



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

MONDAY, 23 AUGUST 2010
9.00 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Simon Meisenberg

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

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

For the accused Charles Ghankay
Taylor:

Mr Silas Chekera
Mr Terry Munyard
Ms Logan Hambriek

1 Monday, 23 August 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.02 a.m.]

09:02:52 5 PRESIDING JUDGE: Good morning. We'll take appearances,
6 please.

7 MR KOUMJIAN: Good morning, Madam President. Good morning,
8 your Honours, and counsel opposite. For the Prosecution this
9 morning, Brenda J Hollis, Kathryn Howarth, Maja Dimitrova and
09:03:13 10 Nicholas Koumjian.

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

13 PRESIDING JUDGE: Good morning, Mr Sesay. I remind you, as
14 I normally do, of the binding oath that you took to tell the
09:03:34 15 truth.

16 Mr Koumjian, please continue.

17 WITNESS: DCT-172 [On former oath]

18 CROSS-EXAMINATION BY MR KOUMJIAN: [Continued]

19 Q. Good morning, Mr Sesay.

09:03:56 20 A. Yes, sir. Good morning, sir.

21 Q. When we broke off on Thursday, we had been speaking about
22 the Freetown invasion of January 1999 and we had spoken about
23 Rambo Red Goat. I had read your testimony from a witness in this
24 case who said that you sent Rambo Red Goat to lead a group of
09:04:19 25 fighters into the city because he was an ex-SLA and knew the
26 brothers. I want to read to you from another witness. If we
27 could have the transcript of 23 April 2008, page 8326. I'll be
28 reading from about line 18. And this is the testimony of
29 TF1-334.

1 He said - testified in this case that after this incident:
2 "I, Colonel Eddie and others, were appointed to go and
3 receive Rambo and his team around the Allen Town area. So
4 we went back and received them at Allen Town and brought
09:05:26 5 them to Ferry Junction."

6 He was asked:

7 "Q. Do you recall who Rambo came with? Before that, your
8 answer 'received Rambo', which Rambo are you talking about?

9 A. This time it was Rambo Red Goat, Idrissa Kamara, he
09:05:46 10 brought the team."

11 And then if we go to the next page, we see he was asked on
12 line 3:

13 "Q. How many people did he come with?

14 A. There were above 50. There were RUF and some SLA."

09:06:04 15 Mr Sesay, first of all, Rambo Red Goat stayed in the city
16 even after Gullit and others had withdrawn to Benguema, isn't
17 that true?

18 A. My Lord, I did not know that, sir, because I did not send
19 Rambo Red Goat, nor did I send any reinforcement to Freetown.

09:06:27 20 Q. Because yesterday - excuse me, last week you were asked
21 about the name of Rambo Red Goat, Idrissa Kamara, and you said
22 you did not know his name, is that right?

23 A. I don't recall.

24 Q. Well then let's look at the transcript 19 August, Thursday.

09:06:51 25 PRESIDING JUDGE: I note that the answer the witness gave
26 is not on the record. I don't know why, because there was
27 interpretation. I heard the interpretation. Perhaps you could
28 ask the question again and the witness's answer could be
29 recorded, please.

1 MR KOU MJIAN: Certainly. I realise I'm not getting the
2 interpretation, I'm only getting the witness on channel 2, so
3 let's try it again and see how it goes.

4 Q. Mr Sesay, the question that I asked you is, I had said that
09:07:34 5 last week you were asked about the real name of Rambo Red Goat,
6 Idrissa Kamara, and you said you did not know his name. Is that
7 correct?

8 A. Yes, I said I don't recall the name.

9 Q. Thank you.

09:07:51 10 PRESIDING JUDGE: That was not the question. Yes, yes,
11 that was the question. That was the question.

12 JUDGE DOHERTY: Sorry, Mr Koumjian, to my mind there is a
13 difference between knowing a name and recalling a name.

14 MR KOU MJIAN: Yes.

09:08:06 15 PRESIDING JUDGE: Mr Koumjian, you realise that the
16 question before that was also not answered on the record. The
17 question was they were --

18 MR KOU MJIAN: Yes. I have it on my screen, I can repeat
19 it.

09:08:33 20 PRESIDING JUDGE: Yes.

21 MR KOU MJIAN:

22 Q. I asked you earlier - Mr Sesay, it's just a problem, a
23 technical problem, we didn't get your answer.

24 First of all, I'd asked you Rambo Red Goat stayed in the
09:08:44 25 city, even after Gullit and others had withdrawn to Benguema,
26 isn't that true? What is your answer?

27 A. I said I did not know, because I did not send him and I did
28 not send anybody to Freetown.

29 Q. And when you said last week that you didn't know the name

1 of Idriss - Idrissa Kamara, are you saying you couldn't recall it
2 last week or you never knew his name at the time of the Freetown
3 invasion in January 1999?

09:09:29 4 A. During the Freetown invasion I was not used to
5 Rambo Red Goat and he did not work with me. I was not familiar
6 with him at that time.

7 Q. And even last week you didn't know his real name, is that
8 right? Well, let me just read some more transcript.

09:09:55 9 Going back to 19 August, page 46801, the next page, I had
10 read to you from a document that said that Rambo Red Goat, the
11 person in the photograph was named Idrissa Kamara and was Temne.

12 And then the Presiding Judge on line 2 asked you:

13 "Mr Sesay, is this man's real name Idrissa Kamara?"

14 You answered:

09:10:17 15 "My Lord, I did not know. I only knew the nickname, I did
16 not know the ethnic from which he came."

17 Then I asked you:

18 "Q. You did not know that Rambo Red Goat's real name was
19 Kamara, is that what you're saying?"

09:10:30 20 A. Yes, I said I did not know whether he was Kamara."

21 That's what you said last Thursday in denying sending
22 Rambo Red Goat into Freetown while the city was burning and while
23 the crimes were going on, but that was a lie, isn't that true,
24 Mr Sesay?

09:10:50 25 A. No. Honestly, I did not send anybody to Freetown.

26 Q. You do know Idriss Kamara - Idrissa Kamara's real name,
27 Rambo Red Goat's real name, isn't that true?

28 A. If I had mentioned it in this Court, I don't recall that;
29 but I'm not used to him, and he did not work closely with me.

1 Q. Did you know his name or not?

2 A. During the Freetown invasion I did not know his name. I
3 came to know his name during the detention when I was with his
4 commanders.

09:11:33 5 Q. So when I showed you the document yesterday - excuse me,
6 Thursday, with the name Idrissa Kamara and you said you didn't
7 know his name, you lied; correct?

8 A. Well, if I said I did not know his name, it's possible I
9 did not recall it at that time because I was not working with
09:11:56 10 him, I was not used to him.

11 Q. If we could have the transcript for 28 July 2010,
12 page 44915. I'm going to read from your direct examination, last
13 month, in July. I'm starting at the bottom two lines. You were
14 asked during your direct examination:

09:12:37 15 "Q. I want your assistance with another individual now.
16 Who is Idriss Kamara?

17 A. Idriss Kamara, Idriss Kamara was AFRC.

18 Q. What can you tell us about him?

19 A. Well, Idriss Kamara was part of the AFRC group that was
09:13:00 20 with Brigadier Mani at the Koinadugu flank. They were
21 there with Brigadier Mani and they moved with Brigadier
22 Mani in December '98 to Makeni, but he was operating with
23 Brigadier Mani and Colonel T. That is what I knew about
24 him."

09:13:18 25 Now, Mr Sesay, listen to the next question and your:

26 "Q. Have you heard of a Red Goat Battalion, Mr Sesay?

27 A. Those were the AFRC who were in the Koinadugu District.
28 This Idriss Kamara we are talking about, that was their
29 group."

1 So on the 28th of July you had no problem identifying
2 Idriss Kamara as being the person with the Red Goat Battalion,
3 yet last week you lied and said you didn't know Rambo Red Goat's
4 real name. Why did you lie?

09:13:53 5 A. I said last week I did not recall because he was not
6 working with me and we were not acquaintances. Like, Idriss
7 Kamara, Leather Boot, he was always in Buedu, so I can recall any
8 time you ask me.

9 Q. Well, it's clear in the answer you gave in July, you are
09:14:17 10 not speaking about Idriisa Kamara, Leather Boot, because, as you
11 just said, he was never in the north, he was in Kono, he didn't
12 even come down to Makeni with you, did he?

13 A. Yes, he was in Buedu, Leather Boot.

14 Q. Because there are several Rambos and Idriss or Idriisa
09:14:40 15 Kamaras in the AFRC/RUF, so I want to go over one answer that
16 just might explain that, just to remind us. If we could have the
17 transcript of 23 April 2008, page 8357. Again, this is TF1-334.
18 I'll start reading about line 9. On line 8 Ms Alagenda asked:

19 "Q. Now, for the record can you clarify for the Court the
09:16:09 20 different Rambos that you have been referring to?

21 A. We had Moses Kabia, who was CSO to Johnny Paul. We
22 called him Rambo. They were the ones who went to
23 Johnny Paul from Gandorhun and they advanced to Kailahun.
24 We had Rambo, who was RUF Rambo, who was the deputy
09:16:33 25 operations commander in Kono. He was with Superman. Then
26 this Rambo, who is Idriisa Kamara, we referred to as Red
27 Goat."

28 And then skipping to page 8358, going to line 2:

29 "A. No, no, Idriisa Kamara, Leather Boot, never came to our

1 own end. We left him in Kono. He never came to us. This
2 Rambo too is called Idri ssa Kamara. In Sierra Leone a lot
3 of people can have the identical names."

4 So there are several Idri ssa or Idri ssa Kamaras in the RUF
09:17:37 5 or AFRC, isn't that true, Mr Sesay?

6 A. Yes, Idri ssa Kamara, that's a common name in Sierra Leone.

7 Q. What I'd like to do now, Mr Sesay, is have you mark, look
8 at a document which is the map, I believe it's S3-C. If we could
9 have a blank copy. Yes, the second one.

09:18:49 10 Mr Sesay, I want to talk to you now about what the position
11 of the forces, that is, the ECOMOG and Kamajors on one side with
12 their allies, and the RUF and AFRC on the other side - what their
13 positions were in the Western Area on 5 January 1999, just before
14 Gullit's group entered Freetown.

09:19:17 15 You had taken Makeni and were in Makeni at that time, is
16 that right?

17 A. Yes, sir.

18 MR KOU MJIAN: Perhaps we could do the same exercise, if the
19 witness could be given two coloured pens, and probably for
09:19:33 20 consistency, the same orange and a green marker.

21 PRESIDING JUDGE: Mr Koum jian, apparently the AV booth is
22 experiencing some problems with the audio. They are requesting a
23 short pause to be able to restart the system.

24 We'll give the technicians ten minutes - I really apologise
09:20:25 25 for the break - so that they can organise the audio. We'll
26 adjourn now for ten minutes.

27 [Break taken at 9.20 a.m.]

28 [Upon resuming at 9.35 a.m.]

29 PRESIDING JUDGE: Mr Koum jian, please continue.

1 MR KOUMJIAN:

2 Q. Mr Sesay, what I would like to do is to do a similar
3 exercise to what we did last week, and have you mark this map of
4 the Western Area of Sierra Leone, which goes from Magburaka,
09:35:54 5 Makeni to the western peninsula, to mark some of the areas that
6 were controlled by various forces, putting ECOMOG, Kamajors and
7 their allies in green, and the RUF/AFRC in orange, like you did
8 before. So starting - but the date that I'm interested in is
9 5 January, just before Gullit's troops entered Freetown. On that

09:36:21 10 day, you - the RUF controlled Makeni, with its allies, correct?

11 A. Yes. You said I should mark the RUF areas with orange.

12 Q. Correct.

13 PRESIDING JUDGE: Is that what we did previously?

14 MR KOUMJIAN: That's consistent with the colours that we
09:36:43 15 used previously, yes.

16 THE WITNESS: Yes, I've marked Makeni, sir.

17 MR KOUMJIAN:

18 Q. Okay. I'd like you to continue, but I can name some
19 specific places. Port Loko, on that day, was controlled by
09:37:02 20 ECOMOG, correct?

21 A. 5 January?

22 Q. Yes. Was it under attack then or was it controlled
23 entirely by ECOMOG?

24 A. It was ECOMOG, sir.

09:37:19 25 Q. So if you can mark Port Loko in green.

26 A. Yes, sir, I've done that.

27 Q. Lunsar, who controlled it?

28 A. ECOMOG and the Kamajors.

29 Q. Would you mark that in green, please.

1 A. Yes, I've done that.

2 Q. Who controlled Masiaka?

3 A. Well, 5 January, it was ECOMOG and the CDF, because AFRC
4 attacked and they left the place and they continued their
09:38:06 5 movement towards Waterloo. So it was ECOMOG that was there.

6 Q. Can you mark that, please, in green, then.

7 Now, we see on the map Okra Hills is marked, that's just
8 above the road that goes between Masiaka and Waterloo, and
9 there's an intersection there that's marked Magbuntoso, I

09:38:45 10 believe. That's Mile 38; isn't that right?

11 A. I've not seen it yet.

12 Q. Okay. If you look at the words "Okra Hills", just below
13 those words, you see where the roads come together, and there's a
14 village marked Mag - if my eyes are - if I can read this,

09:39:12 15 Magbuntoso.

16 A. Yes, Magbuntoso, yes.

17 Q. That is Mile 38, correct?

18 A. I've not seen 38 there. I can only see the name of the
19 village.

09:39:33 20 Q. But do you recall that Mile 38 is right there at that
21 intersection where that village is?

22 And for the record, that's Magbuntoso, M-A-G-B-U-N-T-O-S-O.

23 A. Yes, it is Mile 38 that is also Magbuntoso.

24 Q. Magbuntoso was controlled - Mile 38/Magbuntoso was
09:40:01 25 controlled by who on 5 January?

26 A. 5 January, it was ECOMOG, because the AFRC passed through
27 Magbuntoso, and they went to Songo before attacking Waterloo, but
28 they did not base - they passed through the place but they did
29 not base there. So after they passed through, ECOMOG came there.

1 Q. If you could mark that green, please, Magbuntoso.

2 A. Yes, I've done that.

3 Q. Lungi airport was controlled by ECOMOG, correct? Lungi and
4 the airport?

09:40:51 5 A. Yes, you're correct.

6 Q. Can you mark that area green, please.

7 A. Yes, sir.

8 Q. Now, Waterloo was controlled by ECOMOG on 5 January,
9 correct?

09:41:09 10 A. Yes, sir, but I have not marked Lungi yet because I've not
11 seen it yet.

12 Q. It's right there where there's the picture of the plane by
13 the sea, just above Freetown. Perhaps the Court Officer --

14 A. Yes. Yes, sir, I've seen it.

09:41:37 15 Q. Thank you.

16 A. I've marked it.

17 Q. And now going down to Waterloo. On 5 January the Guineans
18 were at Waterloo, correct?

19 A. On 5 January I did not know, but when the RUF went there,
09:42:05 20 they met the Guineans there.

21 Q. Okay. Well, I'll leave that blank, if you say you do not
22 know at this point. Hastings and Jui were controlled by ECOMOG,
23 correct?

24 A. Yes, sir.

09:42:22 25 Q. Can you mark that area - you see Hastings and Jui? Can you
26 mark those in green? Jui is written very small, but do you see
27 it above Hastings?

28 A. Yes, sir.

29 Q. Now, Mr Sesay, on 5 January, where was the Gullit, Bazy

1 Kamara group?

2 A. Well, later I came to understand that during this time they
3 were up in the hills around Hastings.

4 Q. So can you mark in orange that area where they were.

09:43:31 5 A. I was not in the hills to know the area where they were,
6 but there is only one place where there are hills in Hastings,
7 but I don't know the village in which they were.

8 Q. That's fine. Why don't you just draw an orange circle so
9 we get - understand that it's just the general area, that they're
09:43:50 10 somewhere in that area.

11 A. Yes, sir.

12 Q. What about - by the way, going back the other way, Mile 91.
13 Who controlled Mile 91?

14 A. Mile 91 was the RUF.

09:44:33 15 Q. Would you mark that in orange, please. Do you see Mile 91?

16 A. No, sir.

17 Q. If you look in the centre of the map, a little bit towards
18 the right, on the road, just above Yonibana you'll see Mile 91
19 marked where the roads intersect.

09:45:15 20 A. I've seen Yonibana but I've not seen Mile 91 yet.

21 Q. The right above that, right above Yonibana it's written
22 very small. If you look you will see it's written "Mile 91".

23 A. Yes, I've seen it. I've marked it, sir.

24 Q. Who controlled Magburaka?

09:45:42 25 A. Magburaka, it was the RUF.

26 Q. Can you mark that?

27 A. Yes.

28 Q. And going back to the peninsula, just one more area. Tombo
29 was controlled by ECOMOG, they were there, correct?

1 A. Yes, ECOMOG was in Tombo.

2 Q. Can you mark Tombo in green then.

3 A. I have not located Tombo yet.

09:46:35 4 Q. If you look at the bottom of the peninsula, you'll see
5 Mamah Beach and then next to it, up a little bit to the right,
6 Tombo.

7 A. Yes, sir.

8 Q. Now, perhaps, unless you have some other areas you wish to
9 mark, Mr Sesay, we'll look at the map. But if you have something
09:46:57 10 else that you want to mark, please do so.

11 A. I don't think I have a place to mark because where the RUF
12 controlled at this time, these areas, Magburaka, Mile 91, Makeni,
13 Binkolo.

14 Q. Thank you. I think the one we haven't yet marked yet is
09:47:33 15 Binkolo, and you could mark that. It is - you see it just above
16 to the right of Makeni. You can mark that in orange, Binkolo.
17 You find Makeni in the top right and then just go a little bit
18 more up and to the right and you see Binkolo.

19 A. Yes, I've marked it.

09:48:06 20 Q. Thank you. If we could put the map now on the overhead.
21 We'll have to zoom out a bit, if possible. I see, unfortunately,
22 the map's bigger than the projector. But we're looking at the
23 map now and we've seen the areas that you've marked. And let's
24 leave it right where it is right now.

09:48:43 25 So on 5 January, we see that the Gullit, Bazy Kamara group
26 was in the hills above Hastings, somewhere in the hills of
27 Freetown, and ECOMOG was in all the areas surrounding it and on
28 the road, including at Mile 38. Is that right? And Masiaka,
29 correct?

1 A. Yes, you're correct.

2 Q. Now, you've gotten to know Gullit. You knew him well. Was
3 he an intelligent soldier?

4 A. Yes, he is an intelligent man.

09:49:35 5 Q. Just looking at that map, and you being a former general,
6 understanding the strategic situation. The situation was that if
7 Gullit went in alone into Freetown, he was - he had troops behind
8 him cutting him off from ECOMOG; ECOMOG troops would cut him off
9 from any possible retreat, isn't that true?

09:50:00 10 A. Well, my Lord, that was their own fighting strategy.

11 Q. I'm asking --

12 A. Because from --

13 Q. I'm asking you, Mr Sesay, because you fought for so long at
14 a high position in the war in Sierra Leone and you understand the
09:50:28 15 country, the geography. At that time, with ECOMOG controlling
16 Port Loko and Lungi and able to reinforce its positions,
17 controlling Masiaka and Mile 38 and Hastings and Jui and Tombo,
18 those troops entering Freetown, were entering into a potential
19 vice, they could have been squeezed between troops coming to
09:50:59 20 reinforce and those in Freetown and crushed were they not to
21 receive assistance from outside. Isn't that true?

22 A. Well, you look at it that way. But it doesn't work like
23 that for guerilla troops because they did not use vehicles. They
24 were using bush paths. They used bypass routes. So it was the
09:51:25 25 same way that they used to bypass and they entered Freetown, they
26 did not use the main road.

27 Q. In the hills they were sitting there, targets for Alpha
28 Jets, the Alpha Jets could bomb them and the Alpha Jets could be
29 pretty sure that they weren't going to hit civilians because the

1 only people in the hills were rebels, AFRC and RUF, correct?

2 A. Well, I was not with them to know how the Alpha Jet
3 operated there.

09:52:12

4 Q. But once they moved into the city they had some protection
5 because they were in a built-up urban area, they'd be harder to
6 locate, and any bombs could just as easily fall on civilians,
7 correct?

09:52:44

8 A. My Lord, I was not with them. They moved from the hills to
9 Hastings and to Freetown through Jui. I was not with them, so I
10 cannot explain to you how they manoeuvred.

11 Q. In your own trial you were asked about the Sam Bockarie
12 salute report, that's D-9 in our case, and I'd like to read and
13 have you explain an answer you gave on 26 June 2007, page 17 from
14 the RUF trial, 26 June '07, page 17. Is that the wrong citation?

09:53:40

15 MS IRURA: Your Honour, that particular transcript was not
16 availed to me by the Prosecution.

17 MR KOUMJIAN: Okay. That is our error and we'll remedy it.
18 I can read from the transcript at this point or we could wait for
19 that.

09:54:00

20 PRESIDING JUDGE: Sorry, the transcript is 26 June 2007.

21 MR KOUMJIAN: Yes, from the RUF trial.

22 MS IRURA: Your Honours, I was given a particular set of
23 transcripts by the Prosecution; that particular transcript is not
24 among the transcripts I was given by the Prosecution.

09:54:17

25 MR KOUMJIAN: Okay.

26 PRESIDING JUDGE: Very well. Mr Koumjian, perhaps you
27 could read at a slow pace so that this could be recorded and then
28 later you could provide it to Court Management.

29 MR KOUMJIAN: I think at this time we're emailing a copy of

1 that transcript to Court Management, so it should be available in
2 30 - depending on the server - in seconds or a minute. It would
3 have been the last day of the cross-examination. It was the
4 re-direct examination. So I'll just begin reading slowly.

09:55:00 5 On page 17, if that's - I just want to make sure my -
6 counsel opposite is prepared, or if they'd prefer me to wait.

7 MR CHEKERA: Let's proceed.

8 MR KOUMJIAN:

9 Q. On page 17 - and the transcript has been sent to Court
09:55:19 10 Management - at the top of the page your counsel was reading from
11 D-9, and actually he was reading from the last paragraph on
12 page 7 of what is, in our trial, D-9, and he read to you this
13 sentence:

14 "Q. Meanwhile, the troops that entered Freetown had been
09:55:42 15 cut off from the rear and were being encircled, leaving
16 them no way out."

17 And your counsel asked you:

18 "Q. Is that sentence true?"

19 A. Yes, that sentence is true, because the troops that
09:55:58 20 came to Freetown, ECOMOG was deployed in Waterloo, Mile 38,
21 Masiaka, while the attackers were in Freetown."

22 So it's true, isn't it, Mr Sesay, as you said in your own
23 trial, that those who had attacked Freetown, entered the city,
24 were cut off by ECOMOG and their exit from the peninsula was
09:56:27 25 blocked by the fact that ECOMOG was at these various locations,
26 including Waterloo?

27 A. Yes, my Lord, because ECOMOG was occupying those routes,
28 all of them. Those were the positions that they occupied when
29 the AFRC attacked Freetown.

1 Q. And you told us that in order to join with the forces - in
2 order to enter Freetown yourselves, the RUF attacked Waterloo but
3 was unable to break through and get through the ECOMOG forces at
4 Hastings and Jui, correct?

09:57:12 5 A. Yes, RUF could not go through because ECOMOG was both in
6 Hastings and in Jui.

7 Q. You also had told us about how civilian population,
8 Kamajors, had treated captured AFRC soldiers. Some had been
9 burned alive, some of those who went to Liberia and arrested by
09:57:40 10 ECOMOG, Victor King, were brought back, tried and executed.
11 That's what had happened to those AFRC that were captured by
12 pro-government civilians or Kamajors or even the Government of
13 Sierra Leone, correct?

14 A. I did not get the question clear, sir.

09:58:02 15 Q. Thank you. I'll try to simplify it. The AFRC, your
16 friends, Gullit who you told us was your friend, he would know
17 that if he was captured on that peninsula he would be lucky if he
18 was only executed. He would be treated very, very harshly,
19 correct?

09:58:23 20 A. Yes, you're correct.

21 Q. And Gullit, being a reasonable man, and understanding
22 military affairs, knowing ECOMOG and his Kamajor enemies, he
23 would not have entered Freetown on 6 January if he did not know
24 he had the support of Sam Bockarie and the RUF and that you were
09:58:50 25 coming to assist him. Isn't that true?

26 MR CHEKERA: That's a compound question and it calls for
27 speculation.

28 PRESIDING JUDGE: Well, let the witness answer. Let the
29 witness answer. He hasn't said he can't answer.

1 Mr Koumjian, just repeat your question, please, for the
2 witness's sake.

3 MR KOUMJIAN:

09:59:21

4 Q. Mr Sesay, Gullit, your friend, being a reasonable man, and
5 a soldier who understood military affairs and the military
6 situation, he would not have put himself inside Freetown on
7 6 January with no escape from the peninsula if he did not know
8 the RUF was coming to reinforce him. Isn't that true?

09:59:55

9 A. No, I disagree with that. Because Gullit and others
10 started fighting from Kurubonla right to Freetown, they did not
11 receive any reinforcements. And they used to be in places where
12 the enemies would besiege them and they were used to that. And
13 what Sam Bockarie told him, he did not listen. He did not listen
14 to Sam Bockarie's advice and they went to do the attack. And
15 they had means to return from Freetown using the same routes that
16 they had used and that was not a main road.

10:00:14

17 Q. Mr Sesay, the troops that Gullit and Bazzy, even that SAJ
18 Musa led before his death, would not have gotten to the peninsula
19 without the effect of the RUF attacks on other parts of the
20 country. Isn't that true?

10:00:44

21 A. No, no. I disagree, because they were already on their
22 move when they captured Lunsar and RUF had not even attacked Kono
23 yet and they were on their own move and that was separate from
24 the RUFs.

10:01:09

25 Q. Let's read from the transcript of 22 April 2008, page 8253.
26 Beginning at line 5 the witness was asked if anything happened
27 after the operation in York and he answered:

28 "Well, we lost one of our commanders there called Lagah, he
29 was the artillery commander, so that caused us to retreat to the

1 jungle."

2 Then he went on and said:

3 "When we came back, Gullit mounted the set and called
4 Mosquito and informed him that the troops - the troop was ready
10:02:24 5 to advance on Freetown but that we needed reinforcement to
6 reinforce him to capture Freetown.

7 He was asked how he knew about the communication. He said:

8 "Well, this happened because at the time it was within the
9 brigade, we had not gone yet, we were within the jungle. Gullit
10:02:43 10 was trying to organise, so it happened in my presence when Gullit
11 made this and I was not the only person there. Most of the
12 senior commanders were also there when he called Mosquito and
13 told him that the troop was prepared but that he needed
14 reinforcement to attack Freetown."

10:03:03 15 And if we go to the next page the witness went on and said:

16 "Well, Mosquito said the reinforcement was on its way, but
17 there were targeted areas that they needed to clear up, but the
18 reinforcement was coming, we will get reinforcement from Kono and
19 Makeni. He said Super, Issa Sesay would come and reinforce us so
10:03:28 20 that we can bulldoze Freetown."

21 Let's stop there for a moment. Mr Sesay, the targeted
22 areas that needed to be cleared up were in particular Port Loko,
23 controlling reinforcements coming from Lungi or from Conakry.
24 Isn't that true?

10:03:45 25 A. No. I was not aware of reinforcement coming from Conakry
26 or Lungi.

27 Q. Well, you do know, don't you, that ECOMOG, during
28 these December and January attacks, was flying troops into Lungi
29 and reinforcing its troops. Isn't that right?

1 A. I did not know what was happening in Port Loko at this
2 time, around 5 January, and I did not know what Gullit and others
3 were doing in the hills of Freetown.

10:04:31 4 Q. But you do know that troops were landing at Lungi and being
5 sent back into the city, into places like Jui, by helicopter.
6 They were coming - ECOMOG forces --

7 JUDGE DOHERTY: Mr Koumjian, this amorphous word "troops",
8 my initial thought was you were referring to the AFRC/RUF troops,
9 but that cannot be.

10:04:49 10 MR KOUMJIAN: Thank you.

11 Q. Mr Sesay, you know that ECOMOG was flying in reinforcements
12 at Lungi and then taking them by helicopter to the front lines.
13 Isn't that the true?

14 A. Where I fought I did not see ECOMOG bring reinforcement.
10:05:11 15 From Kono to Makeni they did not fly reinforcements in. But I
16 wouldn't tell what was happening in Freetown because I wasn't
17 there.

18 Q. And Guinea sent armoured vehicles from Guinea through Port
19 Loko and those were the troops that eventually attacked the RUF
10:05:29 20 at Waterloo. Isn't that true?

21 A. No, the Guineans were based in Port Loko. They were based
22 in Port Loko.

23 Q. Port Loko was the base and they were being reinforced from
24 Guinea, correct?

10:05:46 25 A. I was not aware of that, because around January of '99 RUF
26 was in Kambia and I did not hear that reinforcement passed
27 through that place to Port Loko. The Guineans were based in
28 Port Loko and they left there to go and reinforce their brothers
29 in Waterloo.

1 Q. The attacks by the RUF in Kono, Makeni, Daru axis, all of
2 those occupied - let me use another word. They distracted
3 ECOMOG, causing ECOMOG to split its forces and causing heavy
4 losses in equipment and ammunition. Isn't that true?

10:06:41 5 A. I don't understand the question, sir.

6 Q. Your successful attack on Kono and capturing Makeni, that
7 resulted in huge losses of equipment and ammunition by ECOMOG,
8 correct?

9 A. Yes, because we captured ammunition from them in Kono,
10 including equipment.

11 Q. And the RUF was also attacked --

12 THE INTERPRETER: Your Honours, can the witness kindly
13 repeat the last part of his answer. He said something about
14 Teko Barracks.

10:07:26 15 PRESIDING JUDGE: What did you say about Teko Barracks,
16 Mr Sesay?

17 THE WITNESS: My Lord, I said we captured ammunition again
18 in Teko Barracks.

19 MR KOUMJIAN:

10:07:38 20 Q. And again in Makeni, you captured more vehicles from
21 ECOMOG, trucks and armour, correct?

22 A. There were only trucks that were left in the barracks when
23 they withdrew. But we did not capture armoured cars in
24 Teko Barracks.

10:07:59 25 Q. And in addition to these attacks, Kono and Makeni, other
26 RUF were attacking further south, such as Akim Turay attacking
27 Tongo Fields; correct?

28 A. We did not attack the south. Tongo Field is in the east.
29 And that was late January of '99. That was when the RUF captured

1 Tongo.

2 Q. I want to read from some further testimony of a different
3 witness, from 11 March 2008, page 5830. And this is testimony of
4 Isaac Mongor.

10:09:07 5 PRESIDING JUDGE: Mr Koumjian, this map that the witness
6 just marked, are we done with it yet?

7 MR KOUMJIAN: Well, perhaps at this point we can mark it
8 for identification. I may come back to it. But I would ask that
9 the map - perhaps we should bring it back to him to put some
10:09:26 10 legend on the map.

11 PRESIDING JUDGE: And a signature and date. In any event,
12 this is the map of Sierra Leone, in particular the Western Area,
13 isn't it, Mr Koumjian?

14 MR KOUMJIAN: Yes.

10:09:40 15 PRESIDING JUDGE: Yes. So this is a map as marked by the
16 witness, showing military positions of the various groups as at
17 5 January 1999, and that is marked MFI-28.

18 MR KOUMJIAN: If you could find a place to date and sign
19 that, Mr Sesay. And I don't know if we can write a legend on it.
10:10:06 20 It's on the record now. If your Honour prefers he could write
21 "Military positions as of 5 January".

22 PRESIDING JUDGE: He has to write an explanation with the
23 various colours representing the various groups. It has to be
24 complete.

10:10:22 25 MR KOUMJIAN:

26 Q. Mr Sesay --

27 A. Yes, sir.

28 Q. Actually, that map, you were looking at the bottom half.
29 But if we look at the top half there's space for you to write, if

1 you turn it over, take it out of the plastic. Perhaps just on
2 the back, you could turn it over to the back, and Mr Sesay,
3 please write "military positions as of" --

4 A. "Military positions" and what?

10:11:17 5 Q. "5 January 1999". And then if you could just sign that and
6 put today's date, which is 23 August 2010.

7 PRESIDING JUDGE: Additionally, the various colours
8 represent the various groups. If you could indicate with a
9 little dash of each colour, to write what the colour represents.

10:12:12 10 Mr Koumjian, green was RUF?

11 MR KOUMJIAN: No. Green was ECOMOG and its allies. And
12 the orange was RUF/AFRC.

13 PRESIDING JUDGE: But isn't this rather confusing? Because
14 Mr Sesay said the people that were in Hastings, according to him,
10:12:40 15 were AFRC. Did they include RUF as well, Mr Sesay?

16 The people that were in the hills at Hastings, was that
17 group AFRC, or AFRC and RUF?

18 THE WITNESS: My Lord, they were AFRC. The only RUF I knew
19 that was among them were Alfred Brown and King Perry. But all
10:13:18 20 the commanders and fighters were AFRC.

21 PRESIDING JUDGE: So then that orange, what, in your view,
22 Mr Sesay, that orange that you just drew on the map, what does it
23 represent? If you look at it again, look at the map, the orange
24 that you drew, what does it represent?

10:13:41 25 THE WITNESS: My Lord, we started from the north. The
26 orange at Binkolo, Makeni, Magburaka. Like, Magburaka, it was
27 occupied by the RUF, although in Makeni it was a mixed group
28 because Brigadier Mani too was there. But the orange in Hastings
29 and the hills, these were the AFRC.

1 PRESIDING JUDGE: So in my view, there should be three
2 colours actually. There is - there are places where the AFRC and
3 RUF were occupying together, and then there are places where the
4 AFRC was alone or where the RUF was alone. Would I be correct?

10:14:34 5 THE WITNESS: Yes, my Lord.

6 PRESIDING JUDGE: I think the places where the AFRC and the
7 RUF were operating together should be in a separate colour, a
8 third colour, if you have a third colour.

9 What colour is that? Is that red? Yes, red.

10:14:59 10 Now, please use red to indicate the places where the AFRC
11 was operating together with the RUF. Go over that, the colours
12 where the AFRC and RUF were operating together on 5 January.

13 THE WITNESS: Yes, my Lord. Yes, sir, my Lord.

14 PRESIDING JUDGE: Mr Sesay, I've just been corrected. You
10:15:48 15 said they were occupying positions together, AFRC and RUF; is
16 that correct?

17 THE WITNESS: Yes, my Lord, like Makeni, on 5 January it
18 was RUF/AFRC that were there, the Brigadier Mani group from
19 Koinadugu and the RUF from Kono. That was the same for Binkolo.

10:16:13 20 But Magburaka, Mile 91, they were purely occupied by the RUF
21 exclusively because the RUF and all the junior commanders were
22 RUF, Magburaka and Mile 91, and even towards Magbonto, we did not
23 mark that one, those were exclusively occupied by the RUF.

24 PRESIDING JUDGE: Take this red pen and please go over
10:16:42 25 those places that were occupied jointly by the AFRC and RUF on
26 5 January, in red.

27 THE WITNESS: Yes, sir, my Lord. Yes, sir, my Lord. I've
28 marked it. I wanted to mark Magbonto because Magbonto was
29 occupied by RUF towards Bumbuna on 5 January. It was only the

1 RUF that was there around Magburaka, but I've not been able to
2 locate Magbonto.

3 PRESIDING JUDGE: Mr Koumjian, perhaps you could have
4 something to say as to whether he should mark Magbonto or not.

10:18:24 5 MR KOUMJIAN: That's fine that he marks Magbonto.

6 Q. This is different than Magbuntoso? Where is Magbonto,
7 Mr Sesay?

8 A. Magbonto is between Magburaka, Magburaka and Bumbuna.
9 That's where Magbonto is found.

10:18:49 10 PRESIDING JUDGE: Mr Sesay, is that different from
11 Magbuntoso?

12 THE WITNESS: Yes, my Lord. It's quite different, ma'am.

13 MR KOUMJIAN: I'm sorry, can you say the name of the place
14 you're looking for again? Is it Matotoka?

10:19:09 15 THE WITNESS: No, sir, Magbonto. The road is from
16 Magburaka going towards Bumbuna.

17 MR KOUMJIAN: It may be off this map. Do you know how to
18 spell this word, please, the name of the place?

19 PRESIDING JUDGE: Mr Interpreter, please spell Magbonto for
10:19:48 20 us.

21 THE INTERPRETER: It is M-A-G-B-O-N-T-O.

22 MR KOUMJIAN:

23 Q. Is it between Magburaka and Mile 91, on that road?

24 A. No, sir. It's on the other road between Magburaka and
10:20:23 25 Bumbuna.

26 Q. I believe it would be off this map, to the right of this
27 map.

28 PRESIDING JUDGE: If it is off the map, then we don't need
29 to have it marked.

1 MR KOUMJIAN:

2 Q. I'll ask, just to confirm that, Mr Sesay, if you are going
3 from Magburaka to Magbonto, do you pass through Matotoka?

10:20:46

4 A. Yes. You go past Matotoka and you get to Magburaka. In
5 Magburaka, at the junction, before entering the town, the road to
6 Magbonto is on the right-hand side. It goes up to Bumbuna and up
7 to Koinadugu. It's on the main road.

10:21:08

8 Q. Okay. So it would be the road that goes up to the right
9 from Magburaka, and it doesn't - either appears not to be marked
10 or to be off the map. I don't believe it's on the map.

11 PRESIDING JUDGE: In any event, Mr Sesay, we were about to
12 - on the back of the map, you were about to indicate what the
13 various colours represent. Have you done that?

10:21:36

14 THE WITNESS: Yes, sir, my Lord. I had marked the green,
15 the orange. It only remained the red, ma'am.

10:22:03

16 PRESIDING JUDGE: Yes. Mark the red, and also write
17 against each colour what each colour represents, the group that
18 each colour represents. The green, you can write ECOMOG. The
19 orange, you can write RUF, is it? Yes. And the red, you write
20 AFRC/RUF.

21 THE WITNESS: No. It's the orange that should be RUF/AFRC,
22 and the red exclusively AFRC. That's how I marked it on the map,
23 ma'am, my Lord.

10:22:27

24 PRESIDING JUDGE: Very well. If that's what you've done,
25 just indicate the groups that they represent.

26 MR KOUMJIAN:

27 Q. If we could perhaps turn the map over and look at the other
28 side.

29 Mr Sesay, did you have a comment?

1 A. There has been a mistake. Yes. I've made a mistake. What
2 the judge said, I think that was the right thing.

3 Q. Yes. I think the red represented only areas that were
4 occupied by both RUF and AFRC.

10:24:15 5 That's how your Honour asked him to mark it.

6 PRESIDING JUDGE: Please put the map again on the overhead.
7 Mr Sesay, let's go over this again. What colour does green
8 represent on the map?

9 THE WITNESS: The green is the ECOMOG and the CDF, my Lord.

10:24:36 10 PRESIDING JUDGE: So turn the map around and against the
11 green write - yes, that's right - ECOMOG and CDF. What colour
12 does red represent, red alone?

13 THE WITNESS: Red represents the RUF/AFRC.

14 PRESIDING JUDGE: Okay. Over the page where you see
10:25:15 15 "AFRC", just add "/RUF"; against the red, add a "/RUF".

16 Now turn the map over, please. Now, we have one colour
17 left, and that is orange. Okay. We want to see the orange.
18 There are two places that indicate orange; is that correct?

19 THE WITNESS: It should be - it should be the - only the
10:26:16 20 Hastings area in the hills, because Magburaka should be
21 exclusively the RUF. There was no AFRC there. It was purely the
22 RUF, Magburaka and Mile 91.

23 MR KOUMJIAN: Perhaps to make it clear, Mr Sesay could just
24 mark the Hastings area, he says AFRC and we can just write "AFRC"
10:26:46 25 next to that. I have some disagreement with that, but that's
26 what he's saying.

27 PRESIDING JUDGE: You see now there should be four colours,
28 in my understanding. There were areas occupied exclusively by
29 RUF and areas that were occupied exclusively by AFRC and,

1 thirdly, there were areas occupied by both AFRC and RUF. Lastly,
2 there were areas occupied by ECOMOG and CDF. So that's four -
3 four different groups. Have we run out of colours?

10:27:32 4 MR KOUMJIAN: There's a blue, apparently. Is that blue or
5 black? There's a blue colour. It might be easier to use the
6 highlighter so it won't be too strong.

7 PRESIDING JUDGE: The area around Hastings, just circle it
8 with a blue. Now, over the page, behind the page, take an orange
9 marker and circle it with blue, that representing AFRC. Write
10:28:43 10 "AFRC". So now the part that was occupied by RUF alone, where
11 was that?

12 THE WITNESS: That's the orange. It should be Magburaka,
13 Mile 91 and Magbonto but Magbonto is not on the map, my Lord.

14 PRESIDING JUDGE: So can we see what you've written over
10:29:16 15 the page? So just take your pen and cancel out the stroke with
16 the AFRC against the orange, so that it is now just RUF. Yes, I
17 think that would accurately reflect the situation, would it,
18 Mr Sesay, as you are looking at the legend? The green is ECOMOG
19 and CDF. The orange is RUF alone. The red is AFRC and RUF. And
10:30:18 20 the orange and blue is AFRC alone.

21 THE WITNESS: Yes, my Lord.

22 PRESIDING JUDGE: Very well. Please continue, Mr Koumjian.

23 MR KOUMJIAN: If that document could be marked for
24 identification.

10:30:33 25 PRESIDING JUDGE: I have marked it MFI-28.

26 MR KOUMJIAN:

27 Q. Mr Koumjian, I just briefly want to go over what you said
28 about that group that was in the hills above Hastings. You
29 acknowledge that Alfred Brown and King Perry, radio

1 communicators, were with that group, correct?

2 A. They were with that group, you're correct.

3 Q. Also you told us that when they were sent, they were sent
4 with their own bodyguards, who also were RUF, correct?

10:31:09 5 A. Yes.

6 Q. When the group reached Pademba Road Prison they freed
7 Gibril Massaquoi and some other RUF that were in the prison,
8 correct?

9 A. I knew about Gibril. I did not know about the other RUF
10:31:31 10 that were in prison. Gibril, King Perry and Alfred Brown, they
11 had two or three bodyguards. King Perry, sometimes he would have
12 one bodyguard - one bodyguard.

13 Q. There were other RUF or people speaking Liberian accents
14 who had been sent from Kailahun that joined SAJ Musa in the
10:31:55 15 north. Isn't that true?

16 A. No, sir, I was not aware of that.

17 Q. And Rambo Red Goat, Idrissa Kamara, came across the river
18 after they had entered Freetown and joined them with a group of
19 RUF. Isn't that true?

10:32:11 20 A. Well, I was not aware of that because I did not send
21 anybody to Freetown.

22 Q. I'm going to go back now and read the testimony of Isaac
23 Mongor from 11 March 2008, page 5830. The very last line, Isaac
24 Mongor said:

10:32:56 25 "I want the Court to know that ECOMOG was also present in
26 other parts of the country, that is, Sierra Leone. They were in
27 Kenema and they were in Joru where I also went to attack. They
28 were also in Kono when Issa Sesay and others attacked them and
29 pushed them out of there. They were in Makeni when Superman and

1 others attacked them and they pushed them out of there. And they
2 were at Njaiama Nimi koro when Akim Turay attacked them and pushed
3 them out of there. So the ECOMOG forces were in all of those
4 areas and we engaged them. So the men who were advancing towards
10:33:39 5 Freetown, they were also able to make their move easily and enter
6 Freetown, so that was how the fighting went."

7 It's true, isn't it, Mr Sesay, that RUF engaged ECOMOG on
8 all these fronts, Joru, Njaiama Nimi koro, Kono, Makeni, at the
9 same time that the group led by SAJ Musa was going towards the
10:34:02 10 western peninsula, correct?

11 A. Well, during that time, December/January, RUF used to
12 engage the ECOMOG in those towns, but the AFRC - they were just
13 hitting and bypassing and fighting on to the north until they
14 went to Port Loko and to Freetown.

10:34:27 15 Q. So there was a little difference in the fighting
16 strategies, the RUF was attacking and holding territory like
17 Koidu and Makeni while these AFRC - Gullit led group, SAJ Musa
18 led group earlier, was hit and running; hitting areas and
19 bypassing. Is that correct?

10:34:48 20 A. Yes, they will hit and capture areas and if they captured
21 ammunitions there they would leave and go because they were
22 moving towards Freetown. They were not capturing and staying
23 there. Sometimes they would look at some enemy towns where
24 ECOMOG is and they would leave - they would bypass that and
10:35:13 25 attack the town that they wanted.

26 Q. I want to go to the testimony of King Perry and part of his
27 cross-examination on 7 February 2008, it's a private session,
28 page 3384, so I'll have to read it. I'm going to begin to read
29 from line 9 I believe. Line 9, the Defence counsel asked Perry

1 Kamara:

2 "Q. So Gullit basically disobeyed Bockarie's order to stay
3 in Waterloo, didn't he?

4 A. Yes, because it was an order from Sam Bockarie and the
10:35:55 5 order never went through for us to stay in Waterloo.

6 Q. Now, I don't fully understand your answer, so I'll put
7 my question again: Gullit disobeyed Bockarie, didn't he,
8 by continuing on from Waterloo into Freetown?

9 A. Well, I cannot particularly refer to that as
10:36:16 10 disobedience but he said because of the manpower you have
11 and the command structure you have you shouldn't enter
12 Freetown. But the man had the idea that he had enough
13 manpower and forces so that he could enter Freetown and
14 that was discretionary job. So the man decided to enter
10:36:36 15 Freetown and when he entered Freetown he duly informed
16 Mr Bockarie that he had entered Freetown.

17 Q. Bockarie had given an order not to proceed into
18 Freetown?

19 A. Yes, the order had a reason and that is what I'm
10:36:54 20 saying. The order had a reason because of the manpower and
21 strength and materials. But some other people didn't even
22 think that we were strong enough to enter Freetown so
23 therefore they said we will enter Freetown and when we get
24 to Freetown we will inform him that was what happened.

10:37:09 25 When we entered Freetown, the AFRC informed him that we
26 have entered Freetown and he didn't give any negative
27 comments about that."

28 And that's true, isn't it? When Sam Bockarie found out
29 that the Gullit forces had entered Freetown and taken the

1 State House, he didn't respond negatively, he immediately made
2 orders for further attacks to reinforce them. Isn't that true?

3 A. No. At that moment he did not give further orders to
4 attack. At that moment Bockarie said since Gullit and others
10:37:56 5 have entered Freetown, we too - the RUF too should move through
6 Port Loko to get Lungi. But we were not able to go through
7 because the ECOMOG resistance was strong in Lungi. As far as
8 what I knew, Gullit was not under Bockarie's instructions. And
9 even when Bockarie gave him instructions, he did not obey them.

10:38:23 10 He said they had the strength to attack Freetown, that was why
11 they went ahead to attack Freetown.

12 Q. Let me just pause for one minute to ask you something
13 further about the friendship between Sam Bockarie and Gullit.
14 They travelled together to the Gambia during the junta, isn't
10:38:42 15 that true?

16 A. Yes, sir.

17 Q. Why did they go to the Gambia?

18 A. Well, they went to the Gambia and from there they went to
19 Libya. That was what I was made to understand.

10:39:05 20 Q. Let's go back to the testimony of another witness, TF1-174,
21 27 January 2009. He was asked on line approximately 10, 27
22 January '09, 23707:

23 "Q. Did you see any troop movements between, let's say,
24 28 December through the next few weeks?

10:40:00 25 A. The People's Army, that is the RUF and AFRC, were
26 continuously moving going to Kabala, to Port Loko, to
27 Lunsar, Bumbuna and Freetown.

28 Q. How do you know that?

29 A. They themselves were saying it and we saw them loading

1 in their vehicles and they will tell you, 'We're going to
2 Kabala today', and they will go and come back. They will
3 tell you, 'We captured this village'. Other times they
4 will come and when they are unable to capture any village
10:40:31 5 they come, they are silent. But they always say that, 'We
6 are going.' "

7 Then I'm not going to - he was asked about some children
8 with the RUF, if they ever told him that they were involved in
9 fighting in Freetown. And he said, "Yes, a few of them did, they
10:40:51 10 were in the fight in Freetown."

11 Mr Sesay, it's true that from Makeni the RUF was going to
12 all these places, Kabala, Port Loko, Lunsar, Bumbuna and Freetown
13 in January 1999, correct?

14 A. Yes, my Lord, the RUF attacked Bumbuna, but they were
10:41:16 15 unable. Superman attacked Kabala and he was unable. It was the
16 same with Port Loko, we were unable. And they came towards
17 Waterloo.

18 PRESIDING JUDGE: Mr Koumjian, if I may interrupt to seek
19 clarification from Mr Sesay.

10:41:30 20 Mr Sesay, you just said a while ago that Sam Bockarie and
21 Gullit travelled together to the Gambia some time. Could you
22 tell the Court either the month or the year or both when they
23 travelled together?

24 THE WITNESS: My Lord, it was in 1997 but I cannot recall
10:41:56 25 the exact months, but it was during the holidays when the RUF
26 joined the AFRC in '97.

27 PRESIDING JUDGE: Okay. Thank you. Perhaps also, why did
28 they travel together, do you know? What did they go to do in the
29 Gambia?

1 THE WITNESS: My Lord, what I knew, what Bockarie told me
2 when they came, he said they went so that the Gambian government
3 would be able to recognise the AFRC. That was why
4 Johnny Paul sent them. And they went on to Libya and, from
10:42:35 5 there, they returned to Freetown.

6 PRESIDING JUDGE: Thank you.

7 MR KOUMJIAN: If the witness could be shown D-9.

8 Q. Part of this paragraph was read to you, and I just went
9 over it in the RUF trial, but I just want to read the complete
10:43:01 10 paragraph that begins at the bottom of page 7 and then the top of
11 page 8.

12 At the bottom of page 7, this is the salute report of
13 Sam Bockarie, he wrote - it's written:

14 "Meanwhile, the troops that entered Freetown had been cut
10:44:03 15 off from the rear and were being encircled, leaving them no way
16 out. I was able to coordinate their operations over set and got
17 them to combine their forces and bulldoze from the side,
18 accessing them to the mountains, through which they took a bypass
19 to join our troops at Benguema and Waterloo, as Jui was occupied
10:44:25 20 by ECOMOG. That is how the troops that entered Freetown were
21 able to retreat."

22 That's true, isn't it? They were able to retreat thanks to
23 the RUF having taken Waterloo and that's where they came and
24 based in Benguema, correct?

10:44:46 25 A. No, my Lord. That's not correct. Sam Bockarie is just
26 making himself here - they just cited this one. They just wrote
27 this one, but it was not because the RUF was in Waterloo that
28 caused the AFRC to withdraw. They withdrew through the hills
29 and, if you can recall, during the intervention, ECOMOG was in

1 Freetown when the AFRC/RUF withdrew through Tombo.

2 PRESIDING JUDGE: What do you mean by "they just wrote this
3 one"? What do you mean?

4 THE WITNESS: I said they just wrote it, because I - I
10:45:32 5 don't know of Sam Bockarie writing a salute report. I was not
6 aware of it.

7 PRESIDING JUDGE: Because you are not aware of it,
8 therefore it's not genuine?

9 THE WITNESS: Yes, my Lord, because Sam Bockarie did not
10:45:54 10 tell me about that, and I never heard of that, because at the
11 time that Sam Bockarie was - went with Mr Sankoh to Monrovia, his
12 adjutant was not with him. His general adjutant was in
13 Sierra Leone, in Buedu, Rashid Sandy, and Sam Bockarie cannot
14 write this type of English.

10:46:19 15 MR KOUMJIAN:

16 Q. But you know who did write this for Sam Bockarie, don't
17 you?

18 A. No, I don't know.

19 Q. It was the same person who wrote the salute report for you,
10:46:34 20 isn't that true?

21 A. Well, I said that person forged and made up these stories;
22 because like this salute report that is talking about Mana
23 Kpaka's death, he was in Freetown, he saw all of those events.
24 He was in Freetown and he knew how they withdrew from Freetown to
10:46:56 25 Waterloo.

26 Q. Now you're talking about Gibriil Massaquoi when you say "he
27 knew", is that correct?

28 A. Yes. I said he was present and they withdrew together, so
29 he knew the routes that they used.

1 Q. Okay. We'll come back to these documents, because we'll
2 talk about them separately.

3 JUDGE DOHERTY: Before you move on, Mr Koumjian. Can I
4 also clarify, Mr Sesay, what you mean when you say "Sam Bockarie
10:47:27 5 is just making himself here".

6 THE WITNESS: Well, my Lord, the way this sentence is
7 written, that he coordinated the attacks, the withdrawal of the
8 AFRC from Freetown, when the people who were in Freetown were not
9 taking instructions from him, even on the radio, that was what he
10:47:52 10 was claiming. But, when it comes to reality, that was not what
11 was happening.

12 MR KOUMJIAN:

13 Q. Now, Mr Sesay, earlier I read to you from the RUF trial.
14 I'll read it again. If we could have 26 June 2007, page 17. And
10:48:12 15 part of that same paragraph was read to you at the beginning at
16 the end of line 3, and your counsel read:

17 "Q. Meanwhile, the troops that had entered Freetown had
18 been cut off from the rear and were being encircled leaving
19 them no way out."

10:48:33 20 Your counsel, Mr Jordash, asked you if that sentence was
21 true and, in the RUF trial, you said:

22 "A. Yes, that sentence is true because the troops that
23 came to Freetown, ECOMOG was deployed at Waterloo, Mile 38,
24 Masiaka while the attackers were in Freetown."

10:48:49 25 So it was true, wasn't it, that the attackers in Freetown
26 were cut off - the peninsula, the exit to the peninsula was
27 controlled by ECOMOG which were at Waterloo, Tongo, Hastings,
28 Jui, correct?

29 A. Well, my Lord, it's correct because those are the positions

1 where ECOMOG was when they passed through to attack Freetown. So
2 those are the places ECOMOG were when they passed through to
3 attack Freetown.

10:49:28 4 Q. And one can get out of the city going over the hills, like
5 they did, but they went over the hills and then the land is flat
6 and that's where they joined you at Waterloo; they based at
7 Benguema, just a short distance away, correct?

8 A. Well, even if the RUF were not present in Waterloo, the
9 AFRC would have been able to withdraw because that was where -
10:49:54 10 that was the position where the ECOMOG was when they passed
11 through to attack, so they would have been able again to come
12 out.

13 Q. Well, if the ECOMOG was at Waterloo, they wouldn't have
14 been just able to just go and set up a base at Benguema right
10:50:10 15 next door, would they, it would have been a battle with ECOMOG to
16 get out of the peninsula, correct?

17 A. Yes, they could have continued to bypass Benguema and
18 surface at - behind Benguema and retreat.

19 Q. And your allies from the AFRC, Gullit and Bazy and others,
10:50:36 20 they set up a camp, just a five to ten minute walk to where the
21 RUF was at Waterloo, it was only a five or ten minute walk
22 between your camps, correct?

23 A. They were in Benguema and the RUF was at Lumpa and part of
24 Waterloo.

10:51:00 25 Q. And that was just - the distance between them was just a
26 five to ten minute walk, correct?

27 A. About ten to fifteen minutes' walk, but at the time that
28 they came there was chaos between the two groups because the RUF
29 was saying - the AFRC were saying the RUF did not reinforce them

1 and that was what caused us to withdraw from Waterloo. There was
2 chaos there.

3 Q. Remember when we were talking about the retreat during the
4 intervention and we looked at the little - at the satellite video
10:51:39 5 and where Fogbo was, and you explained that even though the
6 troops from Freetown were able to go to Tombo, which was not then
7 controlled by ECOMOG, they couldn't get out of the peninsula
8 through Waterloo because it was controlled, again, by ECOMOG so
9 they had to go by boat to Fogbo, isn't that right?

10:52:08 10 A. No, they couldn't have used a boat because the troops that
11 you're referring to, they withdrew from Freetown to Tombo in
12 vehicles. I said at that time you couldn't have been able to
13 pass through Waterloo in vehicles because there was ECOMOG
14 presence there. But at this time these people went through
10:52:28 15 bypasses before attacking Freetown. So they could have used the
16 bush roads using bypasses to leave Freetown again.

17 Q. Because the only road out of the peninsula you have to pass
18 through Waterloo on the road, correct?

19 A. Yes, if you were using a vehicle, but, if you are using a
10:52:49 20 bush road, you could come out.

21 Q. Mr Sesay, now, we've talked about this period of time
22 beginning in mid-December - December 16, when you launched the
23 attack on Kono, Koidu Town - and we've talked about the events
24 leading to the capture of Makeni on 24 December. We've talked
10:53:10 25 about the AFRC - the Gullit-led group entering Freetown on
26 6 January, and then we talked about the RUF attacking Port Loko
27 unsuccessfully and then going down and then capturing Waterloo,
28 and a two year - excuse me, and a two-week battle with the
29 Guineans at Hastings between the RUF at Waterloo and the Guineans

1 at Hastings where you were trying to get into the city. All of
2 that happened between mid-December and mid-January, correct?

3 A. Yes, that happened between mid-December to late January.

4 Q. Thank you. Now, you explained that all of this began when
10:53:58 5 Sam Bockarie came back from his trip from Burkina Faso and
6 brought ammunition to Buedu from Liberia, correct?

7 A. Yes, I said the ammunition that he said he had brought from
8 Lofa.

9 Q. And you said that Sam Bockarie had met with President
10:54:20 10 Taylor on that trip, is that right?

11 A. Yes, before he went. Before he went to Burkina Faso and
12 Libya.

13 Q. You also told us that Sam Bockarie had a satellite phone
14 that he'd obtained from Charles Taylor, correct?

10:54:41 15 A. Yes, that was around October '98.

16 Q. During all of these events that we've talked about,
17 starting on 16 December with the attack on Kono up until the
18 middle of January with the fighting at Hastings, what contacts
19 did you have, or do you know of Sam Bockarie having, with
10:55:06 20 Charles Taylor?

21 A. Well, except for the visits that Bockarie used to make to
22 Monrovia, those are the ones I knew about, and they - when you
23 went to Burkina Faso and Libya, but they did not have - he did
24 not have contact with Mr Taylor at this time.

10:55:28 25 Q. In January 1999 did he visit - did Sam Bockarie visit
26 Monrovia?

27 A. No. I was not aware of that.

28 Q. Now, Mr Sesay, you, yourself, went to Waterloo and you saw
29 Freetown burning, correct?

1 A. Yes, I went to Waterloo, but I was not able to see the
2 centre of Freetown, because from Waterloo to Freetown 20 miles -
3 20 miles off.

4 Q. And even from that distance, you could see the smoke and
10:56:07 5 you could see that the city was burning, correct?

6 A. Well, my Lord, the city was burnt.

7 Q. When troops came back out of Freetown, like King Perry,
8 they told you and you knew that they'd been burning, amputating
9 and killing inside Freetown. Isn't that true?

10:56:38 10 A. Yes, I heard of that.

11 Q. And even before that, it was on the international media
12 about atrocities happening in Freetown, wasn't it?

13 A. Yes, I used to listen - BBC used to say it.

14 Q. And all that time you're telling us that there was no
10:57:01 15 contact from Charles Taylor with the RUF, is that right?

16 A. No. I was not aware of Bockarie reporting to Mr Taylor
17 about what was happening in Sierra Leone, I was not aware of
18 that.

19 Q. And did Charles Taylor call Sam Bockarie, to your
10:57:25 20 knowledge?

21 A. No, I never heard that. Bockarie never told me that.

22 Q. The purpose of the attack on Waterloo was to join your
23 brothers - your brothers from the AFRC in Freetown, isn't that
24 true?

10:57:59 25 A. Well, that was not it, sir. Because if we were also able
26 to capture Port Loko then the RUF would have gone towards the
27 Lungi area, because what I understood as to - as the cause --

28 THE INTERPRETER: Your Honour, can he kindly repeat this
29 answer, slowly.

1 PRESIDING JUDGE: Sorry, Mr Sesay, can you repeat your
2 answer slowly.

3 THE WITNESS: My Lord, I said - because the lawyer asked me
4 why the RUF went to Waterloo, if it was to join our brothers, the
10:58:39 5 AFRC. I said no. The RUF that went to attack Port Loko, it was
6 because Sam Bockarie said we should attack Port Loko to advance
7 on to Lungi. So if the RUF had been able to capture Port Loko,
8 the RUF would have gone by Waterloo but it was because the RUF
9 was unable to capture Port Loko, that is why the RUF said - that
10:59:03 10 was why Bockarie said the RUF should come to Waterloo.

11 MR KOUMJIAN:

12 Q. You were going to Waterloo to get to Freetown, correct?

13 A. Yes.

14 Q. And you knew at that time that the AFRC, Gullit, Alfred
10:59:20 15 Brown, King Perry, Gibril Massaquoi, you knew that all of those
16 people were inside Freetown, correct?

17 A. Yes, they were in Freetown but they were not the commanders
18 for the AFRC. The AFRC had their own command in Freetown, their
19 own command structure.

10:59:44 20 MR KOUMJIAN: Your Honour, I now have a document, but by
21 the time I have it distributed and get it out, I don't know if we
22 have enough time to start with it. It's short, I can try.

23 PRESIDING JUDGE: If you want to distribute the document,
24 distribute the document.

10:59:59 25 MR KOUMJIAN: It is tab 34. Your Honours should have it.
26 Tab 34.

27 Q. Mr Sesay, this is from closed session testimony in your
28 trial of a witness we've looked at before who explained about the
29 name of Foday Sankoh's bodyguards being originally the

1 revolutionary guards. So you know which witness I'm talking
2 about, correct? You recall that witness, protected witness for
3 your Defence?

4 A. Yes. Only one of Mr Sankoh's bodyguards testified in my
11:00:45 5 Defence.

6 Q. So I'm going to read from page 118 of the 12 November 2007,
7 beginning at line 21:

8 "A. Yes. When I arrived at Makeni I received the report
9 and they placed Colonel Rambo. They said he had gone all
11:01:06 10 the way to Waterloo with his troops. They were trying to
11 connect the men who had entered because it was SAJ Musa's
12 group, because I had the understanding that SAJ Musa had
13 died at Benguema. So the troops that advanced, they came,
14 they entered Freetown after SAJ Musa's death, so they used
11:01:26 15 the peninsula road and came to Freetown. So when our
16 brothers heard that the men had come to Freetown, they were
17 trying to force us to get connection with them but there
18 was no way, because according to the report I received
19 later on the - on the air raid was heavy. The Guinean
11:01:48 20 troops, so there was no way out. There was no way to
21 connect to the men in Freetown.

22 Q. And because they were unable to enter Freetown what
23 happened? Was Rambo and others made it possible for Gullit
24 and the others in Freetown to retreat, do you agree?

11:02:10 25 A. Yes, they were at Waterloo, what I knew, they were at
26 Waterloo. The men were unable to take over Freetown. They
27 retreated and they met them at Waterloo."

28 So what your witness said on 12 November in your trial,
29 2007, was true, wasn't it? You were attacking Waterloo in order

1 to connect with your brothers in Freetown?

2 A. Well, we were attacking Waterloo to go to Freetown but it
3 was not to make a way for those to withdraw from Freetown. This
4 witness was not around Waterloo, he was not in Makeni during this
11:02:56 5 time. He was way in Kailahun District, he was just hearing
6 rumours.

7 PRESIDING JUDGE: Very well. We'll take the midmorning
8 break now and reconvene at 33 past 11.

9 [Break taken at 11.33 a.m.]

11:30:22 10 [Upon resuming at 11.37 a.m.]

11 PRESIDING JUDGE: Mr Koumjian?

12 MR CHEKERA: Sorry, Madam President, just to note that I'm
13 now reinforced by Mr Munyard and Ms Hambrick.

14 PRESIDING JUDGE: Good morning, Mr Munyard.

11:38:25 15 MR KOUMJIAN:

16 Q. Mr Sesay, before Gullit's troops entered Freetown and while
17 they were in Freetown, Sam Bockarie was on the radio making
18 threats about what would happen to the city if Sankoh was not
19 released, correct?

11:38:47 20 A. Yes, Sam Bockarie made threats.

21 Q. And it was that you told us before the break that you heard
22 about atrocities in Freetown, both in the international media and
23 from the troops that came out of the city once they met you at
24 Waterloo, correct?

11:39:08 25 A. Yes.

26 Q. I'd like to read from the transcript of 26 November 2009,
27 page 23615, and this is from the testimony of Mr Taylor. I
28 believe I'll start at line 21.

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

1 MR KOUMJIAN: What I have is 26 November, page 32615, about
2 line 21, thank you, line 17.

3 Q. At line 17, Mr Taylor was asked:

11:40:45

4 "Q. Did you receive reports from any means, your national
5 security adviser or otherwise, Sam Bockarie was on the air
6 threatening to burn various parts, embassies in Freetown?

7 A. Well, I got a report that Bockarie had made some
8 statements on the air, yeah. I don't remember the acts -
9 exact details, but I did get a report that he had spoken on
10 the BBC.

11:41:03

11 Q. And what did you, the President, point man for peace,
12 do about this while Freetown was literally burning?

13 A. Nothing."

11:41:24

14 Mr Sesay, is that consistent with what you know, during the
15 attack on Freetown Charles Taylor made no attempt to communicate
16 with the RUF?

17 A. No. I did not hear about any communication between him and
18 the RUF, before and even after the attack I did not hear.

11:41:52

19 Q. Now, Mr Sesay, when Gullit retreated with his troops, they
20 came and based in Benguema, correct?

21 A. Yes, they were at Benguema. And the others, Bazy, was on
22 the main road.

23 Q. And you continued to coordinate with Gullit, didn't you?

24 "You" meaning the RUF. The RUF continued to coordinate with
25 Gullit, isn't that true?

11:42:16

26 A. Well, the RUF did not coordinate in any military terms
27 about the attack that AFRC did, as far as I knew.

28 Q. In January, in early/mid-January, your attempts to join
29 Gullit in Freetown failed because you were stopped by the ECOMOG

1 at Hastings and Jui, correct?

2 A. No. I did not plan any attacks with Gullit for the attacks
3 on Freetown.

4 Q. So then you worked together with Gullit after he withdrew
11:42:57 5 to Benguema and you planned a second attack on Freetown together.
6 Isn't that true?

7 A. I said no, no.

8 Q. I'd like to read from the testimony of a Prosecution
9 witness on 2 July 2008, page 12924. At the very bottom of the
11:43:39 10 page, the last four lines, the witness was asked:

11 "Q. Can you tell us how long you and Issa Sesay remained
12 in Waterloo?

13 A. When we were in Waterloo, Issa Sesay planned another
14 attack, to attack Tombo, so we were there when that attack
11:44:06 15 was launched but we are unable to capture the area so we
16 returned to Waterloo.

17 Q. And Tombo, where was that?

18 A. Tombo was an area, was a route from Waterloo, when you
19 use the peninsula going to Freetown.

11:44:25 20 Q. Why did you plan to attack Tombo?

21 A. Issa wanted us to try to get back to Freetown.

22 Q. Who took part in this attack on Tombo?

23 A. Gullit's group and Issa Sesay's group. They took
24 part."

11:44:44 25 That's true, isn't it, you coordinated a second attack,
26 attempting to go to Freetown by way of Tombo in January, correct?

27 A. No. That did not happen, it did not happen, not at all.

28 MR KOUJIAN: Could the witness just be shown MFI-20B? If
29 that could be put on the overhead.

1 Q. Mr Sesay, in addition --

2 A. Yes, sir --

3 Q. There are two ways - there are two main roads, there are
4 two roads to go into the city of Freetown from outside the
11:45:51 5 peninsula - from Waterloo you can go through Hastings or, from
6 Waterloo, you go south to Tombo and around the peninsula that
7 way. Isn't that correct?

8 A. Yes, sir. You can go through Hastings, that is the main
9 road, or you can use the peninsular route to Freetown, that is
11:46:15 10 another route which is about 45 miles, but I think --

11 Q. And - go ahead. Did you finish?

12 A. Yes, sir.

13 Q. And you marked in the map that you marked this morning with
14 the green, red and orange, you showed us that, on 5 January,
11:46:37 15 ECOMOG was in Tombo, correct?

16 A. Yes, sir, ECOMOG was at Tombo. They controlled the whole
17 peninsular route.

18 Q. So after the retreat from Freetown, in actually February of
19 1999, you led an attack coordinated with Gullit on Tombo trying
11:46:59 20 to get back to Freetown, isn't that true?

21 A. No. I did not coordinate any attacks with Gullit for us to
22 attack Tombo.

23 Q. Rambo and Superman were sent to attack Tombo with Gullit,
24 correct?

11:47:18 25 A. No.

26 MR KOUMJIAN: Could we have Mr Sesay's testimony from 18
27 May, page 93, put on the screen, please?

28 PRESIDING JUDGE: 18 May of which year?

29 MR KOUMJIAN: 2007.

1 MS IRURA: Your Honour, this is a closed session
2 transcript.

3 MR KOUMJIAN: I will read from line 7, page 93.

4 Q. Mr Sesay, your counsel asked you this question:

11:48:11 5 "Q. Let's not lead to March. Let's stay with February.
6 I'm trying to work out what the state of your knowledge is
7 about Gullit in February so, if you can't say, you can't
8 say, but don't lead to March. What's he doing in February,
9 do you know?"

11:48:32 10 Mr Sesay, under oath in your own trial, you said:

11 "A. Well, they were in - he was in, he was in Benguema.
12 He was in Benguema and he, Rambo and Superman, to attack
13 Tombo, when they attacked ECOMOG at Tombo, and were
14 unable."

11:48:52 15 Did you tell the truth in your own trial about this attack
16 by Rambo, Superman and Gullit on Tombo?

17 A. Yes, I did say that.

18 Q. So Mr Sesay, in February 1999, when the RUF knew about what
19 had happened in Freetown, the city had been burnt, people had
11:49:19 20 been killed and amputated, the RUF continued to work with Gullit
21 and made a second attempt to get back to Freetown in a
22 coordinated attack with the AFRC forces, correct?

23 A. Well, yes, that did happen but it was a failed attack, the
24 attack was not successful. And I believe that where the RUF was
11:49:50 25 at this stage, if the RUF were with the AFRC, they might have not
26 allowed the AFRC to commit such atrocities in Freetown, but the
27 RUF was not in Freetown, so the AFRC committed all those crimes
28 in Freetown.

29 Q. So from the time that SAJ Musa was killed, through February

1 of 1999, the RUF worked with Gullit, Bazzy Kamara and others to
2 take Freetown; you were working together with that goal, correct?

3 A. No, sir. We did not work together before the attack. And
4 during the attack in Freetown we did not work together because
11:50:35 5 what they wanted, they did not get that from us. They wanted us
6 to be present in Freetown so that we could reinforce them but
7 that did not happen.

8 Q. All that happened from mid-December through this attack in
9 February at Tombo, all that was possible because of the
11:50:56 10 ammunition Sam Bockarie brought back from Liberia; without that
11 ammunition the RUF would have still been outside of Koidu Town in
12 the east of the country and none of this would have happened,
13 isn't that true?

14 A. No, sir. That is not the truth, because the AFRC was on
11:51:21 15 their separate move and it was not part of the RUF, but the RUF
16 had made their own plan to attack Freetown, even before
17 Sam Bockarie September the RUF to Kono. So these are two
18 separate operations, none of them linked with the other. They
19 had no - they had their own plan and they carried out their own
11:51:45 20 attack until the time they attacked Freetown.

21 Q. Mr Sesay, you just acknowledged that the attack on Tombo in
22 February was a coordinated attack, Superman, Rambo and Gullit,
23 correct?

24 A. Yes, but at that time they had withdrawn from Freetown.
11:52:03 25 The January 6 incident had already taken place. And it was in
26 January that they were in Freetown, and this was now February,
27 and this second attack did not go through.

28 Q. Mr Sesay, after all this death and destruction in December,
29 January and February, well, December and January - December '98,

1 January '99 - Sam Bockarie was promoted to a two-star general,
2 correct?

3 A. Well, my understanding was that it was Johnny Paul who
4 promoted Sam Bockarie from a brigadier general to a two-star
11:52:41 5 general.

6 Q. So you're saying the AFRC and the RUF were still in
7 alliance where they were being promoted together by Johnny Paul
8 Koroma, correct?

9 A. No. Johnny Paul was not the one who promoted Gullit and
11:53:00 10 others. It was Gullit who promoted himself and promoted his men
11 because at that time they were in Freetown he did not have
12 communication with Johnny Paul, so Gullit and others promoted
13 themselves.

14 Q. You were promoted after the events of January '99, isn't
11:53:15 15 that true?

16 A. Yes. Sam Bockarie promoted those of us in the RUF, myself,
17 Mike Lamin and others.

18 Q. Superman was promoted, correct?

19 A. Yes, sir, Sam Bockarie promoted myself, Mike Lamin,
11:53:32 20 Superman, Peter Vandi, Morris Kallon, Isaac Mongor, to
21 brigadiers.

22 Q. And what about Rambo, Boston Flomo?

23 A. No. Rambo was a colonel.

24 Q. I'm going to move on to events after Freetown, unless there
11:53:57 25 are questions from the Bench at this time?

26 Mr Sesay, I'm going to go on and move ahead quite a bit to
27 the Lome negotiations. First of all, those took place in Togo,
28 correct?

29 A. Yes, sir.

1 Q. President Eyadema of Togo had a relationship with Foday
2 Sankoh through marriage, correct?

3 A. My Lord, I did not know that.

4 Q. Was President Eyadema's son married to Foday Sankoh's
11:54:37 5 daughter?

6 A. No, no, no. Late President Eyadema's son, we heard that
7 the wife that he had - and his son was the army chief of staff -
8 I heard that his wife was a Fullah Temne from the Sanda area,
9 that is around Makeni.

11:55:00 10 Q. Was she related to Foday Sankoh?

11 A. My Lord, no. Foday Sankoh is a Temne from Yonibana and
12 he's a Konke Temne, that is Foday Sankoh, but this one is a
13 Fullah Temne from Sanda, and that is from a different district,
14 that is Bombali District, and Foday Sankoh hailed from the

11:55:28 15 Tonkolili District.

16 Q. Following the events of January 1999 there was a lot of
17 international attention on what had happened in Freetown and in
18 Sierra Leone, correct?

19 A. Yes, sir.

11:55:40 20 Q. And there was increased international pressure on the RUF
21 and on the government to negotiate, correct?

22 A. Yes, negotiation came up.

23 Q. Thanks to your successful attacks on Koidu down to Makeni,
24 at that time, the RUF held more territory than at any other time
11:56:09 25 in its existence except when it was in the junta, except for the
26 coup period. After the Freetown invasion, the RUF held Koidu,
27 held Makeni, more areas than you had ever held before, correct?

28 A. Well, during the Lome Accord the RUF was in Kono,
29 Magburaka, whilst Superman and his own RUF and the AFRC were in

1 Makeni but at the time ECOMOG had taken Waterloo up to Masiaka up
2 to Gberi Junction they had pushed the RUF out of those places.

3 Q. And Superman was loyal to Foday Sankoh, correct?

4 A. Yes.

11:56:56 5 Q. The RUF held Kono and it held Tongo Fields, which you had
6 captured in '98, correct?

7 A. No, sir. Tongo was in '99. It was in Kono that we
8 captured in December.

9 Q. In January '99 in the attack led by Akim Turay, you took
11:57:18 10 Tongo Fields, correct?

11 A. Yes, sir.

12 Q. So the RUF was also under pressure because there was the
13 possibility of the international community putting in a stronger
14 military force to oppose you, isn't that true?

11:57:43 15 A. Well, at that time, I did not know about that but what I
16 knew about was even when Mr Sankoh was taken to Lome the British
17 high commissioner, including President Kabbah, they gave up to
18 50,000 pounds to Mr Sankoh.

19 Q. And in the Lome negotiations, in addition to the RUF, you
11:58:07 20 had members of the SLA who were present at that negotiations,
21 correct?

22 A. Yes, sir.

23 Q. Leather Boot, Idrissa Kamara, for example, is that true?

24 A. Yes, sir, he was there.

11:58:22 25 Q. Eddie Kanneh?

26 A. Yes, sir.

27 Q. Someone named Kai gbanja?

28 A. Kai gbanja. He was a civilian.

29 Q. Is that B-A-N-J-A? Or is that one word or two words,

1 Kai gbanj a?

2 A. Kai gbanj a, i t' s one word. Kai gbanj a.

3 Q. Mr Sesay, can you spell i t?

4 A. No, my Lord.

11:59:02 5 MR KOUMJIAN: Perhaps I could ask if the interpreter could
6 assist me.

7 PRESIDING JUDGE: Mr Interpreter, can you please assist?

8 THE INTERPRETER: Yes, your Honours, i t' s KAI -BANJA [sic].

9 MR KOUMJIAN:

11:59:18 10 Q. And Musa Jalloh was there, correct?

11 A. Yes, sir.

12 Q. And he was AFRC; is that right?

13 A. Yes.

14 Q. The Lome negotiations, the result of the Lome negotiations
11:59:34 15 was a victory for the RUF because you were allowed to keep the
16 diamond fields and the territories that you controlled, correct?

17 A. Well, they made Mr Sankoh chairman of the mineral resources
18 and they gave other ministerial positions to the RUF, and RUF was
19 in control of Kono and Tongo.

12:00:01 20 Q. And being in control of Kono and Tongo, the RUF continued
21 to control the diamonds from those areas; isn't that right?

22 A. Yes. RUF was mining in Kono, but in '99, no other mining
23 took place in Tongo.

24 Q. We will come to that in a moment.

12:00:28 25 It also was in the interests of those you were giving the
26 diamonds or selling the diamonds to that the RUF continued to
27 maintain its hold on Kono and Tongo, isn't that true?

28 A. Yes. Sam Bockarie used to sell the diamonds.

29 Q. So those who were receiving the diamonds benefitted from

1 Lome, correct?

2 A. Well, the benefit went to the RUF, because they used to
3 sell the diamonds, purchase medicines and some other things for
4 the RUF, including the civilians too who were behind RUF lines.

12:01:16 5 Q. Now, Sam Bockarie went to Monrovia in July of 1999,
6 correct?

7 A. Well, in July, we were the ones who went to Lome. We went
8 to Lome. And it was after our return that Mr Sankoh said
9 Sam Bockarie should travel and meet him in Lome, but when

12:01:51 10 Sam Bockarie went to Monrovia, Mr Sankoh told him not to go at
11 that moment, so Sam Bockarie had to return.

12 Q. So Sam Bockarie went to Monrovia before Sankoh returned to
13 Sierra Leone or had come to Liberia, correct?

14 A. Yes, sir.

12:02:12 15 Q. And what was Sam Bockarie doing in Monrovia when
16 Foday Sankoh wasn't there?

17 A. Well, I said it was Mr Sankoh who said that Bockarie should
18 go and travel and meet him in Lome, but when Bockarie went to
19 Monrovia, Mr Sankoh asked him to wait for him, so Bockarie was
12:02:39 20 there, he returned, and he later went back there before
21 Mr Sankoh's arrival. Himself, Pa Binda - Superman, Pa Binda and
22 others, they also came from Makeni through Freetown to wait for
23 him there, including Jackson Swarray.

24 Q. Sam Bockarie went to Monrovia to meet with

12:03:04 25 President Taylor, to receive instructions on how he should brief
26 Sankoh and how he should handle Sankoh, isn't that true?

27 A. No. I did not hear that, sir.

28 Q. I want to move on to something else you talked about, and
29 this was you said after Sam Bockarie left Sierra Leone in

1 December 1999 and went to Liberia. You said when Bockarie left
2 with his family, his wife, mother and children, and bodyguards,
3 that following that, the Liberians closed the border. Is that
4 right?

12:03:44 5 A. Yes, sir.

6 Q. And they even beat up a RUF you had sent to talk to the
7 fighters who had gone with Bockarie; is that right?

8 A. Yes. Momoh Rogers.

9 Q. But you told us during that period of time, December 1999
12:04:03 10 to May 2000, there was one exception where the border - where
11 someone was allowed to pass through the border by the Liberians,
12 and that was Ibrahim Bah, correct?

13 A. Yes, sir. Ibrahim Bah passed there.

14 THE INTERPRETER: Your Honours, the second name was not
12:04:27 15 clear to the interpreter.

16 PRESIDING JUDGE: Mr Sesay, what was the second name you
17 mentioned?

18 THE WITNESS: My Lord, Akim Turay.

19 PRESIDING JUDGE: What did you say about Akim Turay?

12:04:42 20 THE WITNESS: My Lord, I said Akim Turay and Ibrahim Bah,
21 all of them came from Monrovia, including Louis and Michel, they
22 came through the border and they met me in Pendembu.

23 MR KOUMJIAN:

24 Q. You told us that this truck that they came with was
12:04:59 25 carrying mining equipment; is that right?

26 A. Yes, sir.

27 Q. And you say this wasn't disguised, it was an open truck,
28 you said on direct, "So the civilians would have seen it was
29 mining equipment." Do you recall that?

1 A. Yes, sir. When they arrived in Pendembu, it was not
2 disguised.

3 Q. So the Liberian security at the border would have seen a
4 truck carrying mining equipment crossing the border into
12:05:33 5 Sierra Leone, correct?

6 A. Well, at the time they were crossing the border, I was not
7 there, I only saw the truck in Pendembu, and when I saw the truck
8 it was not covered at that time. But I did not know what they
9 did in their travelling before they entered Sierra Leone.

12:05:54 10 Q. Approximately, which month was that that this truck came
11 into Sierra Leone?

12 A. It was in December, my Lord, '99.

13 MR KOUMJIAN: Could the witness be shown D-3, please, and
14 specifically the page with the ERN number 8779.

12:07:13 15 Q. I want you, Mr Sesay, to look at the message at the bottom
16 of the page, just below the stamped number 00008779. You'll see
17 it's a message to Smile from General Ibrahim, Smile was
18 Foday Sankoh; is that right?

19 A. Yes.

12:07:34 20 Q. And the message reads:

21 "We are leaving for Monrovia today as all our provisions
22 have finished. We are not doing anything for now, the longer we
23 delay for now the more we accumulate losses. We have identified
24 all the problems and we know all the needs to speed up the
12:07:55 25 process."

26 I just want to skip a few lines, to make this shorter.
27 Going to the last stop, so three lines, four lines from the
28 bottom, it says:

29 "We are also pleading to you to info Monrovia to pick us at

1 the border today or latest tomorrow to speed our movement."

2 Mr Sesay, Ibrahim Bah wanted Foday Sankoh to send an
3 information to the Liberian securities to meet him at the border
4 so he could pass easily through to Monrovia, correct?

12:08:40 5 A. Well, that is what the message says but what I knew and
6 what obtained was that Mr Sankoh asked Ibrahim Bah and others to
7 be in Kono until when Mr Sankoh said in late January of 2000,
8 that was the time Mr Sankoh travelled, came and spoke with them,
9 and from there they went back through Liberia.

12:09:07 10 Q. All of Ibrahim Bah's travels to Sierra Leone were through
11 Liberia and Monrovia, correct?

12 A. Yes. At this time around, but in '97, when he came to meet
13 Johnny Paul, he came through Conakry.

14 MR KOUMJIAN: Could the witness be shown the document
12:09:31 15 behind tab 18. Thank you, I'm finished with this.

16 Q. Mr Sesay, who was Ben Kanneh?

17 A. Ben Kanneh was the IO commander.

18 Q. And what does IO mean? Intelligence officer?

19 A. Yes, sir.

12:10:29 20 Q. This is a document that was behind tab 18 and it has at the
21 top, "Revolutionary United Front Party, defence headquarters,
22 Makeni", dated 02/05/2001, to the interim leader, General Issa H
23 Sesay. It's signed at the bottom, IO commander, a stamp, and
24 there is a signature and that signature says, Ben Kanneh, doesn't
12:11:05 25 it? Colonel Ben Kanneh, correct?

26 A. Yes.

27 Q. Now, the third paragraph - well, I'll read the second and
28 third paragraphs:

29 "On 1 May an international journalist, Mr James, a Guardian

1 correspondent from London and presently based in Nairobi, Kenya,
2 was seen with Major Blackman interviewing people secretly, a
3 situation observed to be negative toward RUF.

4 The INT source also confirmed that he, Blackman, had also
12:11:54 5 led two international journalists to Kono last week whom we
6 suspect of investigating the diamond business of the RUF and its
7 link with President Charles Taylor."

8 Did you read - did you receive this report, Mr Sesay?

9 A. Well, I do not recall because I used to receive so many
12:12:17 10 documents.

11 Q. The RUF had an interest in hiding its link to
12 Charles Taylor and his links to your diamond business, correct?

13 A. No, no. I did not have any business with Mr Taylor,
14 transaction with Mr Taylor, that we could have concealed because
12:12:42 15 in Kono during this time the mining was a two-pile system so
16 I did not have anything to conceal about that. And --

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

19 PRESIDING JUDGE: Mr Sesay, pause. You're going too fast.
12:12:57 20 You need to slow down in your answers. Repeat your answer,
21 please.

22 THE WITNESS: Yes, my Lord. My Lord, I said I did not have
23 anything to conceal because I did not have any diamond
24 transactions with Mr Taylor, so I had nothing to conceal
12:13:15 25 pertaining that. And the mining that was going on in Kono was a
26 two-pile system, so I did not have anything to conceal. And
27 I had been in Kono when UNAMSIL brought mining equipments, two
28 trucks full, so I did not know whether the international
29 community was against that.

1 MR KOUMJIAN:

2 Q. Mr Sesay, you were trying to prevent journalists from
3 investigating the link between Charles Taylor and the diamonds of
4 Sierra Leone, the same way that Charles Taylor arrested Sorious
12:13:54 5 Samura and journalists in Monrovia who were investigating the
6 same matter. Isn't that true?

7 A. No. I was not hiding away from journalists. I was not
8 hiding away from journalists the things that were obtaining in
9 Kono, and I was not concealing anything that was maybe happening
12:14:16 10 between myself and Mr Taylor, no, because even with the UNAMSIL,
11 at the time they used to go there, they used to go with
12 journalists into RUF-controlled areas.

13 Q. Mr Sesay, changing the subject and moving on, how many
14 people went across the border with Sam Bockarie when he left in
12:14:39 15 December 1999?

16 A. My Lord, I did not know because I was not in Buedu when he
17 was --

18 THE INTERPRETER: Your Honours, could the witness be asked
19 to speak up.

12:14:55 20 MR KOUMJIAN:

21 Q. Mr Sesay, the interpreter cannot hear you, so if you could
22 just speak up a little bit. My question was: How many people
23 went across the border with Sam Bockarie when he left in December
24 1999? And I should have said approximately. Can you answer
12:15:12 25 approximately how many people went across the border with
26 Sam Bockarie?

27 A. Well, these included his bodyguards and even with that not
28 all of them went, including the MP commander, he went with them,
29 but later I persuaded the MP commander, he came back, and that

1 was Kaisuku and some of Bockarie's bodyguards came back like
2 Pascal and Take Care, I brought all of them back.

3 Q. Mr Sesay, were you briefed on how many RUF fighters
4 deserted the RUF in December 1999, going to Liberia?

12:16:07 5 A. Well, they told me that some RUF went with Sam Bockarie,
6 but it was not a large figure.

7 Q. It was in the hundreds, isn't that true?

8 A. No, no, no. It was not up to 100.

9 Q. Well, I think you had testified previously on 14 July, page
12:16:36 10 44463, that Bockarie left with only 30 or 35 bodyguards. Is that
11 the truth? Is that what you want the judges to believe?

12 A. Well, I do not recall the exact figure that Sam Bockarie
13 went with but they were not in their hundreds, no.

14 Q. We can look at the testimony of Mr Taylor on 17 August
12:17:07 15 2009, page 26861. Go to about line 20. He was asked by Defence
16 counsel:

17 "Q. In what kind of numbers are we talking about in
18 relation to the people who left with Bockarie and his
19 supporters?

12:18:02 20 A. Well, I can only give a number at the time of his
21 departure. At the time of the discussion we were not
22 thinking in terms of numbers but upon his return to pack up
23 and leave, finally he arrived in Liberia including some of
24 the combatants, women, children, extended family members,
12:18:21 25 the whole group numbered three to four hundred persons that
26 finally came into Liberia, after he went, packed and
27 returned."

28 Is that true? Which is true? What you said that Bockarie
29 left with just his family and 30 or 35 bodyguards or what

1 Charles Taylor said that there were a total of three to four
2 hundred persons?

3 A. Well, I was not in Buedu when Bockarie left and I was not
4 in Monrovia to check the number of persons, but I knew that he
12:18:56 5 went along with his extended family. And some of the RUF who
6 went with him also had their own people, their wives and their
7 children with them, including their extended families. So all of
8 them went, but I did not know the exact figure. I said in 2000
9 I brought some of them back, like Kaisuku and some other
12:19:21 10 bodyguards, including the operator Pascal.

11 Q. I want to read to you from what Charles Taylor said on 28
12 October 2009, page 30635. Please don't display it because I
13 believe he mentions the name of a protected witness, so I'm not
14 going to read that name. But at the bottom of page 30635,

12:19:49 15 Mr Taylor is asked:

16 "Q. Because it might be of importance subsequently, was it
17 2,000 men?

18 A. I doubt it. I don't know the exact number but when he
19 talks about men here" - let me just make sure that that
12:20:09 20 witness is protected. Let me just check for a moment.

21 Sorry, it is open so it can be displayed. It's page 30635
22 of 28 October 2009. So at the bottom of the page, Mr Taylor is
23 asked - first some testimony of a witness is read and then
24 Mr Taylor is asked:

12:20:49 25 "Q. Because it might be of importance, was it 2,000 men?

26 A. I doubt it. I don't know the exact number but when he
27 talks about men here I don't know what he's referring to,
28 but if you look at the military man whose testimony we went
29 through yesterday or the day before, Jabaty Jaward, he

1 deals with those numbers and I don't have a fight with
2 Jabaty's numbers, so it's closer to me to about 1,000
3 people in total."

4 Mr Sesay, you were - took over as the top military
12:21:20 5 commander of the RUF. Did you lose up to a thousand of your RUF
6 fighters and supporters?

7 A. No. According to what I understood at that time, in fact,
8 they were not up to a thousand. They were not up to that.

9 Q. Mr Sesay, I'm going to move on a little bit to talk a
12:21:47 10 little more to you about what happened when Sam Bockarie left.
11 What you told us in your direct examination, correct me if I'm
12 wrong, is that Bockarie left in mid-December 1999. Is that
13 right?

14 A. Yes, sir.

12:22:02 15 Q. And you said three days after that, Foday Sankoh travelled
16 from Freetown to Monrovia. Is that right?

17 A. Yes.

18 Q. So you said Bockarie left around the 14th or 15th, Sankoh
19 would have arrived somewhere between the 15th and 19th of
12:22:22 20 December. Is that correct?

21 A. Well, it was between those times, but I don't know the
22 exact date he arrived in Monrovia, but it should be within those
23 times.

24 Q. And that's when Charles Taylor discussed with Foday Sankoh
12:22:39 25 about Sam Bockarie staying in Liberia. Is that right?

26 A. President Taylor, President Obasanjo and Mr Sankoh. It was
27 the three of them who held the meeting while it was discussed
28 that in the interests of the implementation of the Lome Accord
29 Bockarie was to stay in Monrovia whilst they give chance to

1 Mr Sankoh to carry on with the implementation of the Lome Accord.

2 Q. So whatever the exact date was, it was a few days after
3 Bockarie had left Sierra Leone, correct?

4 A. Yes, it was after Sam Bockarie had gone that they held a
12:23:23 5 meeting in Monrovia and Mr Sankoh then travelled from there and
6 met us in Pendembu in the Kailahun District.

7 Q. Thank you, Mr Sesay. That's helpful because I'd like to
8 read what Charles Taylor said about the sequence of events. 26
9 October 2009, page 30290. At the very bottom of the page, in his
12:24:05 10 direct examination, Mr Taylor is asked:

11 "Q. Well, you tell us what was the sequence of events then?

12 A. I had a preliminary discussion with Foday Sankoh and
13 Sam Bockarie in Monrovia, I would say around about late
14 November 1999."

12:24:26 15 PRESIDING JUDGE: It was in Liberia.

16 MR KOU MJIAN: Thank you. Let me try to read that again
17 correctly.

18 Q. "I had a preliminary discussion with Foday Sankoh and
19 Sam Bockarie in Liberia, I would say around late November 1999.

12:24:41 20 Those discussions did not bring about any solution to the
21 disarmament. What were the discussions, just in case we remind
22 the Court, that the problem between Sam Bockarie and Foday Sankoh
23 at that time was disarmament and demobilisation of RUF fighters
24 in line with the ECOWAS agreement in July 1999? That's the
12:25:05 25 problem that we are discussing, it did not work.

26 I called Obasanjo in Nigeria. Obasanjo decided that he
27 would come and join me in Liberia for the second discussion. It
28 was at the second discussion that there was total failure but
29 also involved in those discussions on the sidelines we have also

1 the United Nations involved in that and this is why I presented
2 to this Court Downes-Thomas in his report back to the Secretary
3 General reported the decision that had been taken by ECOWAS to
4 extract Sam Bockarie. And it is only after that final decision
12:25:45 5 with Obasanjo, Charles Taylor, Foday Sankoh, Sam Bockarie and the
6 special representative in Monrovia, before one citizen left
7 Sierra Leone with the acquiescence of Tejani Kabbah, who knew
8 about the discussions going on in Monrovia, nobody extracted
9 anyone from Sierra Leone before that final decision in about the
12:26:10 10 third or fourth week of December 1999."

11 Then if we go - this is discussed again in
12 cross-examination on 5 February 2010, page 34849, 5 February
13 2010, 34849. The Prosecutor asked Mr Taylor on line 3:

14 "Q. For example, Mr Taylor, you recall the incident where
12:27:03 15 you met him at RIA to tell him about your supposed proposal
16 that Sam Bockarie come to Liberia, you remember we've
17 talked about that?

18 A. Yes, we did.

19 Q. Indeed, Mr Taylor, when you met with President Obasanjo
12:27:21 20 at RIA the deed had already been done, hadn't it?

21 A. What deed had already been done?

22 Q. Sam Bockarie had already left the RUF on your order;
23 isn't that right, Mr Taylor?

24 A. No. Where did you get that from?

12:27:39 25 Q. Indeed, Mr Taylor, when you met with President Obasanjo
26 at RIA, Sam Bockarie and his men were on their way to be
27 with you in accordance with your orders to Sam Bockarie;
28 isn't that right?

29 A. No, no. You got that wrong. Obasanjo met with me and

1 Sankoh, no, that's totally - I disagree with you."

2 Mr Sesay, Mr Taylor lied to the Court by telling them that
3 he met with Obasanjo and Sankoh before Bockarie left Sierra Leone
4 because you know he left - he talked to Obasanjo after Bockarie
12:28:20 5 left Sierra Leone, isn't that true?

6 A. Well, I cannot speak about meetings that Mr Taylor and
7 Obasanjo held. I would only want you to ask me to talk about the
8 - what I heard from Mr Sankoh at this stage because that was what
9 Mr Sankoh told us when he came to Pendembu, he said Mosquito - he
12:28:51 10 said he had suggested that they should hand Mosquito over to him
11 to bring him back to Sierra Leone but he said Obasanjo and
12 Mr Taylor said before Bockarie --

13 PRESIDING JUDGE: Mr Sesay, why are you talking like a
14 machine? Who do you think is going to keep up with that speed?
12:29:06 15 Please, start again your testimony. This is important. Slowly.

16 THE WITNESS: Yes, my Lord. My Lord, I said I cannot
17 testify about what Mr Taylor and President Obasanjo discussed in
18 their meetings. I can only speak on what Mr Sankoh told us when
19 he came and spoke to us in Pendembu because there were orders
12:29:34 20 because at the initial stage, Mr Sankoh - at the initial stage,
21 Mr Sankoh had the plan that he should deal with Sam Bockarie
22 because he had challenged his authority, things like that. But
23 after the meeting that was held in Monrovia, Mr Sankoh then
24 travelled to Pendembu and told myself and others that himself,
12:30:01 25 Obasanjo and President Taylor had agreed that Sam Bockarie should
26 stay in Monrovia whilst Mr Sankoh will carry on with the peace
27 process, that is the implementation of the Lome Accord. That was
28 what I and my colleagues heard from Mr Sankoh.

29 MR KOUMJIAN:

1 Q. That discussion that Sankoh reported with Obasanjo and
2 Taylor at the RIA airport was after Sam Bockarie was already in
3 Monrovia, correct?

4 A. Well, Sam Bockarie had travelled when Mr Sankoh went to
12:30:41 5 Monrovia and it was after Mr Sankoh came from Monrovia that he
6 landed with a UN helicopter in Pendembu and told us these.

7 Q. Well, I want to make sure that you've answered my question.
8 I'll repeat it: That discussion that Sankoh reported that he had
9 with Obasanjo and Taylor at RIA airport, that meeting was after
12:31:07 10 Sam Bockarie was already in Liberia, correct?

11 A. Yes. Because Sam Bockarie attended the meeting, according
12 to Mr Sankoh, he told us that Sam Bockarie himself was present at
13 the meeting at a certain stage.

14 Q. Now, Mr Sesay, there was - you started to answer a question
12:31:30 15 and we didn't get you because you were speaking too fast but you
16 said something I want to go back to and ask you to explain. You
17 just told us, on my LiveNote, page 75, line 17, "He said
18 Mosquito, he said he had suggested that they should hand Mosquito
19 over to him to bring him back to Sierra Leone." Who suggested to
12:31:55 20 Foday Sankoh that they should bring Mosquito back to
21 Sierra Leone?

22 A. No. I am not saying that they suggested to Mr Sankoh. I
23 am saying that at the initial stage, it was Mr Sankoh who made
24 that observation but Obasanjo, according to Mr Sankoh, he said
12:32:16 25 Obasanjo told him that no, that is not important, he said the
26 important thing is the implementation of Lome Accord and that
27 since Bockarie has crossed over the border, he said Bockarie
28 should remain there in Liberia so that Mr Sankoh will have chance
29 to implement the Lome Accord, because before Bockarie left for

1 Liberia, he has been speaking over the radio, the BBC and some
2 other international lines, when he said he would not disarm to
3 the Nigerians because Nigerians were his enemies and he even
4 threatened to disturb the Lome Accord and he was even molesting
12:32:58 5 Mr Sankoh, he was telling him he was an ungrateful person, all
6 those sort of things.

7 Q. Mr Sesay, before Charles Taylor accepted Sam Bockarie and
8 the other RUF fighters who crossed the border with him in
9 December 1999, before that time, the Mosquito spray attack had
12:33:20 10 already occurred in Lofa County, correct?

11 A. Yes. The Mosquito Spray attack had taken place before
12 December of '99.

13 Q. And, Mr Sesay, you learned, didn't you, that fighters that
14 came with Bockarie were then put into the Liberian ATU unit,
12:33:53 15 isn't that true?

16 A. I heard that when I went to Monrovia in 2000, some of them.

17 Q. I want to talk to you a little bit about the Lome Accord
18 and Foday Sankoh's attitude and actions towards that. Foday
19 Sankoh, when Lome was started to be implemented in the year 2000,
12:34:27 20 he opposed disarmament to the UN and he wanted to disarm only to
21 Nigerians, correct?

22 A. Well, my Lord, the way he started the question, the
23 implementation of the Lome Accord started in '99. From late '99.
24 That was when Mr Sankoh disarmed in Lunsar and its surroundings,
12:34:58 25 yes.

26 Q. Okay. Thank you. He wanted - Sankoh wanted to disarm only
27 to Nigerians, correct?

28 A. Well, as far as I was aware, from Mr Sankoh, because I was
29 the field commander working with him, during this time when the

1 disarmament started, he was not opposing it. He was not opposing
2 the disarmament in late '99. And even it was in 2000 that he
3 started opposing the disarmament but in '99, no.

12:35:41

4 Q. In 2000, he opposed the deployment of forces from other
5 countries to RUF territories but favoured the deployment of
6 Nigerians, is that true?

12:36:12

7 A. Well, he was not opposing the deployment. He was not -
8 the only thing that I knew was that he was friendly with the
9 Nigerians. He was friendly with the Nigerian authorities and
10 even when the UN problem started, Komba Gbundema first arrested
11 the Nigerians and disarmed them in Kambia and Mr Sankoh told
12 Gibril that he should call Komba Gbundema on the radio and tell
13 him that the Nigerians were not a part of the problem and that
14 they should be released. So he was friendly with them.

12:36:37

15 Q. So a company of Nigerians, isn't it correct, it was a
16 company of Nigerians, was captured by Komba Gbundema and
17 Foday Sankoh ordered them released, correct?

18 A. Yes.

19 Q. And Komba Gbundema released them, true?

12:36:55

20 A. Yes, he released them. Before he was instructed, Mr Sankoh
21 told Gibril to tell him to come to Makeni to set that ambush
22 between Makeni and Lunsar.

23 Q. And that was in contrast with the Zambians, the Kenyans and
24 the Indians that were arrested later and which you took and held
25 for weeks in Kono, correct?

12:37:20

26 A. My Lord, it was not one week, it was more than that, the
27 Kenyans and the Zambians - the Indians were not among the group
28 that I took to Kono, there were no Indians among them, there was
29 only one man from an Asian country who was a military observer

1 that was among the Kenyans and the Zambians that was in custody
2 in Kono. It was about three weeks when they were in custody.

3 Q. Thank you. And you're correct, the Indians were not in
4 Kono, Martin George was detaining some Indians in Kailahun; is
12:38:06 5 that correct?

6 A. Yes. Martin George, because he was a commander in Kailahun
7 --

8 THE INTERPRETER: Your Honours, can he kindly repeat the
9 person --

12:38:23 10 PRESIDING JUDGE: You said because Martin George was a
11 commander in Kailahun, what happened?

12 THE WITNESS: Yes, ma'am. I said the Indians were arrested
13 by Manawa in Kuiva, in two pick-up vans but what I knew was that
14 Martin George, they went to arrest the military observers but the
12:38:48 15 chiefs in Kailahun told him that they have heard that the gunship
16 was bombarded in Makeni and they did not want any other problem,
17 so they pressurised them and they released them.

18 MR KOUMJIAN:

19 Q. In contrast to Foday Sankoh's attitude towards the
12:39:05 20 Nigerians, he was opposed to the UNAMSIL, the UN mission, and he
21 said it was not in the interests of the RUF. That's what he told
22 you in 2000, correct?

23 A. Yes. That was what he told me and the other RUF members,
24 that the UN were - their interests lie in Kabbah - Mr Kabbah
12:39:31 25 because there was a certain part of the Lome Accord which was to
26 be implemented by President Kabbah and President Kabbah was not
27 doing that. And when he makes a complaint the UN was not taking
28 action against President Kabbah who was not implementing his own
29 part of the agreement. Instead General Jetley was just forcing

1 him to disarm the RUF, he was just telling him to disarm the RUF.

2 Q. That is when Foday Sankoh gave instructions that RUF should
3 arrest or attack the UNAMSIL but make it look like it was the
4 Civil Defence Forces by dressing up like Kamajors, isn't that
12:40:13 5 correct?

6 A. Yes. At that time, it was not an attack. It was during a
7 meeting when he summoned us to Makeni that I should make an
8 arrangement for the RUF to wear a ronko, which is the Kamajor
9 dress, in order to arrest the military observers. But I told him
12:40:30 10 that that would cause some problems and he became annoyed with
11 me. So he took me from Makeni and sent me to Kono, because I had
12 told him that that would cause some problems, but he did not
13 listen to me.

14 PRESIDING JUDGE: Incidentally, Mr Sesay, what problems
12:40:51 15 would that cause?

16 THE WITNESS: My Lord, what I was thinking about at that
17 time, I was in Freetown, that would have caused - that would have
18 led to the dismantling of the RUF because if he had been
19 arrested, they would have dissolved the RUF because wouldn't have
12:41:16 20 been able to fight the war to prosecute the war. So I said if
21 you arrested the military observers that would cause some
22 problems to the RUF and himself.

23 MR KOUMJIAN:

24 Q. Mr Sesay, before I come to talk about the capture of the UN
12:41:33 25 peacekeepers, I just want to go back a moment to October 1999,
26 and the fighting in Makeni. You were the person who organised
27 the RUF men to dislodge the SLAs in Makeni, is that true?

28 A. No, no, my Lord. The people in Makeni know that I was not
29 the one.

1 MR KOUMJIAN: If we could have the transcript of 26 April
2 2010, page 39879.

3 Q. This is from the testimony of a Defence witness, DCT-062.
4 Going to about the - line 17, the witness was asked:

12:42:53 5 "Q. Yes, I appreciate your response that there was a
6 misunderstanding in Makeni and that there was some
7 infighting. My question related to Issa Sesay. Do you
8 recall a time period when Issa Sesay organised men who went
9 and dislodged the SLAs in Makeni?

12:43:10 10 A. Yes. It happened. He took men there. He took men to
11 Makeni to fight against the SLA."

12 So, Mr Sesay, who is telling the truth, you or DCT-062?

13 A. Well, on this account I'm saying the truth because he was
14 not in Makeni. And when I got to Makeni it was then that
12:43:37 15 Superman attacked the AFRC, Gibril and their followers, but the
16 people of Makeni know that I did not take part in that attack.
17 Even the bishop in Makeni knows that, because the report - he
18 took some of the report to me.

19 Q. I want to go over, then, some of the events involving the
12:43:58 20 capture of the UN peacekeepers. So before I finish, so you're
21 saying that 062 told a lie, DCT-062, about your role in the
22 fighting in Makeni; is that correct?

23 A. No. I said he was not there. At this time he was in Kono,
24 he was not in Makeni Town.

12:44:28 25 Q. Going on to the capture of the peacekeepers, is it correct
26 that it was early in 2000 that Foday Sankoh gave you orders, gave
27 the RUF orders, to start arresting UN military observers?

28 A. Yes, my Lord. He gave that instruction in February. Then
29 I told him that that wouldn't be nice and he became annoyed.

1 Since then he sent me to Kono, he forgot about it for the time
2 being because nobody was arrested at that time.

3 Q. And at that meeting, someone said, "We should do to the UN
4 what was done to them in Somalia." Isn't that correct?

12:45:22 5 A. Yes, my Lord. That was said by the witness.

6 Q. Who said that, Foday Sankoh, or who said that?

7 A. It was Gibril Massaquoi.

8 Q. On 2 May 1999, Foday Sankoh sent you a radio message to go
9 to Makeni and take control, correct?

12:45:48 10 A. He said I should go to Makeni, fighting had erupted there.

11 Q. When you got there, you saw two Kenyans die when their car
12 fell off a bridge, is that correct, during the fighting?

13 A. No. That was when they were trying to pull out. It was in
14 Magburaka, not Makeni, at the bridge, the armoured car fell into

12:46:16 15 the bridge. They pulled out and went to Magbonto, and to Bumbuna
16 - through Magbonto to Bumbuna.

17 Q. The armoured car was trying to go over that bridge during a
18 fire fight, correct?

19 A. It was not an exchange of firing. They were trying to
12:46:38 20 withdraw from Waterworks in the convoy. As they were passing
21 through the bridge - but the bridge was a narrow bridge, the
22 bridge was narrow, and the driver caused an accident.

23 Q. You were then ordered by Foday Sankoh to lay an ambush on
24 the road to Makeni, correct?

12:46:59 25 A. No. There was no ambush on the Makeni road. Mr Sankoh had
26 ordered Komba Gbundema through Gibril Massaquoi to set an ambush
27 between Makeni and Lunsar, before I could come from Kono.

28 Q. When you got to Makeni, you saw about 300 disarmed and
29 partially undressed UN soldiers, correct?

1 A. Yes, my Lord. Some were undressed, and some didn't have on
2 shirts, but they had on their trousers but not their shirts.

3 Q. By this time, you knew that Foday Sankoh was an impediment,
4 he was a stumbling block to the peace process, correct?

12:48:07 5 A. Yes, sir, because I knew that that which had happened was a
6 problem, and he sent a message that I should take the people to
7 the Kangari Hills. I just disagreed. I told him that I didn't
8 have food for the people in the bush, and I didn't have medicines
9 to keep them in the bush.

12:48:29 10 Q. When was it that Foday Sankoh sent you the message to take
11 the peacekeepers out of Makeni?

12 A. Well, I think when I got to Makeni, it was the following
13 day, because he was sending messages to me, but when I got to
14 Makeni, when I got to Makeni, because it was at night, then

12:48:54 15 I said they should take the people to Kono. It was the following
16 day that he sent a message that the people should be taken to the
17 Kangari Hills, that I should send them to the Kangari Hills
18 because he used to send radio messages to me, up to May 7.

19 Q. Up until the incident on 8 May at Spur Road, correct?

12:49:22 20 A. Yes. He used to send messages to me.

21 Q. And Foday Sankoh sent you a message saying that these
22 hostages that he was negotiating for their release, don't molest
23 them because he's negotiating to get something for their release,
24 correct?

12:49:45 25 A. No. He did not tell me that. He only told me that the
26 people - the message that he sent, he said I should send them to
27 the Kangari Hills. He said they have started meeting him. Even
28 General Garba, who was the deputy force commander, had met him
29 and they had spoken. So he told me what was to happen later. He

1 said General Garba was to come and meet me in Lunsar, and indeed
2 General Garba came to Lunsar, he and Isaac Mongor and Lawrence
3 Womandia.

4 Q. Mr Sesay, let's go back and look at your - at the
12:50:29 5 transcript for 25 May 2007, page 57, line 2, you told us you were
6 not ordered to lay an ambush in Makeni. 25 May 2007, page 57.
7 On line 2 you say:

8 "The message, the subject of the message, was information.
9 Foday Sankoh said that I should be informed that the UNAMSIL
12:51:20 10 contingent at Mile 91, that is the Guineans had left Mile 91, in
11 order to reinforce their brothers in Magburaka. He said, so
12 I should ensure that I blocked the road, lay an ambush on the
13 road between Magbas and Magburaka so that the UNAMSIL
14 reinforcement would not be able to arrive in Magburaka from Mile
12:51:49 15 91."

16 So, Mr Sesay, although you told us a few minutes ago that
17 you were never ordered to lay an ambush for the peacekeepers, in
18 May 2007 you testified you were; those were your instructions.
19 Which is the truth?

12:52:04 20 A. Well, my Lord, you asked me if they ordered me to set an
21 ambush on the road to Makeni. This is not the road to Makeni.
22 When you asked that question, I thought it was the ambush that
23 captured the Zambians that you were referring to, but this road
24 you're talking about is not the Makeni area. This is between
12:52:28 25 Magburaka and Mile 91, not the Makeni area.

26 Q. Those were troops that were going to reinforce the troops
27 at Makeni, correct?

28 A. No. They were to - they were to meet the Kenyans who were
29 in Magburaka, because the Kenyans were at the Arabic college in

1 Magburaka. Mr Sankoh, when he told me this message, when the UN
2 was instructed - instructing the Kenyans to move and reinforce
3 their men in Magburaka at the Arabic college, that was the
4 Indians. And where Mr Sankoh said the ambush was to be set so
12:53:14 5 that they could not reach Magburaka, the ambush that I set was
6 between Magbas and Magburaka. And there are two routes there.
7 When you get to Magbas there are two roads there. You use one to
8 go to Magburaka and you use the other one to bypass Magburaka and
9 surface at Robol Junction, that is at the back of the Arabic
12:53:39 10 college and you can drive and come into the Arabic college. That
11 was the road that was - that the Indians used and, when they
12 got to the Arabic college, because we could be at the Robol
13 Junction and see the Arabic college. When they got there they
14 couldn't see the Kenyans, so they returned, using the same routes
12:54:00 15 that they had come with, so they didn't encounter the RUF then.

16 Q. You also told us a moment ago that Foday Sankoh did not
17 tell you he was not negotiating for the hostages. Do you recall
18 that?

19 A. Well, what I said was that Mr Sankoh told me, the message
12:54:28 20 that he sent that I can recall is that the people who were to go
21 - to be sent to the Kangari Hills, General Garba was to meet him
22 and that they have started speaking, and I told him that General
23 Garba had met me because Mr Sankoh had said General Garba, who
24 was the deputy force commander, was to meet me, and indeed he met
12:54:50 25 me, together with Isaac Mongor and Lawrence Womandia. We met at
26 Lunsar.

27 PRESIDING JUDGE: Mr Sesay, you haven't answered the
28 question that counsel is asking you. He's not asking you about
29 your meetings with anybody. Mr Koumjian, can you please repeat

1 your question.

2 MR KOUMJIAN:

3 Q. Mr Sesay, was - did Foday Sankoh tell you he was
4 negotiating on these hostages, regarding these hostages?

12:55:23 5 A. No. I don't recall.

6 MR KOUMJIAN: If we could have the transcript for 25 May
7 2007, from the RUF case, page 82, put on the screen.

8 Q. I'm looking at line 7, or I'll start with line 5:

9 "Q. The message below there, 4 May 2000 infos from the
12:55:52 10 leader that the hostages should not be molested because
11 they are on negotiation for their release. Did you know
12 about this infos?

13 A. Yes, I knew about it on the 4th, that was between the
14 4th and the 5th."

12:56:11 15 So, Mr Sesay, you did get a message from Foday Sankoh that
16 he was negotiating regarding the hostages, correct?

17 A. Yes. I received a message, and that led to General Garba's
18 visit because all that is part of negotiation, but I cannot
19 recall everything that I said in my trial.

12:56:32 20 Q. General Garba, I believe the correct spelling is G-A-R-B-A,
21 he was the Nigerian deputy force commander, correct, for UNAMSIL?

22 A. Yes.

23 Q. You said he came out by helicopter with Isaac Mongor and
24 Lawrence Womandia on 7 May, correct?

12:56:55 25 A. Yes.

26 Q. When they returned to Freetown that day, Isaac Mongor was
27 arrested by Johnny Paul Koroma's boys. Isn't that true?

28 A. Yes, that was what I heard.

29 Q. Because during this peacekeeper crisis in May, Johnny Paul

1 Koroma went over to the Kabbah government side and those SLAs
2 that followed Johnny Paul Koroma began attacking the RUF in May
3 2000, correct?

4 A. Yes.

12:57:32 5 Q. Other members of the former AFRC/SLAs stayed on the RUF
6 side. Isn't that true?

7 A. Yes.

8 Q. By the way, when Foday Sankoh came back after the Lome
9 negotiations, who did he make his chief security officer?

12:57:56 10 A. It was Akim Turay.

11 Q. So Foday Sankoh made a former SLA/AFRC officer his chief
12 security officer when he came back to Sierra Leone, correct?

13 A. Yes.

14 Q. Did you have the impression that the Nigerians in UNAMSIL
12:58:18 15 were the group most in favour of the RUF? Did you believe that
16 the Nigerians in UNAMSIL were in favour of RUF?

17 A. Well, there were other contingent who favoured the RUF, not
18 just the Nigerians, because I can recall the battalion commander
19 in Makeni, who was a Kenyan, when General Jetley was giving him
12:58:59 20 instructions to disarm the RUF forcefully in Makeni he used to
21 refuse. He said no. If he wanted to, he could send the Indians
22 but their own mission did not require them to force the RUF, but
23 to negotiate. That was why they replaced him with another
24 commander before the UN problem happened.

12:59:22 25 Q. In the years 2000 and 2001, did the RUF make deals, pay
26 bribes, to individual ECOMOG or UNAMSIL commanders to allow your
27 diamond business to go on without any hindrance?

28 A. No, no, no. I never saw that happen and I was the interim
29 leader and I did not do that to anybody in UNAMSIL.

1 Q. Mr Sesay, let's go back to the meeting you said you had on
2 7 May when General Garba came out with Isaac Mongor and Lawrence
3 Womandia. By this time you're holding several hundred
4 peacekeepers the RUF has captured, correct?

13:00:18 5 A. Yes.

6 Q. Maybe even up to 500, correct?

7 A. They were not up to 500.

8 Q. Over 300. Over 300, correct?

9 A. Yes, sir. About that.

13:00:34 10 Q. What was it that General Garba asked you to do?

11 A. Well, General Garba asked me about my men and I said they
12 were there. And he asked me where they were and I told him they
13 were in Kono. And he said okay, he said, "Well, we've started
14 the talks with Mr Sankoh." He said the talks were continuing,
15 Mr Sankoh would tell us at any time to release them.

13:01:00 16 Q. So it was clear to you that General Garba - first of all,
17 he treated you very politely, correct?

18 A. Yeah, when we met, we met in a friendly manner because the
19 two of us had been meeting, even before the disarmament in
20 Segbwema, we met in Segbwema before this problem arose.

13:01:24 21 Q. He even came and held your hand at one point, correct?

22 A. Yes. Where Mark Doyle was interviewing me, he held my hand
23 and he said the interview is enough.

24 Q. So he told - Mark Doyle was the BBC reporter who was there,
13:01:49 25 correct?

26 A. He told me, he told me that I should - the interview is
27 enough, that I've said enough.

28 Q. Okay. So he told you that you had talked enough to Mark
29 Doyle and he took you away from the interview. Is that right?

1 A. Yes, yes, he said, "You've spoken."

2 Q. Actually he told Mark Doyle, "You're giving the general" -
3 referring to you - "a hard time." Isn't that what General Garba
4 said to Mark Doyle?

13:02:32 5 THE INTERPRETER: Can I learned counsel kindly repeat his
6 question.

7 MR KOUJIAN:

8 Q. Mr Sesay, they asked me to repeat the question. I want to
9 make sure that it's interpreted correctly to you, so let me

13:02:42 10 repeat the question. The question was General Garba told Mark
11 Doyle that he, Mark Doyle, was giving the general, referring to
12 you, a hard time and he should leave you alone. Is that right?

13 A. Yes, that was what happened.

14 Q. So, Mr Sesay, you knew you had a man who was the deputy
13:03:11 15 force commander of UNAMSIL that wanted to get his men released,
16 correct? That's why he was there talking to you, to get his men
17 released, true?

18 A. Well, that was what Mr Sankoh - yes. It was to ask me how
19 the men were faring and whether they were safe and I said yes.

13:03:38 20 But he did not tell me directly to bring them. He told me that
21 they were talking to Mr Sankoh in Freetown and I will receive
22 orders from Mr Sankoh in relation to the release of his men.

23 Q. Was there any doubt in your mind that he wanted his men
24 released; that that is what he hoped for?

13:04:02 25 A. Yes. That his men were to be released. That was what he
26 was hoping for. That was what he was sent to me, but he believed
27 that they were to talk to Mr Sankoh and Mr Sankoh would give the
28 orders to release the men. That was what he told me.

29 Q. The next day, the very next day, was the Spur Road

1 incident, 8 May 2000, where Foday Sankoh disappeared and was
2 arrested some days later, correct?

3 A. Yes, sir.

13:04:43

4 Q. So from 8 May 2000, you were in effective control of the
5 RUF because Foday Sankoh was missing. You were the top ranked
6 person in communication with the RUF commands, correct?

7 A. Yes, I was the commander. I was the field commander at the
8 time that Mr Sankoh's house had been attacked. He was no longer
9 communicating.

13:05:05

10 Q. So, Mr Sesay, from 8 May 2000 you said you held the
11 peacekeepers for two or three weeks until you met with
12 President Taylor who asked you to release them. Correct?

13 A. Yes.

13:05:27

14 Q. You just told us you knew that Garba had hoped that they
15 would be released but you didn't release them to General Garba,
16 you only released them when you were told to do so by
17 Charles Taylor. Correct?

13:05:47

18 A. Well, General Garba told me that Mr Sankoh would send
19 instructions and when Mr Sankoh had been arrested, General Garba
20 did not make any further moves to contact me. If General Garba
21 had made any further moves to contact me, okay. But he didn't
22 make any further moves to contact me. And at that time the
23 government was attacking our positions, the gunship was
24 bombarding Magburaka and Makeni and it was killing people.

13:06:08

25 Q. Well, you're mentioning the gunship attacking your people.
26 Were you keeping the hostages - the UN personnel hostage in order
27 to protect yourselves from UN attacks?

28 A. No. I said the government was attacking. I did not say
29 UN.

1 Q. Correct. I apologise.

2 PRESIDING JUDGE: But what does the government attacks on
3 your positions have to do with the captured people?

4 THE WITNESS: Well, that was to put pressure on the RUF.

13:06:43

5 MR KOUMJIAN:

6 Q. To release the hostages?

7 A. That was why they were attacking us.

8 Q. So you could have relieved that pressure by releasing the
9 hostages, correct?

13:06:55

10 A. But I believed that that was not the right pressure because
11 you wouldn't use fire to put out fire.

12 Q. And you could have contacted General Garba through the
13 radio. Isn't that true?

13:07:21

14 A. Well, I did not contact General Garba because General Garba
15 had told me that Mr Sankoh would give instructions. So if he was
16 in Freetown and had seen what had happened to Mr Sankoh, if he
17 too wanted to help the situation under control he could have
18 contacted me. But nobody contacted me from Freetown, no UN, nor
19 any government officials, no.

13:07:38

20 Q. You had United Nations - you had officers of the group that
21 you had captured with you in Kono, there also were officers in
22 Kailahun with Martin George. You could have used them over the
23 radio to contact Freetown, the United Nations, or the force
24 commander or the deputy force commander. Isn't that true?

13:08:04

25 A. Well, my Lord, I was not with the captives on a daily basis
26 in Kono. I used to come to Makeni, I was in Makeni and I did not
27 have that sense to contact - for UNAMSIL to contact the
28 authorities in Freetown because everybody had known that it was
29 Mr Sankoh's orders to ambush these people, to arrest these people

1 and I could not just get up on my own to contact - and say they
2 should contact UNAMSIL in Freetown. And at that time Mr Sankoh
3 had been arrested, it was over the media. They had shown
4 pictures of him being naked. So I could not just on my own
13:08:50 5 contact UNAMSIL. I would have found it difficult with my
6 colleagues in the RUF.

7 Q. You did not have the authority on your own to release the
8 hostages with Sankoh imprisoned? That would have been impossible
9 with your colleagues for you to do by yourself, correct?

13:09:15 10 A. Yes, if I had done that on my own.

11 Q. But you didn't do it on your own. You did it when Sankoh's
12 boss ordered you to do it; when Charles Taylor told you to
13 release them you immediately released them, correct?

14 A. No, when Mr Taylor told me he told me it was a mandate from
13:09:41 15 the guarantors who were the authors of the Lome Accord and they
16 were witnesses to the Lome Accord. They were the guarantors. He
17 said it's a mandate from the Security Council that they've got to
18 facilitate the immediate release of UNAMSIL. It was that message
19 that caused me to say, well, if the people who were the authors,
13:10:02 20 who the guarantors of the Lome Accord had said we are to release
21 the people, I had no option.

22 Q. Mr Sesay, are you saying that you didn't know that the
23 United Nations wanted to have its troops released until
24 Charles Taylor told you that?

13:10:24 25 A. Well, I knew that the UN would want their troops to be
26 released. UN would not want their troops to be captives, no, but
27 when Mr Taylor told me, he said it was a mandate from the UN,
28 they as ECOWAS leaders, and I knew that they were the guarantors.
29 So if I had said no, it means all the signatories or the - who

1 served as guarantors to the Lome, I would have challenged them,
2 and I wouldn't have been able to challenge them.

13:11:07 3 Q. Well, you challenged them when you took hundreds of the
4 peacekeepers hostage. Every day that you held them, you were
5 challenging the authority of the United Nations; isn't that true?

6 A. Well, my Lord, that was not me. It was the man who - who
7 went, he and President Kabbah signed the document. The
8 guarantors were just there to serve as guarantors, and signed.
9 And I was not a signatory to Lome, but when ECOWAS leaders said
13:11:37 10 I should do that, I had no problem, and I abided by what they
11 told me. That was what I did.

12 Q. The only person that you spoke to that caused you to
13 release the hostages was Charles Taylor, correct?

14 A. Yes, because he told me that his colleague ECOWAS leaders,
13:12:00 15 who were the guarantors, they had told him that he should talk to
16 the RUF. And I saw it that when the guarantors had been made
17 mention of to me, because I was there at the Lome Accord and
18 I saw the stages through which they passed, I was there for the
19 signing of the Lome Accord, so I wouldn't have decided to flout
13:12:28 20 what the Presidents told me.

21 Q. At this time, the time that the peacekeepers were held
22 hostage in May 2000, what RUF personnel were in Monrovia, if any?

23 A. At this time, except for Memuna and Rashid, who were at the
24 guesthouse, Rashid was the caretaker and Memuna was the operator.

13:13:04 25 Q. During that time, did you prepare a letter to
26 Charles Taylor outlining the demands of the RUF regarding the
27 release of the hostages?

28 A. No. I did not prepare any letter of demand.

29 Q. Could the witness be shown D-243? It's a letter that's

1 been shown to you before, in your direct examination.

2 Do you recall, Mr Sesay, you told us that everyone in the
3 RUF knows that your name is spelled I-S-S-A and not with an "E",
4 correct?

13:14:22 5 A. Yes. Even before I joined the RUF, my name had always been
6 spelt with "I". Even before I became a member of the RUF, my
7 name was spelt with an "I".

8 Q. So if I - first I'd like to show you the second page. This
9 letter does not have a signature, if the - but we see that the
13:15:05 10 salutation is, "Respectfully yours," General E-S-S-A,
11 S-E-A-S-A-Y, Seasay. Both your first name and your last name are
12 spelled incorrectly; is that right?

13 A. Yes.

14 Q. And this letter is written with some very sophisticated
13:15:33 15 language. Let me just read some of this page. It says:

16 "Here below, Mr President, are the demands we make on
17 behalf of" - and I can't read that. But then the next:

18 "Number 1, the unconditional release of our leader, who we
19 consider to be detained by the United Nations;

13:15:54 20 Number 2, the immediate halt to the distribution of weapons
21 to the militias by the United Nations;

22 Number 3, the convening of an ECOWAS summit to restart the
23 dialogue, with the participation of all parties;

24 Number 4, the immediate re-examination of the Lome Peace
13:16:15 25 Accord in Monrovia;

26 Number 5, the creation of a National Council of State to
27 govern the country during a transition period until elections are
28 held;

29 Number 6, the complete disarmament of the country,

1 including the so-called national army created by President Kabbah
2 comprising the other factions without the RUF;

3 Number 7, the immediate cessation of hostilities, followed
4 by the establishment of a verification committee directed by the
13:16:50 5 ECOWAS; and

6 Number 8, the travelling banned" - should be "ban" -
7 "should be lifted on all RUF and walk forward to the Lome Peace
8 Accord."

9 Now, Mr Sesay, you didn't write this letter is what you've
13:17:08 10 told us, correct?

11 A. No. Yes, sir. I was not the one.

12 Q. How did this letter get in the archives of Charles Taylor?

13 A. Well, I don't know.

14 Q. If we could look at the transcript for 18 August 2009, page
13:17:55 15 27006, 18 August 2009, 27006, and there is a discussion about a
16 document that was then behind divider 47 that later became this
17 document, D-243. The bottom of page 27006, we see the last two
18 lines:

19 "Q. Divider 47, behind it, is that the letter from
13:18:38 20 Issa Sesay?"

21 Then the next page. Mr Taylor answers:

22 "A. Yes, yes.

23 Q. We will come back to in due course."

24 So if we go forward to page 27036, looking towards the
13:19:14 25 bottom of the page, the middle of the page, thank you, let me go
26 up just a bit. Thank you. Now we see at line 8:

27 "Q. Let's get to it. Behind divider 47.

28 A. Yes, this is a letter from General Issa Sesay.

29 Q. Dated, as we see, 11 May 2000.

1 A. That is correct. That is right after we returned from
2 the Abuja meeting. We meet this letter complaining about
3 attacks on their forces by UNAMSIL and other complaints.

13:20:01

4 Q. As far as you're aware, Mr Taylor, did Mr Sesay, or
5 General Sesay, to give his full title, write to any other
6 Head of State?

7 A. I'm sure he did. I'm sure he did. This is just mine.
8 I'm sure he did."

13:20:25

9 Mr Sesay, in Liberia and the Gambia, they spell the name
10 Issa E-S-S-A; isn't that true?

11 A. Well, I don't know because I have never lived in Gambia
12 before.

13:20:50

13 Q. So Mr Sesay, you've told us that you didn't write this
14 letter and no one in the RUF would spell your name E-S-S-A. It's
15 obvious, then, isn't it, if this is in the archives of
16 President Taylor, Charles Taylor, this was written by his
17 government, by his people, to express the position of the RUF?

13:21:12

18 MR CHEKERA: Madam President, we have been following this
19 line of questioning, which is obviously argumentative and calls
20 for speculation on behalf of Mr Sesay. To the extent that he can
21 answer, he has, but this obviously is speculation.

22 PRESIDING JUDGE: We overrule the objection.

23 Mr Koumjian, repeat your question, please.

24 MR KOUMJIAN:

13:22:02

25 Q. Let me make it even plainer to you, Mr Sesay, what I'm
26 saying. This is a letter that was written on your behalf by
27 Charles Taylor's people, by the Liberian government people. You
28 were the puppet and he pulled your strings; isn't that true?

29 A. No. Nobody was using me. I don't know about this letter,

1 and I tell you nobody was using me, because the ECOWAS only used
2 me for me to disarm people, and I did not reap any benefits, but
3 the Liberian government did not use me.

13:22:48 4 Q. That is correct. You released these hostages on the -
5 without any benefit. You obtained nothing from your meeting with
6 President Taylor, correct?

7 A. Well, I did not talk about benefits pertaining the UNAMSIL.
8 I am saying that I did not get any benefits when I disarmed the
9 RUF, in terms of the implementation of the Lome Peace Accord.
13:23:15 10 I did not get any negotiation with President Taylor by saying
11 that "these are my demands, this is what you should do and this I
12 will do in return," but when he discussed with me the concerns
13 and the mandate of ECOWAS, who were the guarantors to Lome,
14 I also wanted Lome to succeed because we would not have been able
13:23:37 15 to challenge the ECOWAS and the United Nations. If we did, where
16 would we have found ourselves?

17 THE INTERPRETER: Your Honours, could the witness be asked
18 to repeat that last bit of what he said.

19 MR KOUMJIAN:

13:23:52 20 Q. Mr Sesay, you went a little bit too fast for the
21 interpreters.

22 PRESIDING JUDGE: Can you repeat the last part of your
23 answer? We heard what you said when you said, "I also wanted
24 Lome to succeed because we would not have been able to challenge
13:24:07 25 ECOWAS and the United Nations. If we did, where would we have
26 found ourselves?" What did you say after that?

27 THE WITNESS: Yes, my Lord. I said we will not have a
28 problem with the UN, and then I start supporting on the ground to
29 get problems with the ECOWAS because they were the guarantors to

1 the Lome Accord, and I knew what the ECOWAS was capable of doing.

2 MR KOUMJIAN:

3 Q. Mr Sesay, I promise you we'll come to the disarmament after
4 Abuja II. We will get do that. Right now I just want to talk
13:24:48 5 about the release of the peacekeepers. When you released the
6 peacekeepers, according to your testimony, according to your
7 testimony, Charles Taylor promised you nothing, you demanded
8 nothing, he just told you to release the peacekeepers, and you
9 did it, correct?

13:25:07 10 A. Well, you said he said that they did not want the Lome
11 Accord to run into problems so this is what they have decided,
12 "they" the ECOWAS, that I should release the people, and that was
13 what he told me. So in terms of the release of the UN, he spoke
14 to me purely in terms of respecting the Lome Peace Accord.

13:25:37 15 Q. Did he say anything to you that was new to you, give you
16 information that you didn't have before?

17 A. Well, at that moment, I did not have a long discussion with
18 him. He did not give me any further information. It was later
19 when he invited me, when I came - and told me that they were no
13:26:04 20 longer ready to continue working with Foday Sankoh. So they said
21 they had the intention to replace Mr Sankoh but at the time he
22 was talking to me about the release of the United Nations, I did
23 not have a long discussion with him. As soon as he explained to
24 me what the concerns were, they, the guarantors of the Lome Peace
13:26:24 25 Accord and that was where the discussion ended. He said I should
26 release those people. I then told him that the people were in
27 Kono and then he said, okay, I should pass the night and then the
28 following day I should return and make sure I bring the people.

29 Q. And you did what he told you to do, correct?

1 A. Yes. That was what he told me and he told me that that was
2 what the ECOWAS leaders, that decision is what they, the ECOWAS
3 leaders have decided, he said they were the guarantors of the
4 Lome Peace Accord, so I had to yield to that.

13:27:02 5 Q. He told you that it would be good for him because he could
6 become ECOWAS chairman and help you further, isn't that true?

7 A. No, no, my Lord. He did not tell me that.

8 Q. You knew that by releasing the peacekeepers to
9 Charles Taylor, you would give him political benefit, correct?

13:27:28 10 A. No, no, my Lord. That was not my motive by then.

11 Q. Well, then, Mr Sesay, explain this to me. First of all,
12 how many different groups of peacekeepers were released? They
13 didn't all come out at once, correct? How many different groups
14 were taken to Liberia?

13:27:51 15 A. The Zambians, the Kenyans, the one military observer from
16 an Asian country. I don't know - I don't recall if it was
17 Philippines or which country, I don't know the country now. And
18 then the two pick-ups full of Indians in Kailahun, those were the
19 ones and a Zambian - sorry, one Gambian, Gambian, he was also a
13:28:21 20 military observer. In fact, his own vehicle had an accident so
21 he incurred an injury on his foot. So those were the ones, one
22 Zambian, a military observer and another white military observer
23 from Asia, the Kenyans, the Zambians, and the two pick-up of
24 Indians in Kailahun.

13:28:47 25 Q. It is my fault but that's not my question. I didn't make
26 it clear enough. I'm not asking you about the nationalities.
27 I'm asking you, because of the numbers that you held, hundreds of
28 hostages, you didn't take them all to Liberia at once. You
29 released them in groups over several days, isn't that true?

1 A. No. Those who were in Kono, I took all of them to Liberia
2 at the same time and then the helicopter transported them from
3 Foya to Monrovia. The only people who were not in this group
4 were the Indians from Kailahun. I had to send a different
13:29:30 5 message for them to be brought.

6 Q. Mr Sesay, why did you release the hostages who were UN
7 personnel, whose headquarters was in Freetown, who had positions
8 they held in places like Bo, why did you take them to Monrovia
9 and not release them in Sierra Leone?

13:29:57 10 A. Well, I got the contact from Monrovia. Had I got the
11 contact from Sierra Leone also, I would have released them in
12 Sierra Leone.

13 Q. You took them to Monrovia on the orders of Charles Taylor
14 to increase his prestige instead of just letting them be driven
13:30:15 15 back to UN positions in other parts of the country, isn't that
16 true?

17 A. Well, he told me that he and his colleagues said I should
18 bring them to Liberia. That was the reason why I brought them to
19 Foya and the helicopter transported them to Monrovia.

13:30:38 20 MR KOU MJIAN: Your Honour, there are two documents that I
21 have not yet MFI-ed. I can do that either now or after the
22 break.

23 PRESIDING JUDGE: You can do it after the break. I'm aware
24 of one document. You can do it after the break. We will take
13:30:52 25 the luncheon break and reconvene at 2.30.

26 [Lunch break taken at 1.31 p.m.]

27 [Upon resuming at 2.34 p.m.]

28 PRESIDING JUDGE: Good afternoon. Mr Koumjian, you
29 indicated some documents, a document or documents, that you

1 wanted marked.

2 MR KOUMJIAN: Yes, Madam President. This morning, in the
3 second session, I referred to the document behind tab 34, which
4 is a transcript from the RUF trial, of a private session, so that
14:35:15 5 would have to be confidential. And then I also referred to the
6 document behind tab 18, which was in a report to the interim
7 leader. So I'd ask that each of those be marked for
8 identification.

9 PRESIDING JUDGE: The transcript was the transcript from
14:35:58 10 the Sesay et al proceedings of 12 November 2007, consisting of
11 pages 118, 119 and to page --

12 MR KOUMJIAN: The back page.

13 PRESIDING JUDGE: To the back page. That is marked MFI-28
14 - sorry, 29. That can be MFI-29.

14:36:28 15 The second document, entitled "Revolutionary United Front
16 Party, defence headquarters, Makeni, INT report dated 2 April
17 2001," that will be MFI-30.

18 MR KOUMJIAN:

19 Q. Mr Sesay, just before we broke off, I had asked you why the
14:37:03 20 peacekeepers were not released in Sierra Leone, why they had to
21 travel first to Monrovia in order to be released back to their
22 mission in Sierra Leone, and you answered, "That's because
23 Charles Taylor, that's what he told me to do." Correct?

24 A. Yes. I said that was what he told me, that that was what
14:37:28 25 he and his colleague ECOWAS leaders had decided, that I should go
26 and release the people in Liberia.

27 Q. Just so we're clear, the only person you met with on that
28 trip, the only leader you met with, was Charles Taylor. There
29 were no other ECOWAS leaders there, correct?

1 A. Yes.

2 Q. How many trips did you make to Monrovia in May of 2000?

3 A. Well, to Monrovia, it was one trip. Because when I came to
4 release the peacekeepers, at that time I stopped in Foya.

14:38:17 5 Q. Well, when you came back to release the peacekeepers, you
6 met again with Charles Taylor, and that's when he gave you -
7 ordered the ammunition to be given to you to take back to
8 Sierra Leone; isn't that true?

9 A. No, no.

14:38:38 10 Q. Let's first look at what Charles Taylor said about that,
11 19 August 2009, page 27175. Mr Taylor said, beginning at line 3:
12 "A. Once Issa Sesay came, and if you read this as I am
13 looking at the statement, he says he came in May and the
14 end of May. So sometimes these boys don't even know what
14:39:35 15 they're talking about. But he came in May, upon my
16 invitation, once in May, returned, released all the
17 hostages and, like I said, came back in July. He did not
18 come twice in May, no."

19 Mr Sesay, Charles Taylor lied when he said that, because
14:39:55 20 you came back to Monrovia a second time with the hostages,
21 correct?

22 A. Well, at that time I believe I stopped in Foya. I stopped
23 - when I brought the hostages, I stopped in Foya.

24 Q. Could we have the transcript from the RUF trial of 25 May
14:40:17 25 2007, page 87. So going to about line 7 - line 5, the end of the
26 line, you said:

27 "A. So from then, in late May, I received a message from
28 Pendembu station, from the brigade commander, it was the
29 brigade commander that sent the message to me saying that

1 Charles Taylor had said - sent a helicopter at Pendembu to
2 call me."

3 And then, if we could go to page 88, please, to the bottom,
4 please. You explained further, beginning on line 25:

14:41:35 5 "A. So when we arrived in Monrovia, Joe Tuah took me to
6 the mansion where President Taylor was. Then I went and
7 met President Taylor. Then he said, 'Oh,' he said, 'Where
8 are the people? Where are the people?' I greeted him, and
9 he said, 'Yes, sit down.' He said, 'Where are the UN?'
14:41:55 10 And I told him that the UN were in Kono. Then he said,
11 'Well,' he said, 'I wouldn't say anything for now.' He
12 said, 'What I wanted you to do initially was to go back the
13 following morning. The helicopter will take you to Foya so
14 that you can bring these people.' He said, 'Now I have got
14:42:17 15 a mandate from the ECOMOG's leaders so that these people
16 could be released.'"

17 Then if we go down a paragraph to line 14, you said:

18 "So the following day I was brought to Foya. I went to
19 Kono, then I had vehicles. I fuelled them. The following
14:42:39 20 morning I took the UNAMSIL, we drove to Kailahun, then we crossed
21 the borderline. We arrived at Foya. Then the helicopter came.
22 They were transported up to - I was in the last helicopter that
23 went to Monrovia. So when they arrived, they were taken to the
24 hotel and I was also taken to a guesthouse, where I slept. So,
14:43:07 25 after that, the following morning Tuah came and took me to
26 Charles Taylor. Charles Taylor said - he said, you have done
27 well when you have released these people, he said, because Foday
28 Sankoh was not listening. He said this was a big problem which
29 the RUF had had."

1 So, Mr Sesay, in your own trial you testified quite
2 clearly, and in detail, that you made two trips to Monrovia in
3 May and you met Charles Taylor on two separate occasions. Isn't
4 that true?

14:43:50 5 A. Well, I recall that when I went with the UNAMSIL I stopped
6 in Foya. So if I had said I went to Monrovia, then I did not go
7 up to Monrovia. I stopped in Foya.

8 Q. So in the RUF trial when you said, "So the following day I
9 was brought to Foya," and then you continued, "We arrived at
14:44:20 10 Foya. Then the helicopter came. I was in the last helicopter
11 that went to Monrovia," when you said you slept that night in the
12 guesthouse and that the following morning Joe Tuah came and took
13 you to Charles Taylor and Charles Taylor told you you had done
14 well because Foday Sankoh was not listening, all of that were
14:44:40 15 just things you had made up and lied about in your own trial?

16 A. Well, if I did say that I went to Monrovia, I am saying I
17 recall that I did not go to Monrovia. Apart from the one time
18 that I went there when Mr Taylor asked me to come and release the
19 people. Then the second time I went, I stopped in Foya and
14:45:10 20 after releasing the people I returned to Kailahun.

21 Q. Mr Sesay, the reason you were lying about the second trip
22 and Charles Taylor lied under oath about the second trip to
23 Monrovia is because on that trip that's where you were given the
24 supplies of ammunition to take back to Sierra Leone. Isn't that
14:45:31 25 true?

26 A. No, my Lord. I was not given any ammunition, and I did not
27 go with the UNAMSIL. Even the UNAMSIL who went, they knew that I
28 stopped in Foya, I did not go up to Monrovia.

29 Q. So you lied when you testified in the RUF case about

1 sleeping at the guesthouse and Joe Tuah taking you to meet
2 Charles Taylor the next morning? Were you lying intentionally in
3 your own trial?

14:46:17 4 A. Well, I said I did not go. So, if I said that, then it was
5 not the truth because I did not go to Monrovia at the time I went
6 to escort the UNAMSIL.

7 Q. Mr Sesay, when you captured the UNAMSIL you captured a lot
8 of weapons and armoured vehicles and other types of vehicles,
9 correct?

14:46:40 10 A. Yes, we captured armoured vehicles. They captured armoured
11 vehicles and including other vehicles.

12 Q. You tried to take one of these armoured vehicles across the
13 river to Monrovia but the raft you put it on sunk in the river.
14 Isn't that true?

14:47:00 15 A. No, no. The armoured vehicles, there was none that we
16 tried to put on top of a raft to cross the Moa River. We never
17 did that.

18 Q. Most of the vehicles you eventually returned to UNAMSIL,
19 but you had taken the weapons off the vehicles and you kept the
14:47:26 20 weapons. Isn't that true?

21 A. Well, we took some of the weapons because they were on top
22 of Land Rovers, during the disarmament we gave it to them. But
23 the armoured tanks retained their weapons.

24 Q. You ordered the weapons taken off the armoured cars,
25 correct?

26 A. No. I did not order that. Komba and others who captured
27 them were the ones who started dismantling them.

28 Q. You ordered them taken off the armoured cars and put on the
29 back of pick-up trucks for the RUF to use as mobile weapons,

1 correct?

2 A. No. I said I did not give the orders. It was those who
3 captured the weapons, Komba Gbundema and others, they were the
4 ones who started dismantling the weapons from the armoured tanks
14:48:34 5 and putting them into the Land Rovers.

6 Q. Charles Ngebeh was the armourer for the RUF at that time,
7 correct?

8 A. I did not get the question, sir.

9 Q. Charles Ngebeh was the armourer for the RUF, correct?

14:48:56 10 A. Yes, he was the armourer.

11 Q. If we could have the transcript for 13 April 2010, page
12 38783. Mr Sesay, this is from the testimony of Charles Ngebeh
13 who was a Defence witness in this case. I will start reading
14 from line 18:

14:49:54 15 "Q. And the heavy weapons that were taken from the United
16 Nations peacekeepers were handed over to you, weren't they?

17 A. You are correct. All the 17 armoured cars were parked
18 in my compound, you are right, because I was the arms
19 specialist.

14:50:13 20 Q. And you removed some of the weapons that were mounted
21 on these armoured cars and put them on RUF pick-up trucks.
22 Isn't that right?

23 A. You are correct. That was what I did.

24 Q. And you were aware that these weapons had come from the
14:50:32 25 capture of the United Nations peacekeepers, weren't you?

26 A. Yes. But it was an instruction from Issa, and what
27 could I have done except I accept the instruction from him?
28 It was an instruction from Issa. He said I should remove
29 those weapons and replant them into the arms - Land Rovers

1 and indeed that was my job, so I did it."

2 Mr Sesay, you ordered the weapons removed from the armoured
3 cars and put on pick-up trucks. Isn't that true?

14:51:19

4 A. Well, my Lord, some commanders had dismantled the weapons
5 and mounted them into pick-ups, so --

6 THE INTERPRETER: Your Honours, could the witness be asked
7 to repeat what he just said.

14:51:33

8 PRESIDING JUDGE: Mr Sesay, you said some of the commanders
9 had dismantled the weapons and mounted them into pick-ups. Now
10 continue from there. Repeat your evidence slowly.

14:51:56

11 THE WITNESS: Yes, my Lord. I said some commanders had
12 dismantled the weapons and mounted them into pick-ups, so if
13 Charles was the armourer, if he said I was the one who gave the
14 orders and, because I was the interim leader, I don't want to
15 deny it, but Komba and others had mounted those weapons into
16 their vehicles.

17 MR KOUMJIAN:

18 Q. Mr Ngebeh said, "It was an instruction from Issa." Was he
19 telling the truth?

14:52:17

20 A. Well, a commander will come and say it's an instruction
21 from Issa and he too will be a senior commander. So I don't want
22 to deny what Charles says, so if Morris Kallon or Komba Gbundema
23 went to him and said to him that it's Issa who gave the orders, I
24 would not deny that because there are commanders who gave him
25 instructions.

14:52:38

26 Q. It's clear if you do not deny it.

27 JUDGE DOHERTY: I find that a confusing answer to say, "I
28 do not deny it", and then he says, "If Morris Kallon said it".
29 Mr Sesay, what exactly do you mean? Do you deny you did it or

1 you don't deny you did it?

2 THE WITNESS: My Lord, what I mean, I gave instruction but
3 other commanders had mounted those weapons into their pick-ups
4 even before my instruction came out, so.

14:53:15 5 PRESIDING JUDGE: And what was your instruction that you
6 gave?

7 THE WITNESS: To say that the - that the single barrels on
8 the armoured tanks must be transferred into the Land Rovers
9 because we did not know how to operate the armoured tanks.

14:53:36 10 PRESIDING JUDGE: So, in other words, they were removed
11 from the armoured tanks and put into the RUF Land Rovers and
12 pick-ups on your instructions?

13 THE WITNESS: Some of them. Not all. They did not remove
14 all, my Lord.

14:53:59 15 MR KOUMJIAN:

16 Q. Mr Sesay, in July 2000 you got another instruction from
17 Charles Taylor to come to Monrovia and you went running to
18 Monrovia in accordance with his instruction, correct?

19 A. Yes. He said they wanted to talk to me. That was why I
14:54:21 20 went there.

21 Q. And the message came through Memunatu Deen, correct?

22 A. Yes.

23 Q. The message you got was that it was an instruction from
24 Charles - from President Taylor, correct?

14:54:41 25 A. Yes. He said the President said he wanted to see me. He
26 said he wanted to hold a meeting with me and other commanders in
27 the RUF.

28 Q. Now, at that meeting, there were other Heads of State from
29 ECOWAS countries present at one of your meetings, correct?

1 A. Yes.

2 Q. President Obasanjo of Nigeria, President Jammeh of Gambia,
3 Alpha Konare of Mali, Eyadema of Togo; correct?

4 A. Yes.

14:55:19 5 Q. Along with Charles Taylor. Is that right?

6 A. Yes.

7 Q. Now, was any one of these individuals, we have named five
8 Heads of State, was one of those the person who was responsible
9 for dealing with the RUF?

14:55:44 10 A. I did not understand the question, sir.

11 Q. Did anyone tell you that: Oh, Charles Taylor is the one
12 that we appointed as the point President, or point President to
13 deal with the RUF in Sierra Leone?

14 A. Yes, they did say that. They said amongst the committee
14:56:08 15 members he was the one, the link that they will use to speak to
16 us. They said at any time they wanted to see us they will go
17 through him and ask him to invite us.

18 Q. And of these Heads of State you had previously met with
19 Charles Taylor. Had you ever met any of the others?

14:56:33 20 A. Yes. I met - at the time President Obasanjo was speaking
21 to Mr Sankoh in Lome I was present. That was during the signing
22 of the accord.

23 Q. Okay. Did you speak to him or were you present and just
24 heard the conversation between Sankoh and Obasanjo?

14:57:00 25 A. Well, I did not speak to him but I was present. I only
26 listened to their conversation.

27 Q. So the only person among those five Heads of State that
28 knew you at all was Charles Taylor, correct?

29 A. Yes. He also came to know me in May, late May. That was

1 the time he came to know me in person.

2 Q. And he's the one that told the others, "Issa is somebody
3 who listens because when Issa came, when he came, I told him that
4 he should go and bring the UNAMSIL people. He did not waste any
14:57:45 5 time doing so." That's what Charles Taylor told the others,
6 correct?

7 A. Yes. He told them that after their discussion that he
8 should negotiate the release of the UNAMSIL, he said when he
9 invited me he said I was very cooperative with the plans that
14:58:09 10 they had.

11 Q. And it was President Taylor that said, "Should we appoint
12 Issa? I believe he will do the job that we want him to do."
13 That was Charles Taylor; correct?

14 A. Yes. He and Obasanjo because Obasanjo too was saying,
14:58:34 15 well, the young man whom we have asked to release UNAMSIL, he did
16 immediately without delay and he did not bring any preconditions.
17 I think if we are able to make him the leader he will work with
18 us in the way we want him to work with us.

19 Q. And the reason Obasanjo would know that you had been
14:58:54 20 responsible for releasing the peacekeepers is because
21 Charles Taylor told him, "This is the young man who listened and
22 did what I told him." Isn't that true?

23 A. Yes, Obasanjo listened to what Mr Taylor told him and
24 Obasanjo too had his own generals in the UNAMSIL in Sierra Leone
14:59:23 25 and they also were talking with him, like General Garba, he was
26 the deputy force commander. The SRSG in Sierra Leone was a
27 Nigerian at that time.

28 Q. So Charles Taylor helped you to become the interim leader
29 of the RUF, you would agree to that, don't you?

1 A. Well, I would rather say it was the ECOWAS leaders who made
2 me the leader because they - at the first time they told me, I
3 told them that they should allow me to go and inform my colleague
4 commanders, because Mr Sankoh was someone who operated on a
15:00:10 5 divided loyalty. This was not Mr Taylor's - this was not
6 Mr Taylor's own idea all by his own.

7 Q. Thank you, I understand you would rather put it that way,
8 you would rather say that, but let me ask you the question again
9 and please just answer my question: So Charles Taylor helped you
15:00:29 10 to become the interim leader of the RUF? That's true, isn't it?

11 A. Well, he was not alone. It was him and his fellow ECOWAS
12 leaders.

13 MR KOUMJIAN: If we could look at the transcript for 21
14 April 2010, page 39528.

15:00:56 15 Q. But while that is coming up, Mr Sesay, you said
16 Foday Sankoh worked on divided loyalties, and just so it is clear
17 what you mean. Foday Sankoh encouraged rivalry among his top
18 commanders. That way no one would be strong enough to replace
19 him. Isn't that true?

15:01:24 20 A. Yes. So that you will not see yourself as a top commander.
21 You will see that the same command that he gives you, he can give
22 to another person. Sometimes he will leave you as field
23 commander and give your responsibility to your next man.

24 Q. An example of that is that he made you the battle group
15:01:47 25 commander when you were lower in rank than people like
26 Isaac Mongor and Superman; correct?

27 A. Yes. That was one. And sometimes he can give a position
28 with lower rank and some other people higher ranks, lower
29 positions, that was it.

1 Q. The rivalry between Superman and Sam Bockarie and yourself
2 served his interests because it kept the strong fighters,
3 Sam Bockarie and Superman, divided, both seeking favour from
4 Foday Sankoh; correct?

15:02:36 5 A. Well, it was Sam Bockarie who Foday Sankoh made field
6 commander but Superman did not subdue himself because he thought
7 he was a strong man.

8 Q. But when you became the battlefield commander, when
9 Sam Bockarie left, and when you became the number one in the
15:03:00 10 military structure reporting to Foday Sankoh, you made Superman
11 your deputy - he became the battle group commander, correct?

12 A. Well, yes. That was what Kallon and others said, they said
13 when you go to Makeni, he should serve as deputy. So he became
14 my deputy up to the time he left and went to Liberia.

15:03:29 15 Q. If we can go back to the transcript of 21 April 2010, page
16 39528. I will start reading from the sixth line. Excuse me, I
17 am going to go down a bit to shorten this. Starting at line 12,
18 the witness was asked:

19 "Q. Now, how loyal would you expect Issa Sesay to be?"

15:04:00 20 Line 15 - 16:

21 "Q. How loyal would you expect Issa Sesay to be to the
22 person that helped him become the RUF leader?"

23 The witness at first said he didn't know who helped him.

24 The question was repeated. Then he answered, on line 20:

15:04:25 25 "A. In fact, he was supposed to - yeah, he would be more
26 loyal."

27 And from the context it was even more loyal than he was to
28 Foday Sankoh. Did you feel grateful to Charles Taylor for
29 helping you become the interim leader of the RUF?

1 A. No, no. They made me interim leader to implement the Lome
2 Peace Accord.

3 Q. And, in fact, you've told us - and this is the truth, isn't
4 it - that the disarmament only really began after Abuja II in May
15:05:10 5 2001; correct?

6 A. Yes, immediately after, after Abuja II, that was when
7 disarmament started.

8 Q. Now, I want to talk to you a little bit about the RUF
9 guesthouse. When you became the interim leader - first of all,
15:05:33 10 what was the purpose of the guesthouse?

11 A. Well, the guesthouse was there so that if an RUF commander
12 visited Monrovia or even Mr Sankoh, they would be lodged there.

13 Q. Who paid for the guesthouse?

14 A. Well, it was Mr Taylor who gave it to the RUF.

15:06:04 15 Q. Did you ever pay for the guesthouse, pay rent for the
16 guesthouse?

17 A. No, no.

18 Q. You - in the guesthouse you assigned Jonathan Kposowa,
19 Gibril Massaquoi and Abdul Razak when you were the interim
15:06:28 20 leader; correct?

21 A. No. Gibril Massaquoi, Abdul Razak, I rented a place for
22 them?

23 Q. Why didn't you have them stay at the guesthouse?

24 A. Well, the guesthouse had just three rooms.

15:06:48 25 Q. Who was in the guesthouse?

26 A. Memunatu Deen and her husband were occupying one room and
27 Rashid was occupying another room and the remaining room, when I
28 used to go there was where I used to sleep because that was
29 Mr Sankoh's own room. So when Gibril and Razak were in Monrovia,

1 they had their own place that I rented. They did not stay at the
2 guesthouse.

3 Q. In --

15:07:27

4 PRESIDING JUDGE: Was that they had their own place that I
5 rented or that they rented?

6 THE WITNESS: I paid, my Lord. I paid for the place for
7 one year - for a year and a half, that was what I paid for.

8 PRESIDING JUDGE: You rented it for them?

9 THE WITNESS: Yes, my Lord.

15:07:48

10 MR KOUMJIAN:

11 Q. Where was this?

12 A. Well, it was around Congo Town but it's off the road. I
13 don't recall the name of the street any longer.

15:08:12

14 Q. Why was it that you assigned Gibril Massaquoi, Kposowa,
15 Razak, all of them to this guesthouse in Monrovia, along with
16 Memunatu Deen and Rashid Foday, why did you have to have so many
17 people there?

15:08:35

18 A. Well, during the meeting the ECOWAS members told me that I
19 should have a delegation in Monrovia so that at any time they
20 wanted to discuss with the RUF, even if I was not available, they
21 would be able to talk directly with the delegation. That was why
22 Kposowa, Gibril, and Razak stayed in Monrovia. But they did not
23 stay at the guesthouse.

15:08:59

24 Q. But, Mr Sesay, ECOWAS and UNAMSIL were in Freetown and in
25 Sierra Leone and we saw how General Garba, the Nigerian, had
26 already come to see you on 7 May. Why would they need to go to
27 Monrovia to talk to you when all of you were in Sierra Leone?

28 A. Well, that was what the ECOWAS decided when we held the
29 meeting. And the ECOWAS would not tell me that I should have two

1 or three people in Monrovia so that at any time they wanted to
2 talk to me, if I was not available they would be able to talk
3 directly to those people. I wouldn't have refused that because
4 at this time there was no vehicular transportation running --

15:09:42 5 THE INTERPRETER: Your Honours, could the witness be asked
6 to say what he said again - to slow down here.

7 PRESIDING JUDGE: Indeed. You said: "I wouldn't have
8 refused that because at this time there was no vehicular
9 transportation running." Continue from there slowly.

15:09:59 10 THE WITNESS: Yes, my Lord. I said because there was no
11 vehicle running from Makeni to Freetown, nor was there any
12 vehicle running from Freetown to Makeni. So if the ECOWAS said
13 that I should have people they would be able to reach at any time
14 they wanted to reach the RUF, I wouldn't have refused that.

15:10:22 15 MR KOUMJIAN:

16 Q. Was there a regular vehicle running from Makeni to
17 Monrovia?

18 A. No, no.

19 Q. If you wanted to go to Freetown you had vehicles and the UN
15:10:34 20 had helicopters. It is closer from Makeni to Freetown than it is
21 from Makeni to Monrovia, isn't that true?

22 A. Yes, but, my Lord, you will not expect me to have told
23 ECOWAS what they should do. It was the ECOWAS that told me that
24 we should go either this way or that way and they used to tell me
15:10:57 25 what I was supposed to do.

26 Q. Well, you had been fighting ECOWAS, ECOMOG, for years. You
27 hadn't let them tell you what to do in December 1998 when you
28 defeated their troops in Kono and captured 12 of them, you told
29 us, or when you captured Makeni. You did what they told you to

1 do this time because you were doing what Charles Taylor told you
2 to do, isn't that correct?

3 A. No, no, no. I totally disagree because I knew that during
4 the Lome Accord the ECOMOG mandate had been changed, especially
15:11:42 5 the Nigerians from a fighting force to a peacekeeping force. So
6 the Nigerian leader at that time, President Obasanjo from the
7 Lome Accord, he had interest in seeing peace prevail in
8 Sierra Leone. And he had interest in the Lome - to see that the
9 Lome Accord is - were able to accomplish the peace mission in
10 Sierra Leone. So that was not to say when I was fighting against
11 them in '98 I should continue, because their mandates had
12 changed. So I was still supposed to continue working with them.

13 Q. Mr Sesay, you could contact any of them by telephone, you
14 had a satellite phone, didn't you?

15:12:38 15 A. Yes, I had a sat phone but --

16 Q. Go ahead.

17 A. But before these meetings, my sat phone did not have
18 credit.

19 Q. Well Charles Taylor gave you another satellite phone,
15:12:59 20 didn't he?

21 A. Well, that was during Abuja II, when I went to escort the
22 delegation was the time he gave me that phone - I mean, sorry,
23 Abuja I.

24 Q. If you needed credit, you could purchase credit from
15:13:16 25 Freetown or from Monrovia. There was --

26 A. Well --

27 Q. Excuse me, let me just start again. The satellite phones,
28 the credit you got from scratch cards; is that correct?

29 A. Well, they used to buy it for me. I never bought it to

1 know the procedure, how it was being filled, because at the time
2 Mr Sankoh gave us the phone, it hadn't any credit, and I never
3 used to buy credit for it.

15:13:58 4 Q. If you were going to go and visit Monrovia - you told us
5 about a total of five trips, is that correct, Mr Sesay, that you
6 made to Monrovia? Would it be right to say you claim that you
7 made three trips - well, let's go through them. You said you
8 went one time in May 2000, regarding the peacekeepers, correct?

9 A. My Lord, I think I said I made six trips.

15:14:27 10 Q. Okay. So after the appointment as interim leader at the
11 second meeting at RIA, when you came back, when they had the
12 letter, you made three more trips?

13 A. Well, the meeting at RIA was the third trip.

14 Q. What trips did you make after that?

15:14:56 15 A. After that, I made the Abuja I trip, and after the Abuja I
16 trip, I made another trip during which Mr Taylor invited me,
17 regarding Sam Bockarie's return, and I also made another trip in
18 March of 2001, but by then I did not see Mr Taylor.

15:15:24 19 Q. So on - you made three additional trips after being the
20 leader, but you're saying that you maintained a permanent
21 presence of RUF in Monrovia and a house for you to stay just so
22 you could come three times to Monrovia? Wouldn't it have made
23 more sense to stay at a hotel?

15:15:59 24 A. Well, a hotel would have been expensive than to pay rent,
25 because every day you pay in the hotel, but when you rent a
26 house, people will stay there.

27 Q. Mr Sesay, how many days did you spend in Monrovia after
28 becoming the interim leader?

29 A. Well, like the trip for Abuja I, I was in Monrovia until

1 the return of the delegation. So I can say I was there for up to
2 five days. And when the delegation returned, I then went back to
3 Sierra Leone. That was the time that I spent longer time in
4 Monrovia during the time for the Abuja I delegation.

15:16:52 5 Q. And you went on two other short trips, according to you,
6 correct?

7 A. Yes.

8 Q. Why did you need to maintain two different places for the
9 RUF to have a permanent presence in Monrovia, the guesthouse
10 provided by Taylor and a separate house, you said, for Massaquoi
11 and Kposowa - excuse me, Massaquoi and Razak?

12 A. Yeah, but by then I had not withdrawn them. I had not
13 withdrawn them.

14 Q. I am going to move on. Mr Sesay, you told us that there
15 was no diamond mining in 1999, did you say that, in Sierra Leone?

16 A. Oh, I said there was no diamond mining - what did you say,
17 please, sir?

18 Q. Did you tell us that the RUF was doing no diamond mining in
19 1999?

15:18:02 20 A. No. I said the RUF was not mining in Tongo. That is Tongo
21 Field, in '99.

22 Q. Let's go - yes, in Tongo Fields. I would like to refer to
23 a transcript from 2 July 2008, page 12925. If we go to about
24 line 10, this is from a Prosecution witness. He is talking about
25 what occurred about a month, he said, after the failed Freetown
26 invasion. And the witness said - at about line 9, he was asked:

27 "Q. And again, how long did you remain in Waterloo after
28 this attack" -

29 No. Let me go back, because I believe this is important.

1 If we go from the very top, the witness said:

2 "A. But we were unable to capture the area so we returned
3 to Waterloo.

4 Q. And Tombo, where was that?

15:19:46 5 A. Tombo was an area - was a route from Waterloo when you
6 use the peninsula going to Freetown.

7 Q. Why did you plan to attack Tombo?

8 A. Issa wanted us to try to get back to Freetown.

9 Q. Who took part in this attack on Tombo?

15:20:13 10 A. Gullit's group and Issa Sesay's group, they took part.

11 Q. And again, how long did you remain Waterloo after this
12 attack on Tombo?

13 A. From that, I had to return to Makeni in the same 1999,
14 but I can't recall the month."

15:20:31 15 If we go to the last lines on that page, he was asked:

16 "Q. To your knowledge, after RUF and AFRC had recaptured
17 Koidu Town, were there mining operations going on?

18 A. Yes," - next page - "mining was going on.

19 Q. And you know where this mining was going on?

15:20:54 20 A. Mining was going on in the Tombodu area."

21 Then he was asked - he explained where Tombodu was and how
22 he knew about it. Then he said, beginning at line 8:

23 "A. I knew, when I came to Koidu Town, when I was there,

24 the mining commander who was there called CO Lion, I used

15:21:26 25 to see him organising the civilians to do the mining. I

26 used to see how they were going around the township and the

27 surrounding villages, how they brought those civilians to

28 carry out the mining.

29 Q. And how did they get these civilians to do the mining?

1 A. They captured them around. It was not that they were
2 willing to come. They used to capture them around. They
3 were capturing them forcefully.

4 Q. To your knowledge, was mining going on in any other
15:21:59 5 areas other than Tombodu at this time?

6 A. Yes. At that time mining was going on in Tongo as
7 well.

8 Q. And who was there?

9 A. Akim Turay was there, and other RUF members were also
15:22:17 10 there.

11 Q. How did you know about this mining going on in Tongo?

12 A. Well, I knew when Issa Sesay came from Makeni, and when
13 he came to Kono Town I used to see him sending mining
14 materials there. I used to see that."

15:22:40 15 Now let's go to the next page, to line 4. He was asked:
16 "Q. To your knowledge, in Tongo, who was actually doing
17 the mining?

18 A. Issa Sesay used to replace the commanders. At first,
19 at the time that Akim was there, he sent one person whom
15:22:59 20 they called Peleto to the mine."

21 There was mining going on in Tongo in 1999, after Akim
22 Turay captured it in January, correct?

23 A. No. Mining did not go on in Tongo throughout 1999. And
24 even the mining commander, at the time he was testifying against
15:23:24 25 me, he said it. He did testify that they did not carry on mining
26 in Kono - I mean Tongo - in '99, and that is the truth. And even
27 CO Lion that this person is talking about, CO Lion never became
28 part of mining in '99. CO Lion was in Kailahun District. It was
29 in October of '99 when we left Kailahun and went to Makeni. The

1 only time that Lion involved in mining was in 2000. That was the
2 time I had now come over to Kono to stay.

3 Q. You told us this morning that Akim Turay captured Tongo
4 Fields in January 1999, correct?

15:24:14 5 A. Yes, that is what I said.

6 MR KOUMJIAN: Could the witness be shown exhibit P-150.

7 Q. While that's being brought up, let's talk for just a minute
8 about the mining commanders. When you took over as interim
9 leader, Kennedy was the mining commander; is that correct?

15:24:38 10 A. No. Kennedy was no longer mining commander. Mr Sankoh had
11 asked me to replace him in February of 2000.

12 Q. So you replaced Kennedy when you were sent to Kono by Foday
13 Sankoh in February; is that what you're saying?

14 A. No. I personally did not replace him. Mr Sankoh asked me
15:25:06 15 to replace him with another mining commander. That was Peleto.

16 Q. Peleto didn't take over until later, after Sankoh was
17 arrested; isn't that true?

18 A. No, no, no, no. Peleto was the mining commander, and I
19 replaced him with Kennedy on Mr Sankoh's instruction.

15:25:36 20 Q. Mr Sesay, I think, to give you the benefit of the doubt,
21 there was a miscommunication. Either you might have said
22 something wrong or the interpreter, but what we read is you said,
23 "Peleto was the mining commander and I replaced him with
24 Kennedy." Is that what you - Peleto was the mining commander and
15:25:54 25 you replaced Peleto with Kennedy?

26 A. No, sir. I said Kennedy was the mining commander, so
27 Mr Sankoh asked me to replace him. That was the time I replaced
28 him with Peleto in February to March of 2000.

29 Q. Peleto is well-known for the brutality he showed against

1 civilians, correct?

2 A. Well, at this time around, he did not show brutality. It
3 was when he went to Tongo and started brutalising people there,
4 that was when I sent people to arrest him.

15:26:39 5 Q. Peleto had been one of your own bodyguards, correct?

6 A. No. Peleto was not my bodyguard.

7 Q. Was Peleto ever your bodyguard?

8 A. No. I said Peleto was not my bodyguard, because even
9 between '93 to '97, Peleto was at Peyima, he was fighting at the
10 Peyima front. Since '94, when he left Kailahun, he was fighting
11 in Peyima, and I was in Kailahun.

15:27:08

12 Q. Mr Sesay, one other name before we go to the documents.
13 Who was CO Med?

15:27:33

14 A. CO Med was an AFRC that was assigned with me because he was
15 Musa Jalloh's bodyguard so in 2000 he was with me. He was
16 deployed with me as one of my securities.

17 Q. And a Liberian would pronounce his name CO Meh, isn't that
18 true? Meh?

19 A. Well, we used to call him CO Med?

15:28:01

20 Q. I understand that. And let me repeat my question. Someone
21 who spoke Liberian English, a Liberian, would not pronounce the
22 last consonant, he would say CO Meh, correct?

23 A. Well, I wouldn't say so.

24 Q. Okay. Let's look at the document P-150, page 4, please.

15:28:34

25 PRESIDING JUDGE: So this is the page ending in ERN what?

26 MR KOUMJIAN: 8237.

27 Q. Mr Sesay, do you recognise this as the kind of records that
28 were kept by the RUF of diamonds that were mined?

29 A. Well, they used - they brought these documents during my

1 trial. I saw some of them.

2 Q. You see at the top right, this particular page is labelled
3 "Stage 4 Tongo Fields production"?

15:29:48

4 PRESIDING JUDGE: The witness did not answer your prior
5 question.

6 MR KOUMJIAN:

7 Q. Mr Sesay, do you recognise this as the kind of records that
8 the RUF would keep about recording the numbers and weight of
9 diamonds that were received by the - mined by the RUF?

15:30:11

10 A. Yes. I know that RUF used to record because at the time -
11 even at the time Peleto was there, he used to make records. That
12 was in Kono, because I did not see any records from Tongo Fields.

13 Q. And if we look at the top right of this page it says.
14 "Stage 4 Tongo field production." Do you see that?

15:30:53

15 A. Yes, I've seen it on the page.

16 Q. And then if we look at the middle column "Date" we see
17 various dates in February and March 1999, correct?

18 A. This is not a true document, Pa, because this thing -
19 mining was not going on in Tongo. Where is Colonel Alpha? I

15:31:21

20 heard about even Colonel Alpha's stories that he was preparing
21 false documents to you - for you, the Prosecutors, and at the end
22 of the day it did not benefit. Then you had a discord with him.

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

15:31:43

25 MR KOUMJIAN:

26 Q. Mr Sesay, actually the question I'd asked you was whether
27 the middle column shows dates in February and March 1999. That's
28 the question I asked you, and the answer is yes, isn't that true?

29 A. Yes. It's a false document.

1 Q. Mr Sesay, you've told us that the RUF captured Tongo Fields
2 in January '99. Are you saying you captured Tongo Fields and
3 left the diamonds alone?

4 A. Because the Kamajors were persistently attacking Tongo
15:32:28 5 Field throughout 1999, attacks were going on in Tongo Fields, so
6 no mining was going on there. Had they been mining there at that
7 time, my Lord, I would have told you. I agree that mining was
8 going on in Kono, but in Tongo Field, no, this is not a true
9 document, because it was the same Prosecution witness who was the
10 mining commander who testified against me and he did say that no
11 mining went on in Tongo in '99 and that is the true story.

12 Q. Mr Sesay, I am going to move to another topic, and that is
13 the satellite phones that Sam Bockarie had. In 1999 Sam Bockarie
14 had a satellite telephone, is that correct, in Sierra Leone?

15:33:15 15 A. Yes, sir, in '99 he had.

16 Q. Was that the --

17 MR CHEKERA: Sorry, Madam President, before we proceed. I
18 heard the witness ask or rather heard the interpreters ask for
19 the witness to repeat his evidence which it would appear we have
15:33:36 20 glossed over and it doesn't appear that that part was repeated.

21 PRESIDING JUDGE: Yes, I deliberately did not ask him to
22 repeat that answer because I thought he - I considered he wasn't
23 answering the question, that's why I didn't ask him to repeat it.

24 MR CHEKERA: Very well then, Madam President.

15:33:57 25 MR KOUMJIAN:

26 Q. Mr Sesay, what kind of satellite phone did Sam Bockarie
27 have in 1999?

28 A. Sam Bockarie had a mobile satellite phone.

29 Q. Did he have anyone who helped him to operate it? Let me

1 help you: Did you tell us before in your testimony that Martin
2 Koker operated this satellite telephone for Sam Bockarie?

3 A. Yes.

4 Q. Did he have just one satellite phone?

15:34:43 5 A. Well, he had one that had an extra plate that you would
6 place outside, you set it up with the satellite, and then the
7 satellite would come on. And in '99 when I withdrew from Makeni,
8 I went to Kailahun, I saw him with a mobile satellite phone, a
9 handy one that he will just put by the side of his pocket.

15:35:11 10 Q. That mobile satellite phone, did he take it with him when
11 he left Sierra Leone or did he leave it in Sierra Leone?

12 A. He went with it.

13 Q. So he didn't leave a satellite phone in Kailahun, in Buedu?

14 A. No, he didn't leave it. He went with it.

15:35:47 15 MR KOUMJIAN: Can I ask, please, for the transcript of 14
16 July this year, page 44427.

17 Q. We see there is a question beginning on line 3, and you
18 were asked:

19 "Q. And if we go back to page 8708, which is a message
15:36:33 20 dated 4 August, we see there is reference to General Joshi
21 contacting you on the satellite phone left behind by
22 Sam Bockarie. Now going back to page 8723, did it surprise
23 you on this occasion the same General Joshi didn't do you
24 the courtesy of telephoning you on the satellite phone?"

15:37:04 25 There is an objection but then the question continues:

26 "Q. Did you still have that satellite phone in your
27 possession on 31 August, Mr Sesay?

28 A. Yes, the satellite phone was at Bockarie's house.

29 Every morning it was switched on up to 8 o'clock at night."

1 So we see here, Mr Sesay, you were answering a question and
2 the question was about the satellite phone left behind by
3 Sam Bockarie and you said you still had that phone in your
4 possession on 31 August 2000. Which is the truth? Did

15:37:42 5 Sam Bockarie take the phone with him or did he leave it behind?

6 A. Well, my Lord, you are confusing me because if you say that
7 Sam Bockarie went, I thought you were saying at the time that
8 Sam Bockarie left the RUF in '99. But if you ask me when
9 Sam Bockarie was going on patrol or when he was going to Monrovia
15:38:05 10 if he left his phone, that is clear. He used to leave his phone
11 and would collect - connect the satellite. He used to leave the
12 phone. He had his mobile phone, but he used to leave that phone.
13 The only time that he took it with him, it was in December when
14 he left the RUF. He went along with his phones.

15:38:30 15 Q. Mr Sesay, I'll come back to that later. Mr Sesay, did you
16 ever prevent - order your troops to prevent the deployment of
17 United Nations forces, specifically in February 2000, sir? In
18 February 2000 did you order your troops to prevent the United
19 Nations forces from deploying?

15:38:59 20 A. Yes, my Lord, on orders that I was receiving from
21 Mr Sankoh. When Mr Sankoh told me to do it, I did it. Because
22 it was Mr Sankoh who used to send the instructions to me that the
23 United Nations was not to deploy beyond Magburaka - sorry,
24 Masingbi, Makali or Kono until I heard from him. So I used to
15:39:24 25 send such instructions.

26 PRESIDING JUDGE: Sorry, that was Masingbi? Did you say
27 Masingbi or Masiaka?

28 THE WITNESS: Masingbi, my Lord.

29 MR KOUMJIAN:

1 Q. Mr Sesay, let's go talk about the Abuja I meeting. That
2 was a meeting that took place in Abuja, Nigeria, and an agreement
3 was signed in very early November, your delegation went at the
4 end of October 2000; correct?

15:40:05 5 A. Yes, sir.

6 Q. You went to Monrovia when Charles Taylor told you to come
7 meet with him before the negotiations, correct?

8 A. He said I should go with people who were to attend a
9 meeting in Nigeria because they had informed me - they had
10 informed me at a meeting at RIA, so when they will call me and
11 the RUF people at any time for the meeting.

12 Q. Mr Sesay, you didn't travel from Sierra Leone, you didn't
13 travel directly to Nigeria as you did for Abuja II. For Abuja I
14 you went to Monrovia, correct?

15:40:56 15 A. Yes, my Lord, because the Nigerian President himself by
16 then, President Obasanjo, they told me that it was - they told me
17 in Monrovia, Liberia, that whenever they wanted me for a further
18 meeting they will contact me in Liberia, so - and the flight that
19 they sent picked up people from Liberia.

15:41:18 20 Q. But why would the President of Nigeria, Obasanjo, say that
21 he would only meet with you in Liberia when he had his own troops
22 in Sierra Leone?

23 A. Well, my Lord, I think they were operating as ECOWAS and
24 they had given Mr Taylor the responsibility to coordinate. So
15:41:43 25 what they were telling me was what I was going by. They were
26 Heads of State. I was not telling them what to do, my Lord.

27 Q. Mr Sesay, Sierra Leone is a member and was at that time a
28 member of ECOWAS, correct?

29 A. Yes.

1 Q. You went to Monrovia before Abuja I to receive instructions
2 from Charles Taylor about what positions the RUF should take.
3 Isn't that correct?

4 A. No, my Lord. We would go like today and the following day
15:42:21 5 the delegation moved to Abuja. We arrived like today and the
6 following day the delegation went. Mr Taylor did not give us
7 anything, he did not tell us anything that our people were to say
8 at that meeting, no. What position? We did not go into any
9 interim government. Nothing like that. Even in Abuja, it was
15:42:45 10 just about implementing the Lome and how the peace process was to
11 move forward. We had no position in Abuja II - Abuja I.

12 Q. Well, that's correct. You didn't have any position; you
13 went to meet President Taylor so he could tell you what you
14 should do at that meeting. Correct?

15:43:06 15 A. No. He did not tell us anything and when we went to the
16 meeting, the RUF did not go - talk about positions.

17 Q. Mr Sesay, you came to Monrovia when Charles Taylor told
18 you, "Come here, I want to send you to Abuja"; correct?

19 A. No, no. No. They said - they had informed me, the three
15:43:32 20 of them had told me that they would be contacting me later for
21 further meetings. Later President Obasanjo, Konare and President
22 Taylor at RIA. So President Taylor just said that the time that
23 we were to go to Abuja is now.

24 THE INTERPRETER: Your Honour, can he kindly repeat his
15:43:53 25 answer again slowly.

26 PRESIDING JUDGE: Mr Sesay, repeat your answer again
27 slowly, please.

28 THE WITNESS: Yes, my Lord. My Lord, I said the three
29 Heads of State had told me that we were to have further meetings.

1 MR KOUMJIAN:

2 Q. Mr Sesay, who were the parties to the negotiations at
3 Abuja I, the RUF and who were you meeting with in Abuja I?

15:44:26

4 A. We used to meet with the Government of Sierra Leone and
5 ECOWAS, because the SRSG was also there. We were to meet the
6 ECOWAS and the Government of Sierra Leone and the members of the
7 UN who were in Sierra Leone.

8 Q. So, Mr Sesay, the negotiations were set up by the United
9 Nations, with their participation, correct?

15:44:54

10 A. Well, I think they took part in it but the negotiation,
11 what I understood, was that it was set up by ECOWAS because the
12 meeting took place in the ECOWAS secretariat in Abuja, from what
13 I understood.

15:45:16

14 Q. All of those people, the United Nations, ECOWAS, were
15 present diplomatically in Sierra Leone, the special
16 representative you used to meet with in Sierra Leone, correct?

15:45:40

17 A. Well, at this time, during the time of that meeting, I had
18 not met with them, it was later that I met with them. That
19 confidence came from the Abuja I. What they concluded in Abuja,
20 that was what they brought to Sierra Leone. Then we started
21 working on it.

22 Q. You mean the confidence came with Abuja II; is that right?

23 A. Yes, my Lord.

15:46:20

24 Q. Can we have the transcript for 29 May 2007, please. This
25 is from the RUF trial, 29 May 2007, page 72. Then starting to
26 read from line 9, the question was, from your counsel:

27 "Q. And who said you should go with a delegation?

28 A. Well, Kposowa told me. It was Kposowa who sent the
29 message. He said it was President Taylor who called him in

1 the mansion and told him that he should send a message to
2 me and I should go with the delegation for the Abuja I."
3 You were asked when - which month this was and you said between
4 October and November 2000.

15:47:19 5 Q. That's correct, isn't it, you were called to Monrovia
6 after receiving a message from President Taylor through
7 Kposowa?

8 A. Yes, my Lord. That is what I said; that I was called to
9 take other people for the delegation to go to Abuja.

15:47:40 10 Q. So then did you meet with President Taylor when you got to
11 Monrovia?

12 A. Yes, I met with President Taylor.

13 Q. And, Mr Sesay, why did you not go to Nigeria?

14 A. Well, I said I was not going because President Taylor had
15:47:57 15 asked me if I was going and I said no, I was not going. I said I
16 would prefer the delegation to go and he said, "Oh, okay, okay".

17 Q. So President Taylor, in reality, is the one who told you
18 that you should not attend; correct?

19 A. No, my Lord. That did not happen.

15:48:19 20 Q. Because even at this time after Abuja I, immediately after
21 signing the accord, the RUF right away issued a statement through
22 Kposowa that the RUF was not going to honour it. Isn't that
23 correct?

24 A. I do not understand, sir.

15:48:43 25 Q. The RUF signed the Abuja I Accord on November 2, but as you
26 have testified, disarmament did not start until after Abuja II in
27 May; correct?

28 A. Yes, because during the Abuja I they said they were going
29 to call us again for further meetings. I wouldn't just take it

1 upon myself to start the disarmament. It was to be arranged by
2 parties who had organised the DDR business. So until the parties
3 came together, sat together to discuss, then the disarmament
4 would go on. I wouldn't just say they should disarm when - when
15:49:30 5 the other parties had not sat together to arrange.

6 Q. Mr Sesay, you were not present for Abuja I; is that right?

7 A. Yes, my Lord. I think that was what I said. I did not go
8 to Abuja, Nigeria.

9 Q. So what was the difference between Abuja I and Abuja II?

15:50:00 10 Abuja II you started to disarm. What happened to change things
11 for you?

12 A. Well, the Abuja I, they held a meeting. Then the parties,
13 the ECOWAS secretariat, the committee of five, all of them said
14 that we were going to have a further meeting and when it was time
15:50:23 15 for the further meeting, the RUF was called and the meeting was
16 held and from that meeting a tripartite body, which was to sit
17 and discuss - the programme of disarmament to Sierra Leone was
18 created. That was created from the Abuja II.

19 Q. Mr Sesay, we will come back to the difference, what had
15:50:50 20 change between Abuja I and Abuja II in a little while.

21 Let me first ask you. You have talked about various
22 meetings with Charles Taylor, I believe you said five, where you
23 actually met him. Did he ever give you money?

24 A. Yes, he gave me money at the time that I asked for fuel in
15:51:13 25 May for the release of UNAMSIL. When I said I was facing fuel
26 constraints he gave me \$5,000.

27 Q. In fact, Mr Taylor would normally give you \$5,000 or more
28 just as a tip on these meetings, isn't that true, just as a
29 gratuity?

1 A. No, no. That was the only time that he gave me money
2 during that meeting. That was the time that he was able to give
3 me money.

4 Q. Could we have the transcript, please, for 19 August 2009,
15:51:53 5 page 27196. Perhaps we could start at the bottom of 27195. I
6 will just start on the next page, 277196. "Mr Taylor" - the
7 Defence lawyer for Mr Taylor was reading some testimony to
8 Mr Taylor, and he said:

9 "Q. The witness goes on: 'And in that case he,
15:53:02 10 Charles Taylor, will continue to assist the RUF as he was
11 doing before'. The Defence lawyer asked Mr Taylor if he
12 said that and he said, 'Never, never would I have said
13 that. Never.' Then he continued to read from the witness.

14 A. From there he gave Issa \$15,000 US and Issa returned
15:53:22 15 home.

16 Q. Did you?

17 A. I did give Issa Sesay and his delegation some money on
18 that trip as is usual. I had done it with every
19 delegation. We do that in Africa. That's our style and we
15:53:40 20 are not Western Presidents. You come to visit us - Issa
21 Sesay came with a delegation; I did give Issa Sesay some
22 money.

23 Q. How much?

24 A. I'm not sure. It could have been probably in the
15:53:54 25 neighbourhood of \$5,000 to \$7,000. I don't remember the
26 exact amount, but I would give him money on these trips,
27 yes."

28 Mr Sesay, Charles Taylor was testifying that he regularly
29 gave you \$5,000 to \$7,000 when he met with you. Is that true?

1 A. Well, at the time that I went on the talks in relation to
2 the UNAMSIL he gave me money. The delegation that was going to
3 Abuja, he gave them - they gave them allowance but that was not
4 given to me, it was given to those who were travelling. The
15:54:38 5 government gave them allowances.

6 Q. But, Mr Sesay, if we return to the page that we were
7 looking at, 27196, it is clear, from the context, that Mr Taylor
8 here is talking about meeting with you and Heads of State. So
9 this wasn't the time that you say he gave you money for diesel
15:55:01 10 with the peacekeepers because there were no other Heads of State
11 of present for that meeting, correct? When you met with him
12 about the peacekeepers he was alone, correct?

13 A. Yes, at that time he was alone.

14 Q. And if we look at this page, if you just look down the
15:55:20 15 page, just so it is clear, if we can get that back up. Page
16 27196, if you go down a bit please, just so we know which
17 occasion Mr Taylor is talking about, beginning at the end of line
18 21 he says:

19 "A. This was no secret and in the presence of - at this
15:55:58 20 time I met Issa the morning of the 27th, if I am not
21 mistaken, because the Heads of State left."

22 So he is talking about the meetings with the other heads of
23 State. Is it true or is it a lie that he gave you \$5,000 to
24 \$7,000 during that - those meetings with the Heads of State?

15:56:22 25 A. Well, during the meeting with the Heads of States, they
26 gave us allowances when we went but we were not given \$7,000.
27 That was not given to me alone but with the commanders with whom
28 I went. Everybody was given his own envelope.

29 Q. Mr Sesay, let's talk about the meetings with Charles Taylor

1 about taking Sam Bockarie back. That was the very last meeting
2 you had with Charles Taylor now, correct?

3 A. Yes, that was the last meeting I had with him.

4 Q. When was this meeting?

15:57:13 5 A. I said it was around December, in 2000.

6 Q. And you remember Charles Taylor asking you to bring
7 Sam Bockarie back to Sierra Leone to rejoin the RUF, correct?

8 A. Yes. He said we were about making peace now and the peace
9 process was underway, so as an organisation it was nice for us to
10 be together, so Sam Bockarie should return to the RUF.

15:57:44

11 Q. Let's look at the testimony of Charles Taylor from
12 19 August 2009, page 27192.

13 PRESIDING JUDGE: While all that is being put on the
14 overhead, Mr Sesay, you said that during the Heads of State
15 meetings you were given an allowance, an envelope each. How much
16 was in your envelope?

15:58:09

17 THE WITNESS: My envelope contained \$800.

18 MR KOUMJIAN:

19 Q. Mr Sesay, I am going to read from the testimony of
20 Charles Taylor, what he said when he was being read testimony of
21 a Prosecution witness. Beginning at page 27192, the Defence
22 lawyer read:

15:58:36

23 "Q. The witness said: 'First he suggested,' that is
24 President Taylor, 'that he would want to take Mosquito
25 back, and Issa said no. And he said, "Ah, but Issa, if you
26 would take care as a commander as a leader." Then Issa
27 said except if he returned and informed the RUF family, he
28 said, because RUF was a family.'"

15:59:03

29 Let me stop there now, Mr Sesay. What I've just read, that

1 is consistent with your testimony that when Charles Taylor asked
2 you to take Sam Bockarie back, you said you would have to go back
3 and consult with the RUF, correct?

15:59:43 4 A. Yes. I said I was to inform the other commanders because
5 the problem was not between Sam Bockarie and myself but between
6 Sam Bockarie and Mr Sankoh.

7 Q. Because the Defence lawyer then asked Mr Taylor, back to
8 his testimony on 19 August 2009, Defence counsel asked Mr Taylor:

9 "Q. Now, did you suggest that Mosquito be taken back?"

16:00:05 10 And under oath before these judges, Charles Taylor
11 testified:

12 "A. No, I did not suggest that."

13 Let's go to the next page please, 27193. Some more
14 testimony was being read to Mr Taylor and the testimony was this,

16:00:32 15 a Prosecution witness was asked:

16 "Q. 'Now, Mr Witness, let's clear up some things you said.
17 You first said he suggested he would take Mosquito back.
18 Who suggested that?

19 A. Charles Taylor suggested that he wanted to send
16:00:48 20 Mosquito back. He suggested that he wanted to send him
21 back to Sierra Leone as RUF leader.'"

22 Mr Taylor was asked:

23 "Q. Did you do that?"

24 And Charles Taylor testified:

16:01:03 25 "A. I did not ever, ever do that, no."

26 And if we just read the next question was:

27 "Q. And the witness himself accepts that there were other
28 presidents present. Do you see any sense in making such a
29 suggestion in front of the other presidents who were

1 present Mr Taylor?

2 A. Total nonsense, no, no sense whatsoever."

3 But, Mr Sesay, you've told us that in fact Charles Taylor
4 did ask you to take Sam Bockarie back; isn't that true?

16:01:45 5 A. Yes. I said Mr Taylor called me and my other colleagues
6 and said Sam Bockarie said he wanted to return to the RUF. That
7 is why he had called us, to talk to us as a family, to talk to us
8 as one organisation. So when he said that, I said, "Well,
9 please, sir, I would want to tell the RUF. I want to tell the
16:02:05 10 other commanders, because the problem was between Sam Bockarie
11 and Mr Sankoh, so it would be good for me to hear from the other
12 commanders." And that was the end of it.

13 Q. So when Mr Taylor said, on page 27192, when he was asked
14 "Did you suggest that Mosqui to be taken back?" This is line, I
16:02:29 15 believe, 8 or 9 - 27192, yes, thank you, line 8, he was asked:
16 "Now, did you suggest that Mosqui to be taken back?" And
17 Charles Taylor testified, "No, I did not suggest that."
18 Charles Taylor lied when he said that to these judges; isn't that
19 true, Mr Sesay.

16:02:57 20 A. Well, it was Sam Bockarie who said Mr Taylor should talk to
21 us, but we did not accept, so that did not work.

22 Q. Mr Sesay, are you trying to protect Charles Taylor now? Is
23 it true or is it a lie when Charles Taylor testified that he
24 never suggested that Mosqui to be taken back by the RUF? Is that
16:03:19 25 true or a lie?

26 A. Well, it was Sam Bockarie who wanted to return to the RUF
27 when Mr Taylor called us and spoke to us that that was what
28 Sam Bockarie said. So he was saying that - he was saying that
29 because we were - the peace was underway, Sam Bockarie could not

1 return because Sam Bockarie himself had said he wanted to return,
2 but that did not work.

3 Q. Mr Sesay, you've made it clear what a wicked and evil man
4 Sam Bockarie was and how opposed he was to peace in Sierra Leone.
16:03:54 5 That's the same man that Charles Taylor asked you to take back to
6 Sierra Leone; isn't that true?

7 A. Yes, but Mr Taylor did not know about the killings that
8 were carried out by Sam Bockarie because Sam Bockarie was not
9 telling Mr Taylor how he had killed people in Kenema, BS
16:04:16 10 Massaquoi and others, and also killed people in Kailahun. He was
11 not telling that to Mr Taylor.

12 Q. Sam Bockarie had been on the radio, and you've told us that
13 you, yourself, had heard it on the international radio, making
14 threats about killing every living thing, about genocide, if
16:04:33 15 Sankoh is not released, about burning Freetown. All that
16 Sam Bockarie had said publicly, correct?

17 A. Sam Bockarie used threats.

18 Q. And the atrocities in Sierra Leone, and particularly in
19 Freetown, in January 1999, were very well-known, they were known
16:04:58 20 internationally; isn't that true?

21 A. Yes. The international community was in Freetown. Even
22 the US house was burnt down. So people knew what happened. It
23 was not a secret.

24 Q. Let's take a look again at D-9, please. Mr Sesay, I want
16:05:31 25 to ask you now about some documents, starting with the two salute
26 reports to Foday Sankoh. You have testified that these are false
27 documents that were written by Gibril Massaquoi, correct?

28 A. Yes.

29 Q. But you told us, when you looked at D-9, that you

1 recognised Sam Bockarie's signature on the document. Do you
2 remember saying that?

3 A. Because they forged it in the same way - you see the "S"
4 and the "B".

16:06:15 5 Q. It is a document we had out this morning. And while that's
6 being prepared, if we could have the transcript for 26 November
7 2009, please, put on the screen, page 32611.

8 Mr Sesay, if we look at line 6, on 26 November 2009
9 Charles Taylor was asked:

16:07:13 10 "Q. Won't you take a look at D-9. Make sure we're talking
11 about the same document. I don't want there to be any
12 ambiguity about it.

13 A. This is the document. If it's D-9, this is the salute
14 report that was made to Foday Sankoh when he arrived in
16:07:35 15 Monrovia, according to him."

16 So, Mr Sesay, Charles Taylor told this Court that he saw
17 this document in Monrovia when Foday Sankoh came to Monrovia and
18 met with Sam Bockarie. Is it still your position that this is a
19 forgery?

16:08:03 20 A. Yes, because at that time I did not hear about the salute
21 report. Sam Bockarie left Mr Sankoh in Monrovia and met me in
22 Buedu before he sent - before he told me that Mr Sankoh said I
23 should go to Makeni. He did not tell me about salute reports. I
24 did not write a salute report. So even in my own experience, in
16:08:28 25 my own experience, why should they forge a story on my signature
26 and say and say that was a salute report, something that I did
27 not do? It is possible that they could also do the same thing
28 with Bockarie.

29 Q. Well, you did write a salute report and we will come to

1 yours in just a minute, but first let me quickly go through this
2 document, a few points, to understand why you would want to deny
3 it. I'm not going to read the whole report, but if we turn to
4 page 4, looking at the second-to-last full paragraph, it begins:

16:09:09 5 "We also rescued JP Koroma and his family under the escort
6 of Brigadier Issa and Brigadier Mike. He was brought to Kailahun
7 as was advised by your brother."

8 Then turning the page to page 5, if we skip down and go to
9 page 6, page 6, the second full paragraph after the line break,
16:09:46 10 the first paragraph after the line break, it states:

11 "Prior to this, diamonds mined from Kono were given to
12 Brigadier Issa."

13 So that's the diamonds that you supposedly lost that were
14 mined in Kono.

16:10:04 15 A. Not at all. Those are not the diamonds. They were the
16 diamonds I took from JP. They were the ones I lost in Monrovia.

17 Q. Then if we look at page 6, the second-to-last full
18 paragraph after the second line break. This report that
19 Charles Taylor said was made in Monrovia states:

16:10:25 20 "During your absence, many contacts were made to
21 sympathisers to promote the image of the movement, details of
22 which will be presented to you in a manner so as not to cause any
23 breach of security. Out of these contacts, I was able to get the
24 basic needs and facilitate our military move to Kono and onwards
16:10:48 25 past" - I believe it should be Masingbi, it says Machine. That's
26 the material that came from Burkina Faso that was used for the
27 attack on Kono; isn't that true, Mr Sesay?

28 A. Well, Bockarie told me that the ammunition he brought, he
29 got from Lofa.

1 Q. Turn to page 11. I'm skipping things we have already gone
2 over. The third line from the bottom:

3 "As mentioned earlier in my report, four mechanised
4 battalions of the Nigerian army were raised at Kono, resulting in
16:11:41 5 the capture of a wide assortment of arms and ammunition as well
6 as armoured cars. War tanks were also captured and burnt."

7 That's a correct report about your attack on Kono; isn't
8 that true?

9 A. No, because we did not burn any war tank in Kono.

16:12:07 10 Q. So, Mr Sesay, knowing that this report was seen by
11 Charles Taylor when Foday Sankoh came to visit him after Lome, is
12 it still your position that it is forged and written by Gibriil
13 Massaquoi?

14 A. Yes, because I did not see - I did not hear about the
16:12:32 15 salute report that Bockarie sent to Mr Taylor - I mean to
16 Mr Sankoh. Bockarie did not tell me that, and I never heard it,
17 except in this Special Court. That's where I've heard about
18 these salute reports.

19 Q. Well, you've heard about who actually wrote the document in
16:12:51 20 your own trial; isn't that true?

21 A. This one?

22 Q. Both this report and your own salute report. They are
23 written by the same person; I think we agree with the Defence
24 about that. Isn't that true?

16:13:11 25 A. Well, after my trial, because honestly speaking, my lawyers
26 - I told them that I did not write the salute report and I - they
27 did not read it out like Mr Taylor's lawyer read it out to me, to
28 read it sentence by sentence for me to know. That was why I told
29 him that this, this must have been forged by Gibriil Massaquoi.

1 He wrote it. Gibriil Massaquoi knows the stories. My lawyers
2 were just giving me these documents and I told him that this was
3 not my signature, and they did not take their time to read it out
4 to me like how Mr Taylor's lawyer read it out to me for me to
16:13:53 5 understand.

6 Q. Mr Sesay, both this report and your own salute report are
7 clearly written on computers. These are not typed. This comes
8 from a printer, don't you agree, D-9?

9 A. My Lord, I can't tell because I don't know much about
16:14:13 10 computer.

11 Q. Well, you know who it was that handled the computers for
12 Sam Bockarie in Buedu - a very, very smart and very literate man
13 - it was Martin Koker and you know Martin Koker wrote these two
14 reports?

16:14:34 15 A. Yes, I know Martin Koker very well.

16 Q. Martin Koker was educated in Britain, correct?

17 A. Well, they said he was in England and he was an educated
18 fellow.

19 THE INTERPRETER: Your Honour, can he kindly repeat the
16:14:53 20 last part of his answer slowly.

21 PRESIDING JUDGE: Mr Sesay, please repeat the last bit of
22 your answer.

23 THE WITNESS: My Lord, I said I heard from Martin that he
24 was in America and not England.

16:15:10 25 MR KOUMJIAN:

26 Q. Mr Sesay, perhaps we could go to the document behind tab
27 23. If we could go to the page that's stamped 10668, it is about
28 seven pages in - the eighth page, I believe, 10668. I'm going to
29 start reading from the last paragraph of this article, and this

1 appeared in a newspaper from Washington DC in the United States.

2 It states:

3 "Confident theories of national revolution rang out noisily
4 in Buedu nonetheless. Most startling was the ideological
16:16:41 5 fountainhead of one Martin Koker 'personnel assistant to General
6 Mosquito'."

7 THE INTERPRETER: Your Honours, can I learned counsel kindly
8 read slowly to allow the interpreter to keep up with him.

9 MR KOUMJIAN: My apologies.

16:16:59 10 Q. "Most startling was the ideological fountainhead of one
11 Martin Koker, 'personal assistant to General Mosquito', who told
12 us he had lived in Washington DC area for much of the 1990s. We
13 first heard the improbable clipped tones of Koker's middle class
14 British accent as we unpacked ourselves from our jeep upon
16:17:30 15 arrival in Buedu. 'Good morning,' declared a tall polite man
16 holding an official-looking bundle of papers. 'Welcome to the
17 defence headquarters of the Revolutionary United Front.'

18 Born to an elite Freetown family, Koker attended school in
19 Britain and then migrated to America, where he developed a
16:17:58 20 business putting up ceilings in major DC area office buildings -
21 including, he said, CIA headquarters in Langley. A neo-Marxist,
22 as well as an entrepreneur, he listened regularly to WPFW's
23 Pacifica radio talk shows and fed his revolutionary yearnings at
24 leftist book stores in Dupont Circle.

16:18:31 25 In 1997 some sort of spiritual crisis - he said it involved
26 portentous dreams, his faith in God, and in the urgency of a
27 people's revolution in Sierra Leone - caused him to return to
28 Africa. There he presented himself unannounced as an
29 intellectual who wished to serve the RUF. He wound up at

1 Mosquito's base camp.

2 Koker ran the general's satellite telephone, television and
3 radio systems; helped to write Mosquito's letters to RUF
4 colleagues, the United Nations and foreign Heads of State;
16:19:24 5 maintained a computer room; and helped to supervise 'Radio
6 Freedom, voice of the People's Army of Sierra Leone', an FM
7 station in Buedu that Koker said was paid for with a particularly
8 fine diamond, and which was now broadcasting rap music and RUF
9 messages across the country's eastern forests."

16:19:58 10 This is a correct description of Martin Koker, isn't it?
11 He had lived many years in the United States, he understood how
12 to use computers and the satellite telephone, as you told us.
13 Isn't that true?

14 A. Yes. Martin used satellite phones for Sam Bockarie and in
16:20:22 15 mid-99, Sam Bockarie - I knew of satellite phones. I did not
16 know about computers in Buedu. Until Sam Bockarie left, I did
17 not know about a computer in Buedu. There were satellite phones.
18 He had the mobile and the one that he used to leave at the base,
19 at his house. And the Radio Freedom, Martin used to go there.
16:20:50 20 But for a computer, I did not see a computer in Buedu.

21 MR KOUMJIAN: If we could turn to tab 36 in the bundle of
22 documents we distributed earlier. Perhaps before I forget, could
23 this document, the pages that I read, be marked for
24 identification. The Washington Post article that was behind tab
16:21:30 25 23. The title of the article is "The other war" and I read the
26 parts about Martin Koker on the page stamped 10668 and 10669?

27 PRESIDING JUDGE: Where does it say the Washington Post?

28 MR KOUMJIAN: Your Honour, on page 10663 it actually says
29 on the bottom there the Washington Post Magazine. And also on a

1 few of the other subsequent pages, page 667.

2 PRESIDING JUDGE: Right, in any event, this is the article
3 or publication entitled "The other war" and pages ERN 10668 and
4 10669. It is just the two pages, Mr Koumjian?

16:22:44 5 MR KOUMJIAN: Correct.

6 PRESIDING JUDGE: These are marked MFI-31. I think we will
7 include the cover page that has the words "The other war" just to
8 put it in context, so it is the three pages.

9 MR KOUMJIAN:

16:23:08 10 Q. By the way, do you remember, Mr Sesay, reporters from
11 America coming to Buedu to interview Mosquito in 1999?

12 A. What month, sir?

13 Q. I will have to get back to you. Do you remember at all
14 reporters from America coming to interview Mosquito?

16:23:40 15 A. Well, I can't tell because I can't deny that, because in
16 early '99, from January to April, when we were in Buedu, I was
17 not in Buedu and in October I left and went to Makeni and did not
18 return to Buedu until Sam Bockarie left the RUF.

19 Q. In your own trial, Mr Sesay, you heard testimony that
16:24:09 20 Martin Koker wrote this report D-9 and your own salute report.
21 Isn't that true?

22 A. That Martin Koker wrote my own salute report?

23 Q. Yes.

24 A. Well, Martin Koker did not write a report for me. He did
16:24:34 25 not write any salute report for me.

26 JUDGE DOHERTY: Mr Koumjian, your question included the
27 report at D-9 as well as the salute report attributed to
28 Mr Sesay?

29 MR KOUMJIAN: Correct.

1 JUDGE DOHERTY: But we haven't got an answer on the D-9
2 report.

3 MR KOUMJIAN: Thank you.

16:25:07

4 Q. Mr Sesay, Martin Koker wrote Sam Bockarie's salute report,
5 D-9, isn't that true?

6 A. No, because I never heard that. I never heard that. I was
7 in Buedu up to sometime, then I left.

16:25:30

8 Q. But you did hear it, you heard it at your own trial. If we
9 could turn to tab 36. This is closed session, so I would have to
10 read it; it cannot be put on the screen. I am beginning from the
11 bottom of page 80. Two exhibits, numbers 35 and 36 in the RUF
12 trial, which are D-9 and D-84, the two salute reports in our
13 trial, were shown to the witness. He was asked, at the bottom
14 page 80:

16:26:01

15 "Q. Are you familiar with the signatures of Mosquito and
16 Mr Sesay?

17 A. Yes."

18 Then if we turn to the next page, page 81, he was asked on
19 line 11:

16:26:21

20 "Q. How do you know this document?" And this was document
21 35, the D-9, and he said:

22 "A. After I had left, the personal assistant, that was
23 with Mosquito during that time, Martin Koker, he was the
24 one that wrote this on the instructions of Mosquito."

16:26:46

25 Turning to the next page, page 82, line 5, the witness was
26 asked if they recognised the signature and the witness said yes,
27 this was the signature of Sam Bockarie. And then the witness was
28 then shown exhibit 36, which is your salute report, and he was
29 asked on line 17:

1 "Q. How is it that you know this document?

2 A. Well, I know that this was sent by Issa Sesay to Foday
3 Sankoh as his own report."

4 On line 25 he was asked if he recognised the signature and
16:27:30 5 he said, "Yes, it was Issa Sesay's signature."

6 Mr Sesay --

7 MR CHEKERA: Sorry, Mr Koumjian. Madam President, could I
8 ask for the pseudonym for the witness concerned.

9 MR KOUMJIAN: Certainly it is on the back page of the
16:27:48 10 bundle counsel should have, TF1-036.

11 PRESIDING JUDGE: Sorry, Mr Koumjian, I am a little lost
12 because after page 81 of this transcript what I have is page 47.

13 MR KOUMJIAN: There must be - apparently maybe the Defence
14 also has that problem. It should be 82 and then it should be the
16:28:11 15 back page that has the pseudonym. I don't know if others have
16 the same problem, but I have one extra copy.

17 JUDGE LUSSICK: I have got page 82 following 81.

18 MR KOUMJIAN: And I could get my copy to Defence counsel,
19 if they need it.

16:29:04 20 Q. Mr Sesay, Martin Koker wrote these two reports; you signed
21 yours on the instructions of Sam Bockarie, isn't that true?

22 A. No, no. That signature is not mine. That's not my
23 signature. That's not how I sign, and I did not make any salute
24 report to Mr Sankoh.

16:29:29 25 MR KOUMJIAN: Your Honour, could the transcript that I just
26 read from tab 36 be marked for identification?

27 PRESIDING JUDGE: The closed session transcript of the RUF
28 trial dated 28 July 2005 and the pages will be pages 80, 81, 82
29 and the back page; is that correct?

1 MR KOUMJIAN: Yes, and I would please request that that be
2 marked confidential, given that it is closed.

3 PRESIDING JUDGE: That is marked MFI-32 and will be
4 confidential.

16:30:27 5 MR KOUMJIAN: I am moving to another topic, so this would
6 be a good point to break.

7 PRESIDING JUDGE: Yes, we are going to adjourn until
8 tomorrow morning, Mr Sesay, to continue your testimony. In the
9 meantime, you are not to discuss your evidence with anyone. The
16:30:45 10 Court adjourns until tomorrow at 9 o'clock.

11 MR CHEKERA: Sorry, Madam President, I thought tomorrow
12 there was a switch off.

13 PRESIDING JUDGE: Yes, yes, you are absolutely right.
14 Mr Sesay has a dental appointment tomorrow but the Court,
16:30:59 15 nonetheless, will continue tomorrow at 9 o'clock with another
16 witness that the Defence will interpose.

17 And for the avoidance of doubt, that is 008.

18 MR CHEKERA: I understand it is 008, yes.

19 [Whereupon the hearing adjourned at 4.31 p.m.
16:32:12 20 to be reconvened on Tuesday, 24 August 2010 at
21 9.00 a.m.]

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I N D E X

WITNESSES FOR THE DEFENCE:

DCT-172	46806
CROSS-EXAMINATION BY MR KOUMJIAN	46806