, RA Adeshina 2002, first published. And
9 the third page includes some information about the author. It's
14:33:17 10 the fourth page in the tab, page 89 of the book, that I wish to
11 refer to. That page reads, starting at the first sentence:

12 "It all started in the early hours of 10 June 1998, when a
13 sit-rep came in from 5 Battalion indicating that large enemy
14 movement was sighted not too far in its frontage. The commanding
14:33:52 15 officer considered the whole situation like an enemy probing
16 attack in which they fire from a distance and turn back to run.
17 However, the tempo of the fire, as the CO later narrated,
18 increased dramatically by noon. Towards the evening of the same
19 day, the rebels made a bold attempt to recapture Koidu once
14:34:22 20 again. At about 1800 hours, enemy started firing from the left
21 flank of the battalion defence."

22 Mr Sesay, isn't it correct that the Fitti-Fatta attack
23 occurred on 10 June 1998, just a few days after the death of Sani
24 Abacha?

14:34:49 25 A. No, no. The Fitti-Fatta attack happened in early August of
26 '98, because immediately after that attack was when Superman went
27 to Koinadugu. It was not in June, because it was in July that
28 Superman went to Buedu to meet Sam Bockarie.

29 Q. Mr Sesay, when is the rainy season in Sierra Leone,

1 according to you?

2 A. Well, the rainy season starts - it starts around May.
3 From May to October, but in some years the rains starts in
4 late April but effective rainy season starts from May to October.

14:35:55 5 Q. Mr Sesay, Fitti-Fatta was at the beginning of the rainy
6 season; isn't that true?

7 A. No. I said the Fitti-Fatta attack took place in
8 early August, and it was after that attack that Superman had
9 problem with Sam Bockarie, when Superman went to Koinadugu.

14:36:20 10 Q. Mr Sesay, I'm going to move back for a moment to some
11 testimony this morning.

12 There was a question I asked you a couple of times and we
13 never got an answer from you: Was the airstrip at Buedu, outside
14 Buedu ever completed?

14:36:41 15 A. Well, in November of '98 it had almost been completed
16 because the grader had now worked and they had done the grading,
17 so it had been almost completed.

18 Q. It was never completed, isn't that true?

19 A. Yes, it was almost complete.

14:37:11 20 Q. Because if we look at your testimony from 7 July,
21 page 43906, from this trial 7 July of this year, 43906. At the
22 very bottom you said, on the 7th of July you were asked by
23 Defence counsel:

24 "Q. And tell me, Mr Sesay, did they complete construction
14:38:08 25 of the airstrip near Buedu?

26 A. No, no, they did not complete it."

27 You had no trouble answering that question on the 7th
28 of July and that's the truth, isn't it, they did not - you did
29 not complete the airstrip?

1 A. I said it was almost at the completion stage. It was
2 almost at the end.

3 Q. Are you saying it was almost completed in November.
4 Correct?

14:38:44 5 A. Well, that was the time the jet went and opened fire at the
6 machine, but the people had worked there and the machine was now
7 doing the grading when the jet went and attacked.

8 Q. Mr Sesay, your trip that you claim you were sent to go with
9 diamonds to Burkina Faso was in April, and when I asked you how
14:39:10 10 the diamonds - the ammunition or arms that you were purchasing
11 was going to be brought back, you said you were working - you had
12 the airstrip, but you didn't have an airstrip in April, did you?

13 A. Well, I said the airstrip - they had started brushing the
14 airstrip since 1996.

14:39:35 15 Q. And let's look at one more inconsistency in your testimony
16 from today; leaving the same transcript of 7 July, but let's go
17 to page 43859. If we go to the bottom of the page, line 26, you
18 were asked:

19 "Q. And these arms and ammunition purchased and to be
14:40:19 20 transported, did those arms and ammunition in due course
21 arrive in Sierra Leone?

22 A. Yes, the arms and ammunition arrived but, according to
23 my understanding, the flight was to transport the arms and
24 ammunition on three different occasions but it only came
14:40:41 25 once."

26 You told us this morning it was only two occasions. So
27 which is correct, three occasions or two occasions? Were there
28 supposed to be three flights or two flights?

29 A. Well, what I was told when I went to the airstrip, they

1 said the flight was supposed to load again and come. They said
2 after unloading it, it was supposed to go and come back.

3 Q. So just two flights; is that right?

4 A. Well, had it gone and come back, if it was able to bring
14:41:22 5 all the ammunition, it should have come back then. But if it
6 could not load all the ammunition, then it wouldn't come again.

7 THE INTERPRETER: Your Honours, could the witness be asked
8 to slow down.

9 PRESIDING JUDGE: Mr Sesay, the question quite simply was:
14:41:42 10 Was the shipment - was it supposed to be in three loads or one
11 load or two loads?

12 THE WITNESS: My Lord, they promised to come back. So they
13 were supposed to come twice.

14 MR KOUMJIAN:

14:42:03 15 Q. I just read to you on one occasion where you said three
16 flights. And if we look again at the transcript of 7 July but
17 now at page 43861, please, and go to line 20, you were asked
18 again:

19 "Q. And how many flights were there supposed to be?

14:42:29 20 A. Well, it was one flight but it was said - but it was to
21 come three times. It would have come and off-loaded,
22 returned to load again and off-loaded and go again and
23 off-load for the last time but it did not work. It only
24 came once."

14:42:46 25 So you've just told the Presiding Judge it was two flights
26 but you told us two times on the 7th of July that you understood
27 it was three flights. Why can't you keep your story straight,
28 sir?

29 A. Well, what I recall is what I said. And if I had said

1 three flights, then I - but they promised that the flight was
2 supposed to go and come back. So I do not recall all the events.
3 So if I said something once and then later I made a mistake, then
4 it's possible. I'm a human being. I drink water, so I'm liable
14:43:23 5 to making mistakes. But what the incident was that happened, or
6 the account of things that happened, I can explain that.

7 Q. Well, let's have you explain about Superman and his role in
8 the RUF after Fitti-Fatta. When was it that Superman went to the
9 north, left Kono District and went to the north?

14:43:52 10 A. Superman, it was in August that he went to the Koinadugu
11 District, that was in '98.

12 Q. And that was months after the Fitti-Fatta attack, isn't
13 that true?

14 A. Well, I knew that after the Fitti-Fatta attack Sam Bockarie
14:44:11 15 asked Superman to report to Buedu, but Superman said he was not
16 going. And that was immediately after the Fitti-Fatta attack.
17 And that brought about the problem as a result of which Superman
18 went to Koinadugu.

19 Q. Well, did - Bockarie you said, ordered Superman to come to
14:44:31 20 Buedu; is that right?

21 A. Yes.

22 Q. And what happened then?

23 A. I said Superman went to Koinadugu. He refused going to
24 Buedu after the Fitti-Fatta attack.

14:44:46 25 Q. In fact, Superman went to Koinadugu on the orders of
26 Sam Bockarie, isn't that the truth?

27 A. No. I understood that after the Fitti-Fatta attack
28 Sam Bockarie invited Superman, and Superman refused to come, so
29 he decided to go to Koinadugu. He took with him so many RUF and

1 some STF who were with him, they went to Koinadugu.

2 Q. Well, Mr Sesay, you understand the importance to us in this
3 trial of whether that was Superman following an order of
4 Sam Bockarie or simply going on his own to Koinadugu. So since
14:45:27 5 you're a person who drinks water and makes mistakes, do you think
6 you are just making a mistake about this or are you certain that
7 Sam Bockarie did not order Superman to go to Koinadugu?

8 A. Well, I was not certain, and I was not sure that
9 Sam Bockarie ordered Superman to go to Buedu because Superman
14:45:54 10 refused to attend to Sam Bockarie's call. He, therefore, decided
11 to take some RUF who were with him and the STF who were with him
12 to go to Koinadugu.

13 Q. In fact, Mr Sesay, don't you know that Superman went to
14 Koinadugu on the orders of Sam Bockarie?

14:46:13 15 A. Well, what I understood from Sam Bockarie, no.

16 Q. Let's look at what you told the Court under oath on the
17 16th of May 2007, in your own trial. Page 17.

18 MS IRURA: Your Honour, just to note that this is a closed
19 session transcript.

14:47:13 20 PRESIDING JUDGE: Mr Koumjian, I suppose you'd better just
21 read the text slowly.

22 MR KOUMJIAN:

23 Q. Reading from page 17. You were asked:

24 "Q. Did Bockarie not explain to you why Superman had gone
14:47:29 25 in the first place, either then or later?

26 A. Well, later I came to understand from Bockarie that the
27 instructions that Bockarie gave to Superman to go to
28 Koinadugu, it was not the work that he instructed to do.
29 He did not instruct Superman to go and join SAJ Musa and

1 from the short time that Superman joined SAJ Musa
2 in September, they also had an infight. So Superman -
3 he and his group became independent, not with SAJ Musa, not
4 with Bockarie."

14:48:03 5 Then you were asked:

6 "Q. Did Bockarie tell you what he had instructed Superman
7 to go to Koinadugu for?

8 A. He said he told Superman to go and open his own base,
9 his own jungle in Koinadugu and not to join the troop of
10 SAJ Musa. That is what he told me."

14:48:19

11 So, Mr Sesay, you testified under oath in your own trial
12 that Superman - Sam Bockarie ordered Superman to go to Koinadugu.
13 Were you lying then?

14 A. Well, I don't recall. But what I recall is that after the
15 attack on Kono, Sam Bockarie invited Superman to go to Buedu but
16 Superman refused to do so.

14:48:56

17 JUDGE DOHERTY: I just note for the purposes of the record
18 that the word "invite" I heard as "infight", line 17 of page 150.

19 MR KOUMJIAN: I did read the word "infight" from page 17 of
20 the transcript of 16 May 2007, and that was at line 8 of that
21 transcript.

14:49:25

22 Q. Mr Sesay, it wasn't only Superman that Sam Bockarie sent to
23 the north, he also sent a valuable contribution to SAJ Musa's
24 troops, didn't he?

14:49:57

25 A. Well, I did not know about Bockarie sending contributions
26 to SAJ Musa's troops because Alfred Brown and others were
27 operators. They were not combatants.

28 Q. Mr Sesay, you were a general for many years. How important
29 is it to be able to communicate with your troops?

1 A. Well, it - communication is important in war because when
2 you communicate you'd be able to know the position of the other
3 group and the other groups also would know the positions of the
4 others and you'd be able to know about events that are going on.

14:50:44 5 Q. It's critical, isn't it, to be able to communicate among
6 your own units?

7 A. Yes, it was important.

8 Q. Without radios and communications it would be like going
9 into a boxing match blindfolded, you don't know what's going on,
14:51:08 10 isn't that true?

11 A. Yes, when you don't have communication you will not be able
12 to know what the other groups are doing at the other locations.
13 Because it happened during the early days of the war when we had
14 the Pujehun group and the Kailahun group, we did not know what
14:51:28 15 they were doing on the other side.

16 Q. And when - by the way, Bockarie sent Alfred Brown, he sent
17 King Perry and he sent others also to the north. Isn't that
18 correct?

19 A. Yes.

14:51:42 20 Q. Who were these others?

21 A. Well, I knew about King Perry, Alfred Brown. They also had
22 their own securities.

23 Q. Liberians were sent by Sam Bockarie to reinforce the north.
24 Isn't that true?

14:52:06 25 A. No. I did not know about Liberians who were sent to
26 reinforce the north. The person that I know that Sam Bockarie
27 sent was Senegalese whom he sent to Superman in Kono to request
28 for the ammunition that Superman captured. When Senegalese went
29 to Kono he and few RUFs, Superman did not allow them to return,

1 so he took all of them to the north.

2 Q. This Senegalese that you're speaking about, let's just
3 briefly talk about him. He was a Liberian, correct?

4 A. Yes, he was a Liberian ULIMO-K.

14:52:51 5 Q. Because the name Senegalese, the nickname Senegalese, quite
6 a few people had that name, sort of like Rambo. Isn't that true?

7 A. Yes.

8 Q. The Senegalese that you're talking about, was he killed by
9 the AFRC in the October 1999 infight at Makeni with the RUF?

14:53:19 10 A. Well, he was not in Makeni. He was not killed in Makeni
11 Town. After the infighting between Superman's group and Isaac
12 and against the AFRC, one of the AFRC men, Savage, when he
13 retreated from Makeni, he met Senegalese in Kamabai, that was
14 where he killed him. It was in Kamabai that he killed

14:53:50 15 Senegalese. That was Savage.

16 Q. So that was the October 1999 infighting where it was AFRC
17 against RUF, correct?

18 A. Yes. The AFRC and part of the RUF, because it was not all
19 of us that took part in the infight.

14:54:11 20 Q. Well, you were the battle group commander at the time,
21 correct?

22 A. I was the battle group. But the people who chased me in
23 Makeni who killed my bodyguards were the same people whom I had
24 met in Makeni. They started the fighting and I had no control
14:54:30 25 over them, like Isaac, Superman, and Gibril, including their
26 followers like Nya.

27 Q. They were ordered by Foday Sankoh to expel the AFRC from
28 Makeni in October 1999, correct?

29 A. Yes, that was it. Because Superman came from

1 Foday Sankoh's side when he came and started the infight.

2 Q. So let's make it clear. In October '99 Superman, Isaac,
3 Gibril Massaquoi, Nya, those persons you named, and yourself, you
4 all were taking orders from Foday Sankoh, correct?

14:55:14 5 A. Yes, we were all taking orders from Foday Sankoh. But
6 regards the chasing of the AFRC out of Makeni, myself and Kallon,
7 we were not part of it because we went to the Teko Barracks after
8 we had travelled from Magburaka.

9 Q. In other words, you weren't at the front line of the
14:55:37 10 fighting, but as the battle group commander you came into Makeni
11 after it was under control, correct?

12 A. Well, Makeni was not a battlefield. It was not a
13 battlefield, not at all.

14 Q. In October '99 the people of Makeni experienced war when
14:56:04 15 the AFRC and the RUF had this battle in Makeni for control of
16 Makeni. Isn't that true?

17 A. Well, the RUF attacked the AFRC. Superman and his
18 followers opened fire against the AFRC and the AFRC also
19 retreated out of Makeni. It was a one-day incident and then
14:56:31 20 Superman, Isaac, Gibril Massaquoi and Nya, they looted the NGO
21 vehicles and then they went to Lunsar and they left Makeni all to
22 us.

23 Q. After Makeni was safely in the hands of the RUF, you went
24 to Teko Barracks, correct?

14:56:47 25 A. No, when I came I was at the Teko Barracks. When I left
26 the Teko Barracks, I later rented a house from a chief, that was
27 late Almamy --

28 THE INTERPRETER: Your Honours, the name of the chief was
29 not very clear to the interpreter.

1 PRESIDING JUDGE: Al many who?

2 THE WITNESS: Chief Al many Mansoyila.

3 PRESIDING JUDGE: Mr Interpreter, spelling, please.

4 THE INTERPRETER: M-A-N-S-O-L-I-A.

14:57:25 5 MR KOUMJIAN:

6 Q. Mr Sesay, apparently you didn't understand my question. My
7 question was just --

8 THE INTERPRETER: Your Honours, let me make a correction.

9 M-A-N-S-O-Y-I-L-A.

14:57:38 10 MR KOUMJIAN:

11 Q. Mr Sesay, I don't think we have a disagreement with this.
12 After the RUF took Makeni, you came to Makeni. You went to
13 Teko Barracks first. Is that right?

14 A. In October you mean?

14:57:56 15 Q. Yes, sir.

16 A. Well, when I came in October I was staying in
17 Teko Barracks. I was at the barracks with civilians went there
18 with dancing, with a cultural troupe. Whilst they were dancing
19 we heard firing going on in Makeni Town between the AFRC against
14:58:19 20 Superman and his group.

21 Q. So you came during the battle for Makeni in October 1999?

22 A. No. I came to Makeni, I passed the night and it was the
23 following day - I think in fact it was that same day, because
24 when I entered Makeni was the time the firing started. But the
14:58:42 25 civilians were at Teko Barracks dancing when I arrived.

26 Q. I'm going to move a little bit - going to the subject --

27 PRESIDING JUDGE: What were the civilians dancing about?

28 THE WITNESS: My Lord, it was because they heard that I
29 have arrived in Makeni, because the civilians were reporting that

1 they were harassing them, they were disturbing them, they were
2 looting their vehicles. So when a group of civilians heard that
3 I was coming, they went and welcomed my return.

4 PRESIDING JUDGE: Who was harassing the civilians?

14:59:19 5 THE WITNESS: Both the Superman's group and the AFRC group.
6 Because, for example, whilst I was - when I was in Makeni, like,
7 the chiefs, the local chiefs, they used to collect the market
8 dues. But when I was not there it was the AFRC who were
9 collecting it. So the chiefs were finding it difficult. So they
14:59:43 10 were actually harassing the chiefs and the civilians in Makeni

11 MR KOUMJIAN:

12 Q. I'm going to go to the testimony of a child soldier,
13 TF1-143, from 5 May 2008, page 8992. At the very bottom of the
14 page, the last four lines:

15:00:42 15 "Q. When was the last time that you saw Komba since they
16 captured you at Konkoba?

17 A. Well, when we got to Koinadugu, it was Koinadugu that
18 was the last place where I saw him. When we left Koinadugu
19 he was not with us.

15:01:10 20 Q. So Komba came with a group. Do you know which group he
21 came with?

22 A. Well, the group that he came with, I asked my Kabila,
23 my boss, I said, 'Bra, is it Komba that has come with the
24 group?' I said, 'Who are those men?' Because they were
15:01:33 25 speaking a different language that we did not understand,
26 and he said they were speaking a Liberian language. He
27 said they were Liberian soldiers whom he had brought. He
28 said they were reinforcement for our own group to go to
29 Freetown."

1 Mr Sesay, isn't it correct you've told us that you knew the
2 plan of SAJ Musa in the north was to go to Freetown? You knew
3 that from August, I believe you said, isn't that true?

4 A. Say that question again, please, sir.

15:02:13 5 Q. Certainly. I'll try to make it simpler. You knew that SAJ
6 Musa had a plan to go to Freetown, correct?

7 A. Well, at the time they started their movements I did not
8 know. It was later that I heard about all that transpired in the
9 Koinadugu District, what happened in the north before the final
10 attack in Freetown. At the initial stage, when they did their
11 planning, I did not know.

12 Q. When did you learn that SAJ Musa had a plan to go to
13 Freetown?

14 A. Well, I knew of it after the invasion of Freetown.

15:03:04 15 Q. Now, Mr Sesay, in fighting in 1998 the RUF was facing
16 ECOMOG, the Kamajors and those parts of the Sierra Leone Army
17 that remained loyal to Kabbah, correct?

18 A. Yes.

19 Q. You needed all the manpower that you could get. Isn't that
15:03:32 20 true?

21 A. Yes.

22 Q. It was in your interests for the RUF to work together with
23 the AFRC. Isn't that true?

24 A. Well, that will have been in the interest of the AFRC and
15:03:53 25 the RUF but that did not happen.

26 Q. You've told us that Sam Bockarie used to regularly visit
27 Johnny Paul Koroma in Kangama. Is that right?

28 A. Yes, he used to go there.

29 Q. He'd go there with his mobile radio. Is that right?

1 A. Well, he used to go there with his Land Cruiser jeep. The
2 jeep did not have a mobile radio.

3 PRESIDING JUDGE: Mr Koumjian, sorry to interrupt again
4 the. At page 123, line 3, I think the witness said, or you said
15:04:31 5 actually, in fighting in 1998. It wasn't infighting. It wasn't
6 word one, it was two words:

7 MR KOUMJIAN: That's what I intended. Thank you.

8 Q. Mr Sesay, did Sam Bockarie and the RUF attempt to
9 coordinate with SAJ Musa?

15:04:56 10 A. Yes, Sam Bockarie had the plan. Initially when SAJ Musa
11 was at Kurubonla, but SAJ Musa did not cooperate.

12 Q. And, in fact, Bockarie tried after the diamonds were taken
13 from Johnny Paul Koroma and Johnny Paul Koroma was taken to
14 Kangama - he tried to still have Johnny Paul Koroma talk to the
15:05:26 15 other AFRC troops and keep him informed about what was going on.
16 Isn't that true?

17 A. Well, I did not know about that. I only knew that
18 Sam Bockarie later told Alfred Brown and others to go to the
19 north so that he would be able to know about the operations of
15:05:48 20 SAJ Musa and others. But at the end of the day, SAJ Musa did not
21 accept that.

22 Q. Correct me if I'm wrong, but didn't you testify earlier
23 that Sam Bockarie would go visit Johnny Paul Koroma to be kept
24 informed about what was going on in the north?

15:06:08 25 A. Well, I said Sam Bockarie used to visit Johnny Paul Koroma
26 because Johnny Paul Koroma did not have a radio at Kangama and I
27 did not know about SAJ Musa reporting to Sam Bockarie.

28 Q. Why did Sam Bockarie visit JPK?

29 A. Well, he used to visit him to know about his welfare or to

1 know if he had food, because Sam Bockarie used to send food to
2 him. He used to tell the contractor to buy condiments for him,
3 and he used to send a doctor to check him and his family;
4 because, even before I went to Kono, Sam Bockarie told me that I
15:07:00 5 should go there with him and we went there.

6 Q. You went there and you - Sam Bockarie asked
7 Johnny Paul Koroma to get on the radio, talk to SAJ Musa, and ask
8 him to coordinate his actions with your attack, isn't that true?

9 A. That never happened. We did not even go with a radio set.

15:07:24 10 Q. Planet 1 was a mobile radio set, correct?

11 A. Yes, Planet 1 was a mobile radio, but it was the Land
12 Cruiser 2 that we used to go there. It was not the other Land
13 Cruiser that had the mobile. And when we went there Johnny Paul
14 did not communicate with anybody.

15:07:47 15 Q. So, Mr Sesay, why was it that before you were sent on this
16 important mission to go take Kono, Sam Bockarie told you to go
17 with him to see Johnny Paul Koroma?

18 A. Well, Sam Bockarie was my commander. He told me and Mike
19 Lamin that we should go to Johnny Paul and inform him that he was
15:08:10 20 sending me to go and attack - so I wouldn't have refused that.

21 So when we went, myself, Sam Bockarie, Mike Lamin, Kaisuku, the
22 MP commander, we met Johnny Paul Koroma at a place where he
23 normally sits during the day to secure himself from the jets
24 across the street under the tree. So that was where we met him,
15:08:33 25 sitting down. And then he also gave his few words of advice to
26 me and then we left. That was what happened.

27 Q. And Sam - Johnny Paul Koroma gave his agreement to support
28 this attack on Kono, that he was in favour of this, correct?

29 A. Yes, he advised me on how to concentrate on the attack and

1 that I should be serious on the mission that I was going on.

2 Those were the pieces of advice that he gave.

3 Q. It was important to visit Johnny Paul Koroma because you
4 needed to keep as much support from the AFRC as possible for this
15:09:19 5 offensive all across Sierra Leone, isn't that true?

6 A. Well, the AFRC who were in Kailahun and the few who were in
7 Kono, but the larger number of the AFRC that was in Koinadugu, I
8 - those who were in the northern area this time, we did not have
9 any link with them, so - for them to get any support from us.

10 Q. Well, it was in your interests, wasn't it, that they do -
11 that they would coordinate their attack with yours. Didn't that
12 make military sense to you?

13 A. Well, the attack on Kono was not coordinated with anyone in
14 the north, so I don't see the sense that it makes. I just saw
15:10:20 15 that it was just for us to go and pay some courtesy call, respect
16 to him; but it was not for an attack that I was going on to be
17 coordinated.

18 Q. We'll come back to this subject in a little while, but let
19 me first talk to you about Sam Bockarie's trips to Monrovia in
15:10:50 20 1998. Can you tell us what trips you know about that
21 Sam Bockarie made to visit Charles Taylor in 1998.

22 A. Well, I said I know about the first trip that Bockarie made
23 when they picked him at the border, that is when General Dopoe
24 picked him up in September of 1998, and in October he made
15:11:18 25 another trip in '98; and in November he made another trip when he
26 went as far as Burkina Faso. And I understood that he went as
27 far as Libya and came back. He came back to Burkina Faso and he
28 came to Kailahun, so I know about three trips.

29 Q. And, Mr Sesay, you've been consistent every time in this

1 trial you've talked about those trips - September, October
2 and November - you've been able to give us the exact months of
3 those trips. How is it that you remember those months so well?

15:12:05 4 A. Well, I said there are certain things that I can say that I
5 will forget sometimes. But certain things I say also I don't
6 forget. So there is nobody who is that perfect. So it's
7 possible that I can say things, that I will forget things, that I
8 will not forget. But things that I recall that happened is what
9 I'm saying. I'm a human being. What I recall I will say that.

15:12:25 10 Q. Mr Sesay, you never mentioned Sam Bockarie - the dates of
11 Sam Bockarie's trips to Monrovia, except for the trip to Burkina
12 Faso, in your RUF trial. But, to be fair to you, you were never
13 asked those trips, isn't that correct, except for the trip to
14 Burkina Faso.

15:12:48 15 A. Well, I do not recall now what the lawyer asked me, I don't
16 recall. I don't recall all the things that I said during my
17 trial.

18 Q. Now, Mr Sesay, the dates of these trips where Sam Bockarie
19 met Charles Taylor, is that something you reviewed when you were
15:13:09 20 going over your evidence with Defence counsel in preparing for
21 your testimony?

22 A. Well, my Defence lawyer, I said I do not recall all that I
23 said, but my Defence lawyer was asking me questions about my
24 case.

15:13:29 25 Q. I'm sorry, I don't think you understand my question. When
26 you prepared to testify in this trial, did you speak to the
27 Defence lawyers for Charles Taylor?

28 A. Yes.

29 THE INTERPRETER: Your Honours, the name that the witness

1 referred to was not clear to the interpreter.

2 PRESIDING JUDGE: Mr Sesay, can you repeat the name and
3 testimony of whoever you are referring to.

4 THE WITNESS: Your Honours, I do not know how to pronounce
15:14:10 5 the name well. I said the lead counsel for Mr Taylor met me at
6 the prisons in Rwanda.

7 MR KOUMJIAN:

8 Q. Mr Sesay, but before you met - was it Mr Griffiths that you
9 met with in Rwanda?

15:14:26 10 A. Yes, yes, that was him.

11 Q. And how many days did you meet with him in Rwanda?

12 A. I think it was about three days. He would come and spend
13 three to four hours and then he will go back. And the following
14 morning he would come, spend two, three hours and then he would
15:14:53 15 go. On three different occasions.

16 Q. Before you spoke to Mr Griffiths in Rwanda, what was your
17 first contact with Charles Taylor's Defence?

18 A. Well, when I was in detention in Freetown, that was when
19 they told my lawyers - they told my lead counsel, Wayne Jordash,
15:15:20 20 that they had interest in me to serve as a Defence witness. So
21 that was - that was in 2009.

22 Q. Did you speak to any of the lawyers for Charles Taylor in
23 2009?

24 A. Well, I only met with them when Mr Griffiths, the lead
15:15:51 25 counsel, and another white man whose name I have forgotten, but
26 the other day I saw him in court here - and then Madam Logan,
27 including Sareta, all of them went there. In fact, they only
28 introduced them to me that particular day and then they left.
29 And the following day the lead counsel, I think together with

1 another lawyer, they went there. But it was just an ordinary
2 conversation, it was not anything - it was not anything that
3 concrete. So I told them - my lawyer told them that at any time
4 they wanted to continue the discussion with me, they should
15:16:42 5 inform him so that he too will inform me.

6 Q. Mr Sesay, when you spoke to the Defence counsel for
7 Charles Taylor on various occasions, did you go over these
8 meetings between Charles Taylor and Sam Bockarie in 1998?

9 A. No, we did not discuss that.

15:17:07 10 Q. You never - they never asked you if you knew of any
11 meetings between Charles Taylor and Sam Bockarie?

12 A. I said during those times in Freetown they did not ask me
13 about that.

14 Q. Well, how about in Rwanda?

15:17:29 15 A. Well, even in Rwanda they did not ask me about that. It
16 was when I came here, when they were now preparing me for my
17 testimony - I think they asked me whether I knew the time when
18 Bockarie started going to Monrovia, or the time that Bockarie
19 went to Monrovia. And then I said yes, because he went in
15:17:50 20 Monrovia in '98 that I knew about three times.

21 Q. Now, how many times did you meet with Defence lawyers
22 preparing your testimony here since you arrived in the
23 Netherlands?

24 A. Well, when I came the lead counsel was not here; like,
15:18:26 25 Mr Silas used to go there, him and one legal assistant, they will
26 go and spend like three to four hours and then they will return.
27 So I don't actually know exactly how many times.

28 Q. How many times - you said you met with Mr Silas; how many
29 times did you meet with Mr Griffiths here in the Netherlands?

1 A. Well, I said I used to meet with Mr Silas, but I don't know
2 how many days and how many times, because Mr Griffiths was not
3 here. When Mr Griffiths returned from England, I think it was
4 just about two days he came, and we met around Wednesday,
15:19:21 5 Thursday. When he came we met around Wednesday, Thursday, Friday
6 and then the following morning I started attending court.

7 Q. Okay. Mr Sesay, you have spent a lot of time in the last
8 years in courtrooms, correct?

9 A. Yes.

15:19:47 10 Q. Now, these dates that you remember so well of meetings
11 between Sam Bockarie and Charles Taylor in 1998, who do you think
12 are the two people that would remember the best when it was that
13 Charles Taylor and Sam Bockarie met?

14 A. Between who and who?

15:20:18 15 Q. You were not present for any of these three meetings,
16 correct?

17 A. I was not there, but before Bockarie left for the first
18 trip, he told me, and the second one I knew, and the third one,
19 before Bockarie left, he invited me to come Buedu, myself and
15:20:43 20 Mike Lamin, to take charge until his return.

21 Q. The two people that would know the best about those
22 meetings, would be Sam Bockarie, who is dead, and Charles Taylor,
23 wouldn't you agree?

24 A. Well, they used to meet, but we were also with
15:21:09 25 Sam Bockarie. If Sam Bockarie leaves, we will not be able to
26 know about what was discussed until his return, and if he
27 discusses it with us, because he used to tell us.

28 Q. So you know, you think, better about when Charles Taylor
29 met with Sam Bockarie than Charles Taylor would know, is that

1 what you're saying?

2 A. I said I would not know what Mr Taylor and Bockarie
3 discusses until they meet, and if Bockarie comes and tells me.
4 But at the time Bockarie was leaving to go, he would tell us and
15:21:55 5 I would know. The last time he was going, he invited myself and
6 Mike to come to Buedu to stay there and be in charge until his
7 return. So we must know.

8 Q. Now, Mr Sesay, you know Charles Taylor well; wouldn't you
9 agree?

15:22:10 10 A. Yes, I heard his name, I know him, but the first time that
11 I discussed with him was in May of 2000, and at that time I did
12 not know him very well.

13 Q. But you got to know him well because you spent months
14 together in detention at the Special Court; isn't that true?

15:22:38 15 A. Well, he was at the other block and we were at the other
16 block. There was a door that did not allow us to meet. He was
17 in a separate place and we were in a separate place.

18 Q. Mr Sesay, from your interactions with Charles Taylor, would
19 you agree with me he's more intelligent than you are?

15:23:12 20 A. Well, he is older than me. He is even able to get me as a
21 child, so he is intelligent.

22 PRESIDING JUDGE: He is able to do what?

23 THE WITNESS: I said he can even father me, he is an old
24 man. So if you are comparing his own intelligence with mine,
15:23:38 25 that is why I'm saying, yes, he is more intelligent than me.

26 MR KOUMJIAN:

27 Q. I think, Mr Sesay, you are saying he's old enough to be
28 your father. Is that what you're saying?

29 A. Yes, that is what I mean.

1 Q. That wasn't my question, because someone can be old and not
2 intelligent. You can even be old and not wise. But
3 Charles Taylor is very intelligent, and Mr Sesay, I think you are
4 very clever, I think you're intelligent. But don't you agree
15:24:12 5 with me Charles Taylor is more intelligent than you?

6 A. Yes, Mr Taylor was a president and I was a commander, so.

7 Q. And Mr Sesay, when it comes to this issue of when
8 Charles Taylor first met Sam Bockarie and talking about that in
9 this trial, who do you think it means more to? Who is it more
15:24:42 10 important to, you or Charles Taylor?

11 A. In this trial, it's Mr Taylor.

12 Q. Because he's on trial, you're not, correct, in this case?

13 A. Yes, you're right.

14 Q. And you know, from being someone who has been accused of
15:25:05 15 serious international law crimes, that when you prepare your
16 defence, you go carefully over the facts you know, you think
17 about them, you review them, and you prepare for your testimony;
18 isn't that true?

19 A. Yes.

15:25:21 20 Q. So, Mr Sesay, let me inform you what Charles Taylor said
21 about his first meeting with Sam Bockarie. If we could have the
22 transcript for 14 July 2009, page 24337. Reading from the last
23 five lines, Mr Taylor was asked by his Defence counsel:

24 "Q. What year did you first make contact with
15:26:39 25 Sam Bockarie?

26 A. Our first real contact with Sam Bockarie was in late
27 1997 to early 1998. I can't recall the exact month, but it
28 was very close around this time, following the second Heads
29 of State meeting, which occurred in September. So I would

1 put it to about the last quarter in '97 to the beginning of
2 '98 when we - I ordered the general at the Lofa side of the
3 border to contact Mr Bockarie and RUF people to invite him
4 to Liberia for discussions and to inform him what my role
15:27:25 5 was and on whose behalf I was acting, which was ECOWAS.

6 Q. What's the name of the general in Lofa?

7 A. Sadly, so there is also a Mosquito in Liberia. The
8 name is General Christopher Varmoh, aka Mosquito, who knew
9 Sam Bockarie during the period that the RUF and the NPFL
15:27:54 10 cooperated."

11 So, Mr Sesay, you see that Charles Taylor himself testified
12 in this Court that he first met Sam Bockarie sometime in the last
13 quarter of '97 to the beginning of 1998. And it wasn't Dopoe
14 Menkarzon who brought him, he sent Liberian Mosquito, Christopher
15:28:24 15 Varmoh to get him. Are you saying that President Taylor, what he
16 said here on 14 July is a lie?

17 A. Well, I wouldn't say he was lying, but what I heard from
18 Sam Bockarie is what I am saying here. What I know that happened
19 is what I am saying. Because I did not know about three months
15:28:47 20 at the end of 1997 that Sam Bockarie had dealings with Mr Taylor.
21 No, I did not know about that.

22 Q. You know Christopher Varmoh, Liberian Mosquito, don't you?

23 A. Yes, I know him.

24 Q. And that's a very different person from Dopoe Menkarzon,
15:29:17 25 isn't it?

26 A. Yes, it is different from Dopoe.

27 Q. Christopher Varmoh's much younger, correct? Liberian
28 Mosquito is much younger?

29 A. Liberian Mosquito, we are in the same age bracket, Varmoh.

1 Q. Mr Sesay, why did Sam Bockarie go to visit Charles Taylor
2 in 1998? Was it his idea or was it Taylor's idea, as far as you
3 know?

15:30:07 4 A. Well, from what I knew, it was Bockarie who sent Eddie
5 Kanneh to establish a contact through their ambassador in Guinea
6 so that he would be able to meet with Mr Taylor. So that was
7 what I understand - understood, so I can say it was Bockarie's
8 idea.

9 Q. Why did Bockarie want to meet with Charles Taylor?

15:30:22 10 A. Well, to explain the situation of the RUF and about the
11 Abidjan Accord. Those were some of the issues.

12 Q. Well, that's a very broad topic. What exactly did
13 Sam Bockarie want to ask of Charles Taylor?

14 A. Well, it was about a discussion on the Abidjan Accord and
15:31:09 15 to explain to him about the Abidjan Accord, because that was the
16 accord that was on track when Mr Sankoh was arrested. That was
17 the accord in place when Mr Sankoh was arrested.

18 Q. So all you knew is that Sam Bockarie wanted to go to
19 explain to Charles Taylor - Sam Bockarie was going to explain to
15:31:38 20 Charles Taylor about the Abidjan Accord; is that right?

21 A. Yes, that was what I knew.

22 Q. Sam Bockarie, he used to be a hairdresser and a disco
23 dancer in Liberia; is that right?

24 A. Yes, he was doing that.

15:32:00 25 Q. And he was going to explain to Charles Taylor, a college
26 graduate, a person with a master's degree, a President of a
27 country, he was going to explain to him about the Abidjan Accord?

28 A. Well, he was going to explain about the Abidjan Accord to
29 him because the RUF and the SLPP were signatories to the Abidjan

1 Accord, and by then it was Mosqui to who was field commander of
2 the RUF. So to go and explain about a peace process that had
3 been put in place in Abidjan doesn't call for someone with a
4 degree. He was only going to talk to him so that he would be
15:32:41 5 able to facilitate for him to be able to talk to the other - his
6 colleague ECOWAS leaders. That was the reason why he wanted to
7 meet him.

8 Q. But Mr Sesay, you had the RUF in Cote d'Ivoire, in Danane
9 or Abidjan, you already had outside contacts, you had an external
15:33:02 10 delegation, they had been arrested, but you still had radio
11 operators there, correct?

12 A. Yes. Memunatu Deen and others were there in some parts of
13 1998.

14 Q. You still had the satellite phone that Addai-Sebo had
15:33:27 15 brought to give to Foday Sankoh; isn't that right?

16 A. No, no. The phone got missing because it was with Mohamed
17 Tarawalli in Zogoda.

18 Q. And another phone had been given by Omrie Golley, isn't
19 that true, a satellite phone?

15:33:51 20 A. He did not - he did not bring that to Sam Bockarie.
21 Mr Sam Bockarie - Mr Sankoh did not bring any phone to
22 Sam Bockarie.

23 Q. And you told us that other people interested in the mining
24 of Kono had brought satellite phones to Sam Bockarie in 1998,
15:34:11 25 correct?

26 A. Well, I think I said in '99 they brought a satellite phone.

27 MR KOUMJIAN: I'd like the witness to be shown P-1, put
28 that on the overhead.

29 Q. Mr Sesay, did you listen to the testimony of Charles Taylor

1 when he testified in this trial?

2 A. Well, I was not able to listen to all of it.

3 Q. But you listened to some of it; is that right?

4 A. Yes, because they used to air it on Radio UNAMSIL. They
15:35:31 5 used to air it on Radio UNAMSIL from here.

6 Q. Did you read press reports about his testimony?

7 A. Well, I was not able to go through press reports - the
8 press reports of his testimony.

9 Q. In preparing for your testimony here, did you review any
15:35:53 10 transcripts or any reports about what Charles Taylor said?

11 A. No, no, no.

12 Q. Have you been speaking on the phone to Mr Supuwood?

13 A. No, no. Who is Mr Supuwood?

14 Q. Let's look at the map that's before you. Now, you said
15:36:20 15 that Sam Bockarie sent Eddie Kanneh to make contact with
16 Charles Taylor. First, Buedu is in that little hook of
17 Sierra Leone on the northwest - excuse me, the southwest border
18 with Liberia. That's Kono, isn't it? Excuse me, Kailahun, isn't
19 it?

15:36:50 20 A. Yes.

21 Q. Conakry is all the way around the other side of Guinea on
22 the Pacific coast north of Sierra Leone, isn't that true? The
23 and Atlantic coast. I'm from California, so it's natural for me
24 to think the west is the Pacific. On the Atlantic coast. Isn't
15:37:16 25 that true?

26 A. Yes.

27 Q. Why, when we've seen how easy it was for you to travel to
28 Monrovia, for Jungle to travel to Monrovia, for Major Mulbah to
29 travel to Monrovia, for Sam Bockarie to travel to Monrovia - why

1 was it that Sam Bockarie would ever have to send Eddie Kanneh all
2 the way to Conakry, Guinea, in order to make contact with the
3 Liberian government?

4 A. Well, he was to talk --

15:38:01 5 THE INTERPRETER: Your Honour, can the witness repeat his
6 answer and be more clear.

7 PRESIDING JUDGE: Mr Sesay, you have to repeat your answer,
8 slowly.

9 THE WITNESS: My Lord, I said Eddie Kanneh - Bockarie sent
15:38:16 10 Eddie Kanneh to go and explain to the ambassador of Liberia in
11 Conakry for him to send a message to Mr Taylor's government.

12 MR KOUMJIAN:

13 Q. You're closer from Kailahun to Monrovia than you are to
14 Conakry. Isn't that true?

15:38:38 15 A. Yes.

16 Q. And the Government of Liberia, the Foreign Minister,
17 for example, is in Monrovia, true?

18 A. Yes, he was in Monrovia.

19 Q. And Guinea, at that time, was a bitter enemy of the RUF.
15:38:53 20 Isn't that correct?

21 A. Yes, but the RUF people used to go there.

22 Q. So, Mr Sesay, your story about Sam Bockarie, in order to
23 make contact with Charles Taylor, sending Eddie Kanneh to
24 Conakry, it's just an attempt to try to harmonise your testimony
15:39:18 25 with what you know that Charles Taylor said. It isn't true, is
26 it?

27 A. No, no, that's not it. I'm saying what happened because I
28 knew that Bockarie sent Eddie Kanneh to go to Conakry to meet the
29 ambassador in Conakry to take a message to Mr Taylor.

1 Q. Why wouldn't he just send him to the commander in Lofa?
2 Why wouldn't he send him to Monrovia to the Ministry of Foreign
3 Affairs? Why would he send someone to the enemy country of
4 Conakry, Guinea, to pass a message to Liberia?

15:39:58 5 A. Well, the man whom they sent to Conakry was not an enemy.
6 He was someone who used to go to Conakry and back, Eddie Kanneh.
7 And the ambassador to whom he was sent was not an enemy to
8 Bockarie.

9 Q. I'm not talking about Tiagen Wantee. I'm not talking about
15:40:15 10 the Liberian. The enemy was Guinea. Conakry is the capital of
11 Guinea. Isn't that true?

12 A. Yes, that's the capital for Guinea.

13 Q. So why, when you want to make contact with Charles Taylor
14 in Monrovia, why not go to Monrovia or why not go to Lofa County
15:40:33 15 and speak to the commander there?

16 A. Well, Bockarie had been sending messages to Varmuyan Sherif
17 and there had been no move. That was why he decided to send to
18 the ambassador in Conakry, and that was where Eddie Kanneh went.

19 Q. Why didn't you contact Musa Cisse in Danane? You had, you
15:41:01 20 said, still people in Abidjan. You knew Musa Cisse is an
21 important man in Taylor's government; you had contacts with him.
22 Why would you send someone all the way to Conakry when you can
23 just send a radio message to Cote d'Ivoire and have someone
24 contact Musa Cisse?

15:41:20 25 A. Well, our people were in Abidjan. Pa Kallon and others
26 were in Abidjan. And this was Bockarie's decision to send Eddie
27 Kanneh to the ambassador.

28 Q. You had already seen that delegates from the RUF could be
29 arrested in Guinea two or three years earlier when Palmer and

1 Isatu Kallon were arrested. So you knew that would be dangerous,
2 correct?

3 A. No, but Eddie Kanneh was not a known RUF person in Conakry.
4 The Guinean securities did not know Eddie Kanneh. They knew him
15:42:00 5 as a soldier. Those who knew him, knew that he was a soldier,
6 not an RUF commander.

7 Q. He was secretary of state for the east under the AFRC.
8 Isn't that true?

9 A. Yes. But even during the retreat, it was when he got to
15:42:21 10 Makeni he went to Kabala, he retreated through Guinea and came by
11 Koindu and crossed into Sierra Leone.

12 Q. Mr Sesay, let's pursue your story for a while. You said
13 Sam Bockarie goes to meet Charles Taylor to explain the Abidjan
14 Accord. And when he came back, what did he tell you?

15:42:45 15 A. When he came back he came to Pendembu and he told me and
16 the others, he said he had met President Taylor and President
17 Taylor had told him that he was going to talk to the Committee of
18 Five in respect of the Abidjan Accord.

19 Q. And what was it that Sam Bockarie was asking - well, let me
15:43:07 20 start the question over. What was President Taylor promising to
21 say about the Abidjan Accord to the Committee of Five?

22 A. To revisit the Abidjan Accord.

23 Q. And what does that mean, revisit the accord?

24 A. Well, it was an accord that was on track before the
15:43:30 25 overthrow. So when the coup took place, to talk about
26 revisiting, it was meant to call the parties that were involved
27 and to talk to guarantors that were parties to the agreement, to
28 the accord.

29 Q. What were you going to talk about? Tell us, what was it

1 that you were asking for?

2 A. We were asking for, one, to talk about the accord. And
3 about Mr Sankoh's condition, if he could be released so that we
4 can forge ahead with the peace agreement.

15:44:06 5 Q. So when Sam Bockarie came back from this first meeting, how
6 were you communicating with the Liberians?

7 A. How we were communicating with the Liberians?

8 Q. Yes. How would you find out what happened, whether Sam -
9 Charles Taylor had talked to the Committee of Five?

15:44:27 10 A. When Sam Bockarie came, he told me that he was to go back
11 to Monrovia in October. And in October he went back to Monrovia
12 and when he got to Monrovia he sent a radio message to me.

13 Q. So there was no problem with radio communication between
14 Monrovia and Buedu, correct?

15:44:55 15 A. Yes, I started knowing of Sam Bockarie going to Monrovia
16 in October '98 when he sent a radio message.

17 Q. What was it that Sam Bockarie said he discussed with
18 Charles Taylor in October?

19 A. Well, when he came he just told me that the arrangement for
15:45:19 20 him to meet the OAU chairman was still on track, so he was to
21 return to Monrovia in November of '98. And in November, before
22 he left, he called me to come to Buedu and I was in Buedu when he
23 travelled.

24 Q. Now, Mr Sesay, you said that you didn't read
15:45:51 25 Charles Taylor's testimony. Did you know that he read your
26 testimony?

27 A. Well, I did not know.

28 MR KOUJIAN: Could we have the transcript for
29 27 October 2009, page 30460.

1 Q. Going down to line 5, at the end of the line, Mr Taylor
2 said: "I have read Issa Sesay's testimony, you understand me?"
3 So, Mr Sesay, did you read Charles Taylor's testimony as he read
4 yours?

15:47:04 5 A. I did not read it. I did not read it. His lawyers did not
6 give me his testimony. I did not read it.

7 Q. Now, when Sam Bockarie, you said, wanted to be introduced
8 it was to Blaise Compaore, correct? That's who Charles Taylor
9 made arrangements for Sam Bockarie to meet, correct?

15:47:37 10 A. Yes, Sam Bockarie met him and from there he went to Libya
11 and returned to Burkina Faso.

12 Q. What was the purpose, according to you, of Sam Bockarie
13 meeting Blaise Compaore?

14 A. Well, it was about the same Abidjan Accord, because by then
15:48:03 15 Blaise Compaore was the OAU chairman. So he was trying to talk
16 to him so that he can influence his colleagues, his colleague
17 leaders, to revisit the accord.

18 Q. Mr Sesay, if the RUF wanted to send someone to negotiate a
19 peace accord, they would send someone educated, like,
15:48:29 20 for example, Mike Lamin or maybe Gibril Massaquoi, not
21 Sam Bockarie. Sam Bockarie wasn't an intellectual at all, was
22 he?

23 A. Well, if it was meant to go and talk to the leaders for
24 them to revisit the accord, if we are now to the accord, the
15:48:53 25 discussion of the accord, then we could have had people - we had
26 people who were educated people, not just Gibril or Mike Lamin.

27 Q. Correct. But one of them was - Sam Bockarie was not one of
28 those educated. He was a brutal, brutal, jungle commander.
29 Isn't that true?

1 A. Yes, Sam Bockarie was not an educated man, but he is
2 literate, he can read and write.

3 PRESIDING JUDGE: Could Sam Bockarie read and write
4 English?

15:49:29 5 THE WITNESS: Yes, my Lord, because I used to see him
6 reading and writing. The radio messages when they brought them,
7 he was the one who read them.

8 MR KOUMJIAN:

9 Q. Now, let's again pursue your story a bit more. You claim
15:49:52 10 in this trial that Sam Bockarie came back to Monrovia from
11 Burkina Faso without any arms and ammunition. He landed in
12 Roberts International Airport, according to you, without any arms
13 and ammunition. Is that right?

14 A. That was what he told me, that the ammunition that he got -
15:50:18 15 because they were not arms, they were ammunition. He said the
16 ammunition that he had, he had bought from Lofa.

17 Q. That's something that you remember distinctly now, although
18 you said four times in your own trial the ammunition came from
19 Burkina Faso. Is that right?

15:50:36 20 A. Well, if I had said so in my own trial, during my trial I
21 said I hadn't access to the transcripts. It was after I had
22 testified that I spoke to my lawyers to have access to the
23 transcripts. I knew that I had made a mistake. From what
24 Bockarie told me, he said he had bought the ammunition from Lofa.

15:51:03 25 Q. You knew you had made a mistake when? When did you know
26 you had made a mistake?

27 A. I said when I was reading the transcripts of my testimony.

28 Q. So you made the same mistake four times, more than a month
29 apart. Between May and June 22nd, you made the same mistake

1 about the ammunition coming from Burkina Faso?

2 A. Well, Bockarie told me that he bought the ammunition from
3 Lofa.

4 Q. And when you testified in your trial you said it was from
15:51:39 5 Burkina Faso, although you knew it was from Lofa. Why?

6 A. Well, I can't recall. I couldn't recall a lot at that
7 time. It was after I had testified that I realised that it was
8 in Lofa that he had bought them. That was what he said; that he
9 bought them in Lofa.

10 Q. So you remember better now, in August 2010, what happened
11 in 1998 than you remembered in 2007, when you testified in RUF?

12 A. I said when I testified it was at that time that I realised
13 that what I had said was not the right thing about the
14 ammunition.

15 Q. Well, did you do anything about that when you realised that
16 you had said the wrong thing? Did you tell the judges, "I've
17 said the wrong thing"?

18 A. No. At that time, I had already testified. I had
19 testified.

20 Q. Let's pursue again a little further what you've said about
21 the ammunition coming from Lofa County. According to you, what
22 you're saying in this trial, Sam Bockarie bought the ammunition
23 from who?

24 A. He said he bought the ammunition. He said he bought the
15:53:10 25 ammunition, some of it from the battalion commander in Lofa and
26 the others from Benjamin Yeaten in Lofa.

27 Q. What was the name of the battalion commander?

28 A. I can't recall his name now.

29 Q. Was that Timothy Fayia?

1 A. No, I can't recall his name now. That's not the name.

2 Q. Benjamin Yeaten was one of - was Charles Taylor's most
3 trusted security man; isn't that true?

4 A. Yes. Benjamin Yeaten was a commander.

15:53:57 5 PRESIDING JUDGE: That's not the question. Was that the
6 question asked? Mr Sesay, sometimes I wonder if something is
7 lost in translation or you are deliberately answering the wrong
8 question that's not asked. The question quite simply was:
9 "Benjamin Yeaten was one of Charles Taylor's most trusted
10 security men; isn't that true?" And your answer was: "Benjamin
11 Yeaten was a commander." Now, who asked you whether Benjamin
12 Yeaten was a commander or not? Why don't you answer the question
13 asked?

14 Anyway, Mr Koumjian, please continue.

15:54:39 15 MR KOUMJIAN:

16 Q. Mr Sesay, Benjamin Yeaten was the top security commander
17 for Charles Taylor, correct?

18 A. Yes, he was one of the security commanders.

19 Q. Mr Sesay, I think the Presiding Judge just explained to you
15:54:57 20 to answer the question. "One of the security commanders" is not
21 the same as "the top". Was he the top or was he not the top
22 security commander?

23 A. But I was not with the Liberian government at this time.
24 How could I know that he was the number one?

15:55:14 25 PRESIDING JUDGE: In which case the answer is, "I don't
26 know." In which case the answer is, "I don't know." It's not -
27 the answer is not an argument or altercation with counsel. The
28 answer is, "I don't know."

29 THE WITNESS: Okay, my Lord.

1 MR KOUMJIAN:

2 Q. Is your answer that you don't know, Mr Sesay?

3 A. That he was the top security?

4 Q. Yes.

15:55:41 5 A. I knew that Benjamin Yeaten - I heard that he was the SS
6 director.

7 Q. And that was the close security for the President, correct?

8 A. Yes, when I knew that.

9 Q. Did you know, Mr Sesay, that when asked at this trial, with
15:56:05 10 everything that he knows up to when the question was asked, which
11 was last year - excuse me, which was January of this year,
12 whether he would reappoint Benjamin Yeaten, President Taylor said
13 he would have no reason not to reappoint Benjamin Yeaten? Did
14 you hear that when you listened to the testimony of

15:56:26 15 Charles Taylor?

16 A. No, I did not hear that.

17 Q. How did Sam Bockarie know to buy ammunition from the Lofa
18 commander and Benjamin Yeaten? How did he know that they had
19 ammunition?

15:56:46 20 A. It's an army, it's an army. And Sam Bockarie used to talk
21 to them. Even Benjamin Yeaten, when I went to Monrovia in March,
22 in March of 2001, the money that was given to him, that's - that
23 was the commission - no, Taylor did not know about that. So he
24 was doing things that Mr Taylor was not aware of.

15:57:12 25 Q. So you knew Benjamin Yeaten well enough in 2001 that you
26 knew he was the top security commander for Benjamin Yeaten; isn't
27 that true?

28 A. Yes. In 2001 I knew that.

29 PRESIDING JUDGE: Didn't you mean for Charles Taylor?

1 MR KOUMJIAN: Oh, I apologise. Thank you. Could the
2 witness be shown D-141, page 181.

3 Q. Mr Sesay, the question was - I asked you whether you knew
4 how Sam Bockarie knew to buy ammunition from Lofa and Yeaten, and
15:57:51 5 you said it was because it was an army, and an army would have
6 ammunition, correct?

7 A. I said the commander in Lofa was the commander of the army
8 that was in Lofa. So Bockarie knew that he had ammunition. So
9 if he wanted ammunition, he could talk to him. For example, how
15:58:09 10 did Mike Lamin know that Bobby Dixon had ammunition? It was
11 because he knew that he was the commander in Bomi Hill county.

12 Q. Okay. So it was well known that any AFL Liberian army
13 commanders would have ammunition in 1998, correct?

14 A. That is something any gunman, any military man, would know
15:58:39 15 that the military personnel anywhere, the next thing behind him
16 is ammunition. We know of the Guinean, the ULIMO, the AFL.

17 Q. Okay. I need just a moment to find something, Mr Sesay.
18 If the witness could be shown page 181.

19 Mr Sesay, do you see the man in the centre of that
16:00:08 20 photograph, the short man in the centre?

21 A. Yes.

22 Q. Who is that?

23 A. That's Benjamin Yeaten.

24 Q. And if we could look - if the photograph could be moved
16:00:24 25 down so we could see the top of the photograph, we see that this
26 page, out of the presidential papers, is called "The President's
27 Men". The centre of that group of persons is Benjamin Yeaten,
28 correct?

29 A. Yes.

1 MR KOUMJIAN: Could the witness be - thank you, Madam Court
2 Officer. Could the witness be shown the transcript for
3 28 October 2009, page 30524? If we could go down about 15, 20
4 lines. Thank you.

16:01:34 5 Q. Beginning from line 14, this is from the testimony of
6 Charles Taylor. Mr Sesay, he was talking about this case, and he
7 said:

8 "A. If anyone believes that Liberia had arms and
9 ammunition, or Charles Taylor had possession of those arms
16:01:52 10 and ammunition in Liberia, between the time he becomes
11 President up to 2001 when I ordered material, then really
12 I'm already guilty in this case."

13 Now, Mr Sesay, you've provided evidence, sworn evidence, in
14 this case that Charles Taylor did have ammunition, that he gave -
16:02:13 15 that the ammunition that you used to attack Kono came from the
16 Liberian armed forces and this was used to capture material that
17 took you all the way to Makeni and up to Waterloo. So when
18 Charles Taylor says, "If anyone believes that Liberia had arms or
19 ammunition", he's already guilty, from your testimony he's
16:02:36 20 already guilty; isn't that true?

21 A. Well, I don't know.

22 Q. Because you know that he did have ammunition. You said it
23 was common knowledge, anyone would know that the Armed Forces of
24 Liberia would have ammunition, correct?

16:02:58 25 A. Well, I said I don't know what Mr Taylor testified about.
26 I know about my own account, and that's what I'm talking about.

27 Q. And your testimony, your account, is the ammunition that
28 led to the national offensive in 1998, taking Kono, taking
29 Makeni, going all the way up to Waterloo, taking Waterloo, all

1 that came from Liberia, it was ammunition from Liberia, according
2 to you, correct?

3 A. Yes, but the way you are saying it as if the ammunition
4 that we fought with from Kono up to Waterloo, it was - they were
16:03:39 5 ammunition that came from Liberia --

6 THE INTERPRETER: Your Honour, can he kindly repeat his
7 answer, his entire answer, again.

8 PRESIDING JUDGE: Sorry, Mr Sesay, please start again. You
9 said, "Yes, but by the way you are saying it as if." Now,
16:03:55 10 continue from there.

11 THE WITNESS: Yes, my Lord. I said he's saying it as if
12 the ammunition that we fought with from Kono to Makeni to
13 Waterloo, they were ammunition that came from Liberia. I said
14 no, that was not what happened. The ammunition that Bockarie
16:04:11 15 brought, I used that ammunition and attacked Kono. It was from
16 Kono that we got ammunition to fight ECOMOG in Makeni, from the
17 ammunition that we captured in Kono. If we were not able to
18 capture Kono, we wouldn't have been able to get that kind of
19 ammunition. And ECOMOG by then, they concentrated on mining.
16:04:34 20 Because I myself did not believe that we could have captured
21 Kono.

22 MR KOUMJIAN: Could the witness be shown - or some
23 documents be prepared, I'll show them in a moment to the witness.
24 D-57C, D-33B.

16:04:59 25 Q. Mr Sesay, when did Sam Bockarie start wearing two stars?

26 A. When Sam Bockarie started wearing two stars?

27 Q. Yes.

28 A. That was in '99.

29 Q. After the Freetown invasion?

1 A. Well, I was in Makeni when I heard that Johnny Paul had
2 promoted him.

3 Q. So after all that happened in December 1998
4 and January 1999, Sam Bockarie started wearing two stars,
16:05:48 5 correct?

6 A. Well, I heard that he was promoted by Johnny Paul. And
7 when I went to Buedu - in fact, I was in Makeni. He started
8 addressing messages to me from Brigadier General Sam Bockarie to
9 Issa Sesay, because he too promoted us in February of '99.

16:06:18 10 PRESIDING JUDGE: Mr Sesay, I don't understand your
11 question - your answer in relation to the question asked. The
12 question asked had time frames indicated. What is your answer in
13 relation to the time frames?

14 THE WITNESS: He said all that had happened in December.
16:06:39 15 He said that was when Sam Bockarie started wearing two stars.

16 Mr Lawyer, ask me the question again, please.

17 MR KOUMJIAN:

18 Q. Mr Sesay, is it correct what you are saying is Sam Bockarie
19 was promoted, according to you, February '99?

16:06:56 20 A. No, I said the others and I, my colleague RUF who were
21 promoted by Sam Bockarie in February of '99.

22 Q. Sam Bockarie started wearing two stars before that
23 in January 1999, isn't that true?

24 A. Well, I heard that he was promoted by Johnny Paul
16:07:22 25 in January of '99.

26 Q. Can we look behind tab 27. Sorry - and then I will come to
27 those exhibits, thank you. I've been informed that I failed to
28 ask for an MFI number for tab, I believe it's 14 - 13, and that
29 is pages from the book, the Reverse to Victory. I only read from

1 page 89 of that book, but the first three pages of tab 13 contain
2 the cover, the publication page, and the author information. So
3 I would ask for those four pages to be admitted, and this was
4 just when I was discussing the date of Fitti-Fatta.

16:08:16 5 PRESIDING JUDGE: The four pages mentioned of the book
6 entitled "The Reverse Victory" by Brigadier RA Adeshina marked
7 MFI-22.

8 MR KOUMJIAN:

9 Q. First, the photograph behind tab 27. Mr Sesay, do you
16:08:51 10 recognise the person in that photograph?

11 A. Yes, that's Sam Bockarie.

12 Q. Do you recognise the red beret with two stars that he is
13 wearing? Have you seen him wearing that before?

14 A. Yes, I used to see him wear it in Buedu.

16:09:16 15 Q. If the witness could now be shown D-57C, specifically, the
16 photograph on the top right.

17 Mr Sesay, do you recognise the person holding the
18 microphone, it appears, wearing the red beret, with what appear
19 to be two stars?

16:09:49 20 A. Yes, that's Sam Bockarie.

21 Q. Thank you. Could the witness be shown D-33B. Looking at
22 the two persons in the red berets to the right, one's face is
23 almost - his face is completely blocked and there's one man
24 standing before, do you recognise the man in the red beret
16:10:52 25 wearing the watch on his left-hand?

26 A. No, I can't recognise this person.

27 Q. Do you know Moses Blah?

28 A. I heard his name but I never met him. I never sat down to
29 talk with him.

1 Q. Let's keep these photographs for a moment, and I just want
2 to show you one more. P-197A. It's already been marked but I
3 don't think there's an issue of identification. Do you recognise
4 the person in this photograph wearing a red beret with four
16:12:16 5 stars?

6 A. Yes, that's Ben.

7 Q. Mr Sesay, looking at these photographs, the red berets are
8 identical that Sam Bockarie, Moses Blah and Benjamin Yeaten are
9 wearing, isn't that true?

16:12:41 10 A. They are red berets, but we too had red berets that we were
11 using.

12 Q. They are red berets with gold stars, correct?

13 A. We had red berets that we used to capture, a lot of them
14 that we were using, but they hadn't stars.

16:13:06 15 Q. And if we look at the photograph of Moses Blah, the
16 photograph, and compare the uniforms with that worn by
17 Sam Bockarie in tab 27, you see in that photograph Charles Taylor
18 security and Moses Blah. It's the same uniform, the same type of
19 khaki uniform, isn't it, that Sam Bockarie has as the Liberians
16:13:46 20 have, as Charles Taylor is wearing in that photograph, isn't that
21 true?

22 A. This is a US camouflage. It's the same that the Nigerians
23 used. We used to capture a lot of them, they were in plastic
24 bags with the same US camouflage.

16:14:05 25 PRESIDING JUDGE: But, Mr Koumjian, is it really the same?
26 I don't think so. Is it the same green? Or am I just colour
27 blind.

28 MR KOUMJIAN: I believe it is. Of course, shading depends
29 on the exposure of the photograph, but, in my view, particularly

1 the photograph of the - it appears to me, but I don't claim that
2 my eyes are the best, to be the same colour; but, obviously, your
3 Honours are the judges.

16:14:54 4 Q. Mr Sesay, thank you very much; unless there are questions
5 from the Bench, I don't have further questions on the
6 photographs.

7 PRESIDING JUDGE: Mr Sesay, you said, regarding the berets,
8 that you - the RUF captured a lot of berets, like the one
9 Sam Bockarie is wearing. You captured them from who?

16:15:20 10 THE WITNESS: For example, when we came to Freetown, those
11 red berets, they were at the ordnance that --

12 THE INTERPRETER: Your Honours, can he repeat his answer
13 slowly.

14 PRESIDING JUDGE: You lost the interpreter, please repeat
16:15:40 15 your evidence.

16 THE WITNESS: My Lord, I said when we joined the AFRC,
17 Gborie used to supply those red berets; he used to supply those
18 red berets, a lot of them to the RUF. I said even when we were
19 fighting against ECOMOG, and we used to capture those red berets
16:15:58 20 and camouflage uniforms, the same camouflage uniforms in plastic
21 bags, brand new ones. So the red beret is military police dress.
22 We used to capture them, a lot of them.

23 PRESIDING JUDGE: Are you saying that the uniform that
24 Sam Bockarie is wearing in that photograph, in tab 27, is a
16:16:24 25 military uniform of where? Of which country?

26 THE WITNESS: That's an American. The one Sam Bockarie is
27 wearing is an American US military uniform. It's the same that
28 the ECOMOG - the ECOMOG had their Nigerian uniform, but they used
29 to have a lot of these American supplies that they were also

1 using.

2 PRESIDING JUDGE: Are you saying he stole this or captured
3 this from the ECOMOG?

16:17:00

4 THE WITNESS: My Lord, we used to capture a lot of them
5 from ECOMOG.

6 MR KOUMJIAN:

16:17:22

7 Q. Mr Sesay, I do have one further question on the photographs
8 we saw of Sam Bockarie with two stars on a beret. It's correct,
9 isn't it, that the Sierra Leone Army would not wear stars on
10 their beret, correct?

11 A. Yes, the Sierra Leone Army, they put their rank here on the
12 shoulder of the uniform.

16:17:46

13 Q. However, it was the American style to put the stars on the
14 beret and that was a style followed by Liberian armed forces,
15 correct?

16 A. Yes, that's an American way of putting the rank on the cap.

16:18:13

17 Q. And Mr Sesay, this is just further evidence that the
18 promotion of Sam Bockarie to two star general was from
19 Charles Taylor, not from an SLA, Johnny Paul Koroma, isn't that
20 true?

16:18:34

21 A. No. I knew that it was Johnny Paul who promoted him. That
22 was what I knew, that he was promoted by Johnny Paul Koroma to
23 two star. They can make you two star - you remove the pin from
24 your shoulder and put it on your cap; that is what Sam Bockarie
25 did.

26 MR KOUMJIAN: Your Honour, could the photograph behind tab
27 27 of Sam Bockarie with the red beret and two stars be marked for
28 identification.

29 PRESIDING JUDGE: The photograph of Sam Bockarie in fatigue

1 uniform is marked MFI-23.

2 MR KOUMJIAN:

3 Q. Mr Sesay, I want to go to another subject, and that is
4 Foday Kallon. He was the uncle of your wife, is that correct?

16:19:13 5 A. Yes.

6 Q. And he was an older man, is that right?

7 A. Yes, he was an elderly man.

8 Q. So he had been - used to be called Pa Foday by some people,
9 correct?

16:19:36 10 THE INTERPRETER: Your Honour, can he repeat his answer
11 clearly? It's not audible enough.

12 PRESIDING JUDGE: Mr Sesay, the interpreter didn't hear
13 what you said. Repeat your answer, please.

14 THE WITNESS: I said because he was an army officer they
16:19:52 15 gave him that respect, they used to call him Pa.

16 MR KOUMJIAN:

17 Q. He also had some kind of tribal status; he was something
18 like a town chief, is that right?

19 A. I did not know of that.

16:20:07 20 Q. Wasn't he also called Ndevuyama?

21 A. Yes, Ndevuyama.

22 Q. And you or the interpreter could correct my spelling, but
23 what I have is N-D-E-V-U-Y-A-M-A; is that right, Mr Sesay?

24 A. Let the interpreter help. But it's Ndevuyama. That's what
16:20:37 25 they called him. Ndevuyama, somebody who takes life, that's the
26 meaning.

27 PRESIDING JUDGE: Is that the correct spelling,
28 Mr Interpreter?

29 THE INTERPRETER: Yes, your Honour.

1 PRESIDING JUDGE: And is that the right meaning,
2 Mr Interpreter?

3 THE INTERPRETER: Well, my understanding of it is someone
4 who returns life, not someone who takes life.

16:21:05 5 MR KOUMJIAN:

6 Q. Mr Sesay, what language is Ndevuyama, is that Mende or what
7 language is it?

8 A. It's Mende. I know that when they say Ndevuyama, it refers
9 to an angel who takes life, Ndevuyama, because we had RUF boys
16:21:27 10 who used to have that name, but we just had one of his son that
11 was called Ndevuyama.

12 Q. Foday Kallon was an SLA, correct?

13 A. Yes, at first - at first he - at first it was the civilians
14 who were fighting along the army and later he became a soldier.

16:22:03 15 Q. So in the beginning he led civilians fighting along with
16 the army. Is that correct?

17 A. Yes. Later he became a soldier around '94. He became a
18 commander at Baiwala at '95/'96.

19 Q. And Foday Kallon had joined those who made the coup and he
16:22:32 20 was part of the AFRC structure. Is that correct?

21 A. Well, he was an officer. He was a soldier who was in Daru
22 Barracks with the AFRC.

23 Q. He remained in Daru Barracks after the intervention,
24 correct?

16:22:50 25 A. Yes.

26 Q. And Sam Bockarie visited him in Daru, encouraging the
27 soldiers there not to run away, to stay and defend Daru, correct?

28 A. No. When I went to Daru with Sam Bockarie and Mike Lamin,
29 what Sam Bockarie said at the parade was that any soldier who

1 wanted to go to Liberia, he should go. He had given him 72
2 hours. But you who wanted to stay to join in the fighting,
3 should stay. So we did not go directly to visit Foday Kallon.
4 We went to see all the soldiers, including the RUF, in Daru.

16:23:37 5 That is when he made that announcement.

6 Q. After Sam Bockarie made that announcement, sometime
7 in March, Daru was attacked and by ECOMOG and ECOMOG took the
8 barracks. Is that correct?

9 A. Yes, ECOMOG and the CDF took over the barracks.

16:23:57 10 Q. And many of the SLAs who were defending the barracks ran
11 away to Liberia. Is that right?

12 A. Yes, some of them after Sam Bockarie's announcement, they
13 left. Some of them when the barracks was attacked, they left.
14 They crossed over to - they crossed to Bomaru and went to

16:24:18 15 Liberia.

16 Q. One of the effects of the intervention was to weaken the
17 AFRC and the RUF because you lost some of these trained SLA
18 officers and NCOs, non-commissioned officers, who had a lot of
19 military training because they ran away to Guinea or Liberia or
16:24:45 20 other places. Isn't that true?

21 A. I don't understand the question, sir.

22 Q. After the intervention, or during and after the
23 intervention, many trained SLA officers and non-commissioned
24 officers ran away to Liberia and Guinea, correct?

16:25:08 25 A. Yes, those who were in Kailahun, a lot of them ran away and
26 went to Liberia. But the SLAs who were in Makeni, some of them
27 went to Guinea while others went to the Koinadugu axis with SAJ
28 Musa and Brigadier Mani and the other officers.

29 Q. That weakened the RUF/AFRC alliance. Isn't that true?

1 A. Well, it was the intervention that weakened the AFRC/RUF
2 when ECOMOG and the Kamajors took over the towns.

3 Q. And the AFRC and RUF were weakened because you lost lots of
4 material, heavy weapons in Freetown, ammunition, and you also
16:25:58 5 lost trained military personnel, correct?

6 A. Yes, because ammunition - the arms and the artillery pieces
7 were captured in Freetown. And a lot of soldiers were killed,
8 some were burnt alive. That happened. But when we retreated
9 from Makeni, SAJ Musa and Brigadier Mani led their own group.

10 Q. It also changed the relationship between the AFRC and the
11 RUF. Let me start this again. The intervention changed the
12 relationship between the AFRC and the RUF because in Freetown the
13 SLAs were strong, but once the intervention occurred and the
14 retreat happened the RUF was clearly a stronger force than the
16:26:58 15 AFRC, correct?

16 A. Well, I can't say so because the AFRC reorganised in
17 Koinadugu District and they occupied Koinadugu District on their
18 own from February to August in 1998, and they started moving
19 until they attacked Freetown and initially the RUF was not with
16:27:27 20 them. So you cannot say they were not strong. Even the late
21 chief of defence staff, General Khobe, admired the army. He used
22 to admire the AFRC, the way they moved until they attacked
23 Freetown. So you can't say that the RUF was stronger than the
24 AFRC. The AFRC were separate in Koinadugu, whilst the AFRC/RUF,
16:27:57 25 some of them were in Kono and some of them were in Kailahun. In
26 Kailahun the RUF was stronger there than the AFRC. In Kono from
27 February to May, AFRC/RUF were equal in strength but after May
28 when ECOMOG took over Kono, the AFRC pulled out and went to
29 Koinadugu. So from June to December of '98 the RUF was stronger

1 than the AFRC in Kono.

2 Q. Mr Sesay, the RUF - one example of the strength of the -
3 let me start over. In Freetown the AFRC, people like SAJ Musa,
4 used to call RUF commanders bush generals, correct?

16:28:52 5 A. Well, there were disputes between the AFRC and the RUF but
6 SAJ Musa never called me bush colonel. There used to be disputes
7 but I never heard SAJ Musa utter those words.

8 Q. In Freetown Sam Bockarie took his orders from Johnny Paul
9 Koroma, correct?

16:29:17 10 A. Yes.

11 Q. But once Johnny Paul Koroma got to Kailahun, that didn't
12 happen any more; Sam Bockarie did not take orders from
13 Johnny Paul Koroma, did he?

14 A. Yes, because Johnny Paul Koroma's men, like SAJ Musa and
16:29:39 15 Brigadier Mani, they no longer took orders from him before we got
16 to Kailahun. From Makeni they were not taking orders from him
17 any longer.

18 Q. Mr Sesay, you are not answering my question. It's late in
19 the day, so let me ask it again. Try to answer the question so
16:29:56 20 we can finish. Sam Bockarie - once Johnny Paul Koroma got to
21 Kailahun, Sam Bockarie no longer took orders from
22 Johnny Paul Koroma. Is that correct?

23 A. Yes, I answered. I said yes. And I made reference to his
24 own AFRC men.

16:30:12 25 Q. Well, I don't understand your reference to his AFRC men and
26 part of the problem could be my question. So let me ask it
27 another way, not a double negative. Did Sam Bockarie take orders
28 from Johnny Paul Koroma in Kailahun, yes or no?

29 A. Well, when Johnny Paul went he took orders at the initial

1 stage. But upon the information that Moses Kabia, that is Rambo,
2 gave Sam Bockarie, it was then that Sam Bockarie stopped taking
3 orders until after the confusion he used to go to Johnny Paul to
4 visit him and he started showing some respect to him.

16:30:54 5 MR KOUMJIAN: Madam President, I think it's 4.30. This
6 would be an appropriate time.

7 PRESIDING JUDGE: Very well. Mr Sesay, we'll continue
8 tomorrow morning at 9 o'clock, Thursday, yes. Until then, you
9 are not to discuss your evidence with anyone. Court adjourns to
16:31:09 10 tomorrow at 9 o'clock.

11 [Whereupon the hearing adjourned at 4.30 p.m.
12 to be reconvened on Thursday, 19 August 2010 at
13 9.00 a.m.]

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WITNESSES FOR THE DEFENCE:

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