



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 25 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:

Ms Erica Bussey

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

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

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Silas Chekera
Ms Logan Hambrick

1 Wednesday, 25 August 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.06 a.m.]

09:06:52 5 PRESIDING JUDGE: Good morning. I don't seem to have
6 LiveNote. Madam Court Officer, I don't know what the matter is
7 but my screen is blank. In any event, we will take appearances,
8 please.

9 MR KOUMJIAN: Good morning, Madam President, good morning,
10 your Honours, and counsel opposite. For the Prosecution this
11 morning, Brenda J Hollis, Kathryn Howarth, Maja Dimitrova, Lena
12 Sokolic and Nicholas Koumjian.

13 MR CHEKERA: Good morning, Madam President, your Honours,
14 and counsel opposite. For the Defence, Terry Munyard, Logan
09:07:57 15 Hambrick and myself, Silas Chekera.

16 PRESIDING JUDGE: Let me inquire from the parties, does
17 everybody have LiveNote? Everybody, that is, except for three
18 judges.

19 MR CHEKERA: We do.

09:08:18 20 PRESIDING JUDGE: The three of us don't. In view of the
21 fact that everybody else does have LiveNote and that a technician
22 will be coming in, I suppose it will be okay for us to proceed,
23 since the court reporters are doing fine, are they?

24 Mr Sesay, good morning, we continue with your evidence in
09:08:48 25 cross-examination this morning and I remind you of the binding
26 oath that you took to tell the truth.

27 WITNESS: DCT-172 [On former oath]

28 CROSS-EXAMINATION BY MR KOUMJIAN: [Continued]

29 Q. Good morning, Mr Sesay.

1 A. Yes, sir, good morning, sir.

2 Q. When we broke off on Monday, we had mentioned Martin Koker.
3 Martin Koker went with Sam Bockarie to Liberia in December 1999,
4 correct?

09:09:22 5 A. Yes. All of them went.

6 Q. Martin Koker, you have heard, haven't you, was killed in
7 Liberia?

8 A. No, I don't know.

9 Q. Do you know where he is or you don't know?

09:09:38 10 A. No, my Lord. I don't know. I am in prison.

11 Q. You had testified - you have testified in this Court that
12 certain documents, including the two salute reports, exhibits D-9
13 and D-84, D-9 the salute report of Sam Bockarie and D-84 the
14 salute report from you, were written by Gibriil Massaquoi; is that
09:10:05 15 correct? Is that your testimony?

16 A. Yes, that is what I said.

17 Q. But is it correct that you recognise Sam Bockarie's
18 signature on his salute report?

19 A. It's the name, the way the name is written, SB, anybody can
09:10:27 20 forge that.

21 Q. My question is: Is that the way - did you recognise that
22 as Sam Bockarie's signature?

23 A. Well, I don't recall.

24 Q. Well, if we could have the transcript for 12 July 2010,
09:10:53 25 page 44252. Mr Sesay, you were discussing with Defence counsel
26 D-9, the salute report by Sam Bockarie, beginning on line 2. You
27 said:

28 "A. Well, a salute report is normally prepared by the
29 commander for the attention of the leader about activities

1 that went on within the organisation, and this was what he
2 was reporting about.

3 Q. Were you aware that in late September, shortly before
4 Sankoh returned to Sierra Leone, that Bockarie was
09:12:23 5 preparing a report such as this?

6 A. Yes. Bockarie said it."

7 I'm going to stop there for now. Is what you said on 12
8 July true, Mr Sesay; Bockarie told you in late September that he
9 was preparing a salute report for Sankoh?

09:12:43 10 A. Yes. Bockarie said he was to prepare a report for
11 Mr Sankoh because he said he was to go and meet Mr Sankoh in
12 Monrovia.

13 Q. You were then asked:

14 "Q. Did Bockarie consult you prior to preparing this
09:13:03 15 report?

16 A. No, it was after he had prepared it and sent it. That
17 was when he told me that he had prepared and sent the
18 salute report to Mr Sankoh.

19 Q. Now, did you see a copy of this report after it was
09:13:19 20 prepared by Bockarie?

21 A. I never saw a copy of it. It was only during the
22 trials that I saw a copy of this.

23 Q. Now, the signature on the last page, whose signature is
24 that?

09:13:35 25 A. This is Sam Bockarie."

26 So, Mr Sesay, on 12 July, did you recognise the signature
27 on the last page as Sam Bockarie's signature?

28 A. That is what I said but when the document was read out to
29 me, and some of the things that contained - that were in the

1 document, it was only Gibriil that knew about them and
2 Sam Bockarie's signature - anybody can forge that - can forge
3 that, it is only "SB".

09:14:18 4 Q. Well, Martin Koker and Sam Bockarie and you knew all of the
5 things that were in that report, correct?

6 A. No. I cannot say that.

7 Q. How about when, on your own salute report, you said that
8 that is not your signature? Is that your testimony?

9 A. Yes. I said it's not my signature.

09:14:41 10 MR KOUMJIAN: I'd like to distribute a few more documents
11 at this time, please. Madam Court Officer, if you could show the
12 single page that's in the orange binder and put that - actually,
13 if you could hand it to Mr Sesay so he can see it clearly. And
14 then you could put a copy on the overhead. Excuse me, just give
09:16:37 15 him the one page, please, not the binder.

16 PRESIDING JUDGE: What document is the witness looking at?

17 MR KOUMJIAN: It should be the document before tab 1.

18 Q. Mr Sesay, I want you to look at that, these 15 signatures,
19 and tell me which ones do you recognise as being your own, if
09:17:42 20 any.

21 A. Yes. Some of them are mine.

22 Q. Well, let's start. Is number 1 yours?

23 A. Yes, number 1 is mine.

24 Q. Is number 2 yours?

09:18:03 25 A. Yes.

26 Q. Is number 3 yours?

27 A. No, number 3 is not mine. That is not the way I write my
28 "Y".

29 Q. Is number 4 yours?

1 A. Yes.

2 Q. Is number 5 yours?

3 A. Number 5, no. I don't write my "Y" like that.

4 Q. Is number 6 yours?

09:18:36 5 A. Yes, it's mine.

6 Q. Is number 7 yours?

7 A. Yes.

8 Q. Is number 8 yours?

9 A. Yes.

09:18:50 10 Q. Is number 9 your signature?

11 A. Number 9? It's a bit doubtful.

12 Q. All right. We will mark that. Number 10, is that -

13 JUDGE LUSSICK: Just before you move off number 9. What
14 are you saying, Mr Witness, you can't tell whether that's your
09:19:24 15 signature or not? Is that correct?

16 THE WITNESS: Yes, my Lord, because I don't usually write
17 the "Y" like this, the tail of the "Y", I don't bring it down
18 like this.

19 JUDGE LUSSICK: So what are you saying, you're not sure, or
09:19:47 20 that it can't be your signature because of the shape of the "Y"?

21 THE WITNESS: Yes, my Lord. I said it's not mine because
22 the "Y", the way - the way the shape is, the way the line comes
23 down, and that's not the way I do mine. That's why I say it's
24 doubtful.

09:20:06 25 JUDGE LUSSICK: Are you saying it could be yours or are you
26 saying it's not your signature?

27 THE WITNESS: No, my Lord, it's not mine. I don't think
28 that this is the way I sign.

29 MR KOUMJIAN:

1 Q. Number 10, Mr Sesay, is that your signature?
2 A. Yes. Number 10 is mine.
3 Q. Number 11, is that your signature?
4 A. Yes.
09:20:48 5 Q. Number 12, is that your signature?
6 A. Yes.
7 Q. And number 13, is that your signature?
8 A. Yes.
9 Q. Number 14, is that your signature?
09:21:04 10 A. Yes.
11 Q. And number 15, is that your signature?
12 A. No. Number 15, too, is doubtful. That is not the way
13 I sign. It is different from the way I sign.
14 Q. Now, Mr Sesay, I just want for right now to look at two of
09:21:52 15 those. You said number 9 was not your signature and you said
16 number 10 was your signature. What is the difference that you
17 see between those two?
18 A. Well, number 9, you can see the way the tail comes down
19 before it takes an upward bend.
09:22:22 20 Q. And number 10? What's different?
21 A. Well, number 10, you can see the line, it's - it goes up
22 straight. It's not like the way it is in the previous one.
23 Q. Okay, Mr Sesay, we'll talk about these documents in more
24 detail later.
09:23:03 25 D-84 is the signature on number 3, so if that could be
26 shown to the witness. This is a signature you denied, Mr Sesay.
27 PRESIDING JUDGE: Is that exhibit D-84?
28 MR KOUMJIAN: Correct.
29 Q. This is the salute report you wrote, and Mr Sesay, that's

1 under your name. You have denied the signature. There is a
2 couple points - I don't want to read this entire document, but
3 I'm just going to go through a few of the points why you want to
4 deny this document, so if we could go to page 6.

09:24:21 5 We see at the bottom that the report, the salute report,
6 says:

7 "While in Buedu, Captain Michael Coomber of the mining unit
8 reported with a parcel of diamonds from Kono. The parcel was
9 placed in my care by General Mosquito with the instructions to
09:24:37 10 move with it to a transit point."

11 These are the diamonds, as the document goes on to say, you
12 lost, not that they came from Johnny Paul Koroma but they came
13 from the mining unit.

14 And then turning to page 8, it says in the first - second
09:24:59 15 paragraph:

16 "I instructed Brigadier Kallon to move to Gold Town and cut
17 off the enemy. I led the troops in the attack of Koidu Town,
18 attacking the enemy at 600 hours. They put up a strong
19 resistance using their four mechanised battalions deployed to
09:25:17 20 defend Kono and its diamonds."

21 And then skipping to the middle of the paragraph, down to
22 about line 7:

23 "Very early the next morning, we attacked their positions
24 at Bumpe and raised them from the town. The enemy were forced to
09:25:33 25 retreat to the road leading to Masingbi where they fell in
26 Kallon's ambush. All in all the enemy lost four war tanks,
27 armoured cars and a multitude of heavy artillery pieces, personal
28 rifles, and huge amounts of ammunition."

29 Then going to the next paragraph, the second sentence,

1 third line:

2 "Our forces had by then captured Masingbi and Magburaka and
3 were advancing to Makeni. I joined them, taking with me all
4 needed military materials for the attack. We quickly put the
09:26:07 5 township under our military control. General Mosquito called me
6 on set"

7 THE INTERPRETER: Your Honours, can counsel kindly be asked
8 to reduce his pace?

9 MR KOUMJIAN:

09:26:22 10 Q. "We quickly put the township under our military control.
11 General Mosquito called me on set and instructed that we allow
12 Superman to join in the operations."

13 Then, going down to about line 10, 11:

14 "Rambo proceeded to a village beyond Binkolo where Superman
09:26:44 15 had been hiding and brought him to Makeni. That morning the two
16 of us met and had polite discussions. Together we attacked the
17 barracks and captured it."

18 Then going to the next page, page 9, the first paragraph
19 that has the star on the left:

09:27:08 20 "Rambo was instructed to advance and attack Port Loko,
21 which he did, deploying his forward defensive at the Port Loko
22 turntable leading to Kambia. Rambo shared the town with the
23 enemy for seven days."

24 And then the next paragraph:

09:27:24 25 "At this time, our forces, Freetown, were under enemy
26 cut-off from the rear and were in danger of being boxed in,
27 either captured alive or killed. Rambo was withdrawn from his
28 operation in Port Loko and instructed to open a through-way to
29 connect with our men in Freetown."

1 So, Mr Sesay, we see from this salute report, it's clear
2 that you led troops, Rambo was instructed to join with the
3 brothers in Freetown, and that's what his objective was when he
4 attacked Waterloo, correct?

09:28:13 5 A. No, my Lord. This is not correct, sir, because this salute
6 report was not written by me. I did not write it. That's why
7 they said I captured war tanks in the ambush, and we never
8 captured war tanks. We captured armoured cars. And it was from
9 Koidu down that we captured them. I cannot state that we
09:28:42 10 captured war tanks when we never captured war tanks, so I did not
11 write this report.

12 Q. Didn't you testify in direct that you captured four tanks
13 in Kono, two functional and two disabled?

14 A. Armoured tanks, not war tanks. There is a difference
09:29:04 15 between armoured tanks and war tanks.

16 THE INTERPRETER: Your Honours, can the witness kindly
17 repeat this part of his answer.

18 PRESIDING JUDGE: Please repeat this part of your answer,
19 the interpreter didn't hear what you said.

09:29:19 20 THE WITNESS: My Lord, I said we captured armoured tanks in
21 Kono, and there is a difference between armoured tanks and war
22 tanks, because armoured tanks have tyres and war tanks have a
23 chain.

24 MR KOUMJIAN:

09:29:39 25 Q. Mr Sesay, you talked about your relationship with General
26 Daniel Opande; is that correct?

27 A. Yes, my Lord.

28 Q. And you said you had a good relationship with him and he in
29 fact testified for your Defence in your trial; is that correct?

1 A. Yes, my Lord.

2 Q. I'm sorry, before we leave that salute report, before it's
3 taken away, Mr Sesay, in your own trial, you had to deny writing
4 that report because it would show that you were connected - well,

09:30:34 5 let me first correct it. You didn't type or write the words of
6 the report, Martin Koker did, and you signed it; isn't that true?

7 A. No. That is not the way it happened. Martin Koker did not
8 write any salute reporter for me and I did not present any salute
9 report to Mr Sankoh.

09:30:54 10 Q. Well, when you testified that Sam Bockarie told you he had
11 sent a salute report to Sankoh, who had written that salute
12 report for Sam Bockarie?

13 A. Well, Sam Bockarie had his general adjutant, who was Rashid
14 Sandy. Rashid Sandy who was the one who prepared documents for
09:31:26 15 Sam Bockarie, and Rashid Sandy was in Buedu but I never saw a
16 salute report written for him when Sam Bockarie went to meet
17 Mr Sankoh in Monrovia.

18 Q. Martin Koker was more educated and his English, especially
19 his writing, was better than that of anyone else in the RUF;
09:31:48 20 isn't that true?

21 A. No. There were educated people who also went to the
22 university. It was not only Martin Koker who was the most
23 educated man. And I knew him to be with a telephone, he received
24 phone calls, but Sam Bockarie had his general adjutant.

09:32:18 25 Q. Well, Martin Koker did more than just answer the telephone;
26 he wrote for Sam Bockarie because he wrote excellent - he spoke
27 and wrote excellent in English, correct?

28 A. Well, he spoke English, but the man who was in charge of
29 Sam Bockarie's documents was his general adjutant, and that was

1 not Martin Koker, because he was the one who controlled the
2 office for Sam Bockarie in Buedu and the reports went to him and
3 everything that related to documentation went to him, and that is
4 Rashid Sandy.

09:33:02 5 Q. Before we leave that document, there are a couple other
6 matters on that that I want to point out. You've said the
7 document was written by Gibril Massaquoi. If we go to page 3,
8 the middle paragraph, actually the fourth paragraph down, this
9 report states:

09:34:10 10 "On the arrival of Steve Bio in Freetown, he became very
11 closely associated with Lieutenant Colonel Gibril, and both
12 seemed to have their own agenda."

13 Then if we go to page 5, the third full paragraph:

14 "It became apparent to us in Freetown that Lieutenant
09:34:43 15 Colonel Gibril had leaked information to the AFRC pertaining to
16 military equipment belonging to the RUF."

17 And most important, if we go to page 11, as has been
18 previously pointed out during your direct examination, we see in
19 the first full paragraph it talks about Superman and Gibril
09:35:13 20 beating up your wife and undressing her and taunting her with
21 rude and abusive remarks and then, in the last five lines:

22 "That same day, Superman and Gibril attacked the home of
23 Brigadier Kallon, the entire house was razed and his wife was
24 stripped of all her clothing and made to sit on the ground. Her
09:35:41 25 suckling child was snatched from her and repeatedly banged
26 against the wall. This resulted in serious injuries to the
27 child."

28 And you told us the child died that year. So your
29 testimony is that Gibril Massaquoi wrote this document talking

1 about how he's betraying the RUF and that how he, Gibriil
2 Massaquoi, helped to murder a child. Is that your testimony?

3 A. Well, Gibriil was the one who did those things, but the
4 reason why I said it was Gibriil who prepared this document is
09:36:22 5 because I was in the detention in Freetown and Gibriil used to
6 meet certain RUF people when he persuaded to join him to
7 prosecute me, and that they were going to get benefit from you,
8 the prosecutors. Even my own wife, Kadie, Gibriil went and met
9 her to talk to her. So I know that Gibriil was the one who was
09:36:45 10 recruiting the RUF members to serve as Prosecution witnesses and
11 he was the one who prepared this.

12 PRESIDING JUDGE: Yes, but, Mr Sesay, the question is a
13 pertinent one: Would Gibriil Massaquoi forge this document and
14 implicate himself in the same document? Is that possible?

09:37:13 15 THE WITNESS: My Lord, these are things that people knew
16 about, like the incident of Morris Kallon's wife. People knew
17 about it. I was arrested, together with Gibriil, and we were all
18 handcuffed and it was in my presence that he was called in the
19 corner and the handcuff was removed from him. So it is possible
09:37:36 20 that they had to waive the case from him.

21 PRESIDING JUDGE: That may be so, Mr Sesay, but does it
22 make sense to you: Is it possible that a man forging a document
23 would include all these charges, these defamatory things, about
24 himself?

09:37:59 25 THE WITNESS: Yes, my Lord, because he didn't have a case.
26 He did not have a case. I had the case. So he could write any
27 document, and between God and I, I know that I was not the one
28 who prepared this document. He was the person who prepared it.

29 JUDGE DOHERTY: Are you saying to us, Mr Sesay, that Gibriil

1 Massaquoi wrote this document after your arrest and his arrest,
2 not at the time that it is dated?

3 THE WITNESS: Yes, my Lord, because, before I was arrested,
4 I never knew about this document. So it is possible that he
09:38:52 5 could have written it and back-dated it. He could have
6 back-dated it to assume I sent such a report to Mr Sankoh.

7 PRESIDING JUDGE: Let me ask one other question: What is
8 there in this document to implicate you? I haven't seen anything
9 in this document to implicate you. On the other hand, I've seen
09:39:20 10 a lot that implicates Massaquoi. Now, what would Massaquoi
11 achieve by writing such a nice document about you?

12 THE WITNESS: Well, my Lord, that was just to prove that,
13 that I prepared a salute report for Mr Sankoh when Mr Sankoh was
14 not present. That is all that he is trying to prove to the
09:39:44 15 Prosecution. And I did not write this salute report.

16 PRESIDING JUDGE: So what if you did? How would that
17 implicate you, in your case or in any case, if you wrote a salute
18 report to Foday Sankoh, who was your boss, how would that
19 implicate you?

09:40:03 20 THE WITNESS: But, my Lord, if I wrote it, even during my
21 trials, I wouldn't have denied it, but the way you have the
22 signature here, the way the tail of the "Y" is bent, taking it
23 this way and taking it that other way, right up, I don't sign
24 that way. That is not how I sign.

09:40:22 25 PRESIDING JUDGE: Mr Sesay, we are trying to reason with
26 you and to understand and go along with the way you're thinking.
27 I asked you a question: What is there in this document that
28 implicates you?

29 THE WITNESS: My Lord, it's just to show proof that I was

1 reporting and that I had command responsibility so I used to
2 report to Mr Sankoh at that time. So that is the reason for this
3 salute report.

09:41:01 4 PRESIDING JUDGE: And weren't you? Weren't you in command
5 at that time?

6 THE WITNESS: My Lord, I was in command, but I did not
7 prepare a report. This report was not prepared by me. I was in
8 command but I did not write a salute report to Mr Sankoh and he
9 did not ask me for that.

09:41:19 10 PRESIDING JUDGE: Mr Sesay, you do agree, though, that
11 there is nothing in this report, on the face of it, nothing bad
12 that implicates you? Do you agree?

13 THE WITNESS: Yes, my Lord.

09:41:41 14 PRESIDING JUDGE: In other words, whoever wrote this report
15 was casting you in a good light, not a bad light.

16 THE WITNESS: But, my Lord, if I was the one who did it,
17 I would have answered yes, but even if the person - the person
18 wrote good things about me, I did not write it. I did not
19 prepare this document to be sent to Mr Sankoh.

09:42:06 20 PRESIDING JUDGE: You also agree that this report casts
21 Gibriil Massaquoi in a very bad light, because of the many bad
22 things that he is said to have done?

09:42:33 23 THE WITNESS: My Lord, yes, because these things were not
24 hidden. What they did to Kallon and his wife in Makeni was not
25 something hidden. People knew about it.

26 MR KOUMJIAN:

27 Q. Mr Sesay, before we leave the document that you looked at
28 earlier with the signatures, it would be helpful for you to mark
29 on that document your responses. So could you take a pen,

1 depending on how your Honours would like to do it, and on those
2 signatures that you say are not yours, can you put an "X" over
3 the number. So number 1 you said was yours, you would leave it
4 alone but when you see one that's not yours, put an "X" on the
09:43:21 5 number.

6 A. Okay. Beside the number? Is that where I'm supposed to
7 write the "X"?

8 PRESIDING JUDGE: Yes, Mr Sesay, yes.

9 MR KOUMJIAN: If that could just be put on the screen so

09:44:19 10 that we can see what you wrote. And for the record, I see number
11 3, number 9 and number 15 have Xs.

12 PRESIDING JUDGE: Mr Sesay, previously you had indicated in
13 your - when counsel asked the questions, going through the
14 signatures, you had indicated that number 5 was not yours. You
09:44:57 15 had indicated number 5 was not yours. Are you now saying that
16 number 5 is your signature?

17 THE WITNESS: No. It's a slip of eye, my Lord.

18 MR KOUMJIAN:

19 Q. So, Mr Sesay, on the back of that document, would you sign
09:45:23 20 and date it, please.

21 A. What's the date today?

22 Q. Today is 25 August 2010.

23 MR KOUMJIAN: Your Honour, may this document be marked for
24 identification.

09:46:11 25 PRESIDING JUDGE: All right. The document showing 15
26 different signatures, with marks indicating those signatures that
27 do not belong to Issa Sesay, as marked by Issa Sesay, that
28 document is marked MFI-34.

29 MR KOUMJIAN:

1 Q. Mr Sesay, do you recall in your direct examination, I don't
2 want to repeat too much of it, but we spent quite a bit of time -
3 Defence counsel spent quite a bit of time pointing out all the
4 similarities between the two salute reports, the one that says
09:46:57 5 it's signed by you and the one by Sam Bockarie, the way that they
6 are dated, the way that they are addressed, the subjects that
7 they deal with, the order in which they deal with the subjects,
8 the formatting of the document, even the salutation, the type of
9 salutation. Do you remember you agreed that the same person
09:47:19 10 wrote both of those documents? Do you remember that?

11 A. Yes, I recall that.

12 Q. Now, Mr Sesay, I read to you yesterday where Charles Taylor
13 said he saw Sam Bockarie's salute report, D-9, in Monrovia. So
14 are you saying that - that Charles Taylor lied, that he couldn't
09:47:44 15 have seen this salute report in 1999 when Foday Sankoh came from
16 Lome because it was authored by Gibril Massaquoi long after that?

17 MR CHEKERA: My Lord, if I recall the part of Mr Taylor's
18 evidence that counsel is referring to, Mr Taylor indicated that
19 he saw a document and did not - he did not see the contents of
09:48:18 20 the document but saw a document. It might be easier if counsel
21 provided the reference.

22 PRESIDING JUDGE: Mr Koumjian, what is your response?

23 MR KOUMJIAN: Mr Taylor specifically said that D-9 was the
24 document that he saw and it will me just some time to find it -
09:48:41 25 and old version of my outlines apply now.

26 MR CHEKERA: I don't dispute that Mr Taylor said he saw D-9
27 but he said he just saw a document but did not look at the
28 contents.

29 PRESIDING JUDGE: Mr Koumjian, take your time and just -

1 Let's just make sure that the evidence is accurately put to the
2 witness.

3 MR KOU MJIAN:

4 Q. Mr Sesay, I'm going to read again from the transcript, if
09:49:19 5 we could have the transcript from 26 November 2009, page 32611.
6 I'll start to read from line 6. Mr Taylor was asked:

7 "Q. Won't you take a look at D-9. Make sure we are
8 talking about the same document. I don't want there to be
9 any ambiguity about it.

09:50:08 10 A. This is the document. If it's D-9, this is the salute
11 report that was made to Foday Sankoh when he arrived in
12 Monrovia, according to him."

13 So, Mr Sesay, are you saying that Charles Taylor -

14 MR CHEKERA: Sorry, Mr Koumjian, you might want to go to
09:50:30 15 the next page, 32612.

16 MR KOU MJIAN: Well, I'm satisfied that I put the correct
17 testimony of Mr Taylor to the witness.

18 PRESIDING JUDGE: Just hold on, please.

19 MR CHEKERA: Line 1 to 2: "He had it in his hand, I did
09:50:48 20 not read it, but I saw it in his hand."

21 PRESIDING JUDGE: Yes, but if the witness was given this
22 D-9, he saw it, and he confirmed that this was the document, what
23 is the dispute? The objection is overruled.

24 Mr Koumjian, put the question.

09:51:10 25 MR KOU MJIAN:

26 Q. Mr Sesay, Charles Taylor couldn't have seen the document
27 if, as you say, it was authored by Gibril Massaquoi after your
28 arrest, correct?

29 A. Well, maybe the one Mr Taylor saw was different from this.

1 Q. If the witness could be shown P-66. Mr Sesay, had you seen
2 this document before you testified in this case?

3 A. No.

09:52:48

4 Q. Well, in fact, it was a document in your own trial; isn't
5 that true?

6 A. Well, I don't recall.

09:53:38

7 Q. If we could look behind tab 38, please, of the bundle of
8 documents that was previously distributed. Just so it's clear,
9 we are talking about the same document, I'll be reading the
10 questions beginning at line 6. At that time, the Prosecutor
11 asked:

09:54:00

12 "Q. Perhaps just to make sure you do have the same
13 document as everyone else, at the very top, it says
14 'Confidential', and the next heading is 'Revolutionary
15 United Front of Sierra Leone, brigade' " - excuse me, it's
16 written in the transcript - "'brigadier headquarters
17 Buedu,' and then it has the date of 24 June 1998."

09:54:23

18 The witness was asked on line 12 how it is he recognised
19 the document, and the witness, and this is closed session, so it
20 shouldn't be on the screen, said: "Well, I wrote it, Mosquito
21 instructed me to write it." And then the question is:

09:54:45

22 "Q. And this is a document that is addressed to His
23 Excellency, the President of the Republic of Liberia,
24 Dr Charles G Taylor through a person known as Alhaji Musa
25 Cisse."

26 And he's asked who that person is. And then, line 22, he's
27 asked:

28 "Q. Do you know if this letter was sent?

29 A. Yes, I wrote it. I gave it to him. He signed one

1 because there were different ones, there were different
2 copies. But it was this same content but it was not only
3 one copy."

09:55:13 4 Then looking at the questions that begin on line 29, the
5 bottom of this page, just so we are sure this is the same
6 document, the question was read:

7 "Q. The first paragraph reads:

8 'Be informed that the Guinean government in collaboration
9 with the Nigerian-led ECOMOG troops are carrying out a
09:55:31 10 cross-border attack on our position at Koindu and Kailahun.
11 This attack has been going on since June 15 this year and
12 is still continuing on our ground by the riverbank.'"

13 Then let's go to page 49, please. The witness was asked:

14 "Q. The second last paragraph states that the bearer of
09:56:00 15 this letter, Prince Rennie, will explain to you in detail
16 on situation on the ground.'

17 Do you know who Prince Rennie is?

18 A. Yes, that is the men that come from Liberia and come
19 over to us."

09:56:14 20 At the bottom line he says: "Well, yes, they were members
21 of the special security who were with Charles Taylor." Now, do
22 you recall, Mr Sesay, that this was a document in your own trial?

23 A. Yes, I recall.

24 Q. And you told us that adjutants would keep copies of
09:56:36 25 documents, correct?

26 A. Yes.

27 Q. It would make sense that the copy that's sent would be
28 signed and the copy that is kept would not be signed, correct?

29 A. When they prepare documents, you sign them. And even the

1 ones that were to be kept in the records would be signed.

2 Q. So, for example, a letter you sent to Charles Taylor would
3 be signed by you in the records of Charles Taylor. It may be
4 unsigned in the record of your adjutant, but it would be signed -

09:57:21 5 a signed letter that you would send to him, correct?

6 A. No. When they prepare letters, they prepare two copies.
7 I sign both of them and one goes to its destination and the other
8 one remain in the file.

9 Q. So can you explain how Charles Taylor would have letters
09:57:48 10 from you that are unsigned in his archives?

11 A. Say the question again, sir.

12 Q. Can you explain why Charles Taylor would have letters - a
13 letter from you - remember last week, or Monday, we looked at the
14 letter dated 11 May 2000 and it was signed E-S-S-A Sesay and the

09:58:27 15 Sesay was misspelled also? Do you remember that document?

16 A. Yes, sir.

17 Q. And it did not have a signature? Do you recall that?

18 A. Yes, sir, I recall that.

19 Q. Can you explain why Charles Taylor would have a letter from
09:58:45 20 you that's not signed by you?

21 A. Well, I don't know. Because this is not how my name is
22 spelled, my surname.

23 MR KOUMJIAN: Your Honour, could that document behind tab
24 38 with the testimony be marked for identification confidential?

09:59:35 25 And the document, by the way, for the record, that I referred to
26 with the 11 May 2000 letter is D-243.

27 PRESIDING JUDGE: This is the testimony contained in the
28 Sesay et al transcript of 28 of July 2005, closed session
29 testimony, pages 47, 48, 49, and I don't know if you want to

1 include the back page.

2 MR KOUMJIAN: Yes, please.

3 PRESIDING JUDGE: The back page. Those are marked together
4 as MFI-35.

10:00:25 5 MR KOUMJIAN: Just for the record for those who may be
6 reading this transcript much later, the document that I was
7 referring to dated 11 May 2000 that is unsigned but has the name
8 "General Essa C Sesay", that was document D-243.

9 Could the witness be shown D-258, please.

10:01:46 10 Q. Mr Sesay, this letter was shown to you briefly during your
11 direct examination on 26 July and do you recall telling us you've
12 never seen this letter before?

13 A. Yes, I recall.

14 Q. Did you write this letter?

10:02:09 15 A. No, I said I didn't.

16 Q. And did you ever see it before coming to court in this
17 trial, the Taylor trial?

18 A. No, I did not see it. I don't recall. I don't recall
19 seeing such a letter.

10:02:29 20 Q. If we could have the testimony from 19 August 2009, page
21 27166, please. This is the testimony of Charles Taylor.

22 Beginning on line 2, the document was being read by counsel, and
23 he quoted from the letter:

24 "Q. 'RUF, Dear Papay, we greet you in the name of Allah and
10:03:23 25 the revolution and the high command of the RUFP. Your
26 children are still committed and loyal to you and the
27 revolution.'"

28 I'm going to skip down, rather than read the whole letter.

29 We see at the bottom two lines on that page - bottom three lines,

1 Mr Taylor was asked:

2 "Q. Was this the letter?

3 A. This is the letter that Obasanjo and Konare took from
4 Sesay to Foday Sankoh while he was in custody in
10:03:55 5 Freetown, yes."

6 Then at the top of the next page, 27167, he was asked:

7 "Q. And how did you come to have a copy of the letter?

8 A. I was supplied a copy by the RUF after this letter went
9 to Sankoh. Obasanjo had a copy, Konare had a copy."

10:04:25 10 Then there was a question from the judge about the
11 signature, the Justice, and Mr Griffiths asked:

12 "Q. Where do you see a signature, Mr Taylor?

13 Excuse me, I should start from line 3. Line 2 Justice
14 Sebutinde asked, "Who signed this letter, Mr Griffiths?" And

10:04:48 15 Mr Taylor answered:

16 "It is signed by, we can't see the signature but it is
17 signed by Issa, the interim leader. Where you see it up there
18 but you can't really, this copy is not quite clear."

19 And then he was asked where he saw the signature and he
10:05:03 20 answered:

21 "Well, I see some markings between decision and here. The
22 signature is in here, but I know it's Issa because I was told
23 that Issa signed the letter as interim leader. That's
24 contestable, but I was told that Issa signed it as interim
10:05:28 25 leader."

26 Mr Sesay, did you sign this letter?

27 A. I've not seen a signature here.

28 Q. I agree with you about that. Mr Sesay, can you explain how
29 this letter, supposedly given to Foday Sankoh by you, or through

1 your instructions, how this came to be with Charles Taylor?

2 MR CHEKERA: The witness has said he has no knowledge of
3 the letter. I don't know what else he can explain beyond that.

10:06:16

4 PRESIDING JUDGE: Why don't we hear from the witness
5 himself? Please answer the question, Mr Sesay.

6 THE WITNESS: I sent a letter to Mr Sankoh through the
7 ECOWAS leaders, but I don't know of this because the one which
8 I sent had my signature and I presented it to the ECOWAS leaders,
9 including Mr Taylor. All of them saw it.

10:06:57

10 PRESIDING JUDGE: Mr Sesay, are you saying that you sent
11 the same or a similar letter but with a signature to the ECOWAS
12 leaders?

10:07:27

13 THE WITNESS: Yes, my Lord, because we wrote it, it was
14 handwritten, to Mr Sankoh. We gave it to the ECOWAS leaders for
15 it to be delivered to Mr Sankoh.

16 PRESIDING JUDGE: So you are saying the content of this
17 letter reflects accurately the letter that you sent except for
18 the lack of the signature?

10:07:48

19 THE WITNESS: Well, I have not read the entire letter yet,
20 my Lord, but the letter which I sent had a signature. I have not
21 read this one yet. I don't know the content of this one yet.

10:08:10

22 PRESIDING JUDGE: Can the witness be given the letter to
23 read? It's just one page. And after you read it, Mr Sesay,
24 confirm to the judges whether this is indeed the content of the
25 letter that you sent to the ECOWAS leaders.

26 THE WITNESS: Yes, my Lord. Yes, ma'am. Although some of
27 the words I could not see clearly, but the letter that we wrote
28 to Mr Sankoh is almost similar because I spoke about the letter
29 what we wrote to Mr Sankoh, spoke about the meeting that we held,

1 that is the information that ECOWAS leaders gave to us, which
2 included the replacement of Mr Sankoh. It's almost the same like
3 this.

10:10:28 4 PRESIDING JUDGE: When you say the letter we wrote, who is
5 the "we"?

6 THE WITNESS: "We", the RUF, but I was the one who signed
7 the letter.

8 PRESIDING JUDGE: Very well. Mr Koumjian, please continue.

9 MR KOUMJIAN:

10:10:42 10 Q. Who wrote the letter?

11 A. I would recall that it was my adjutant who wrote it.

12 Q. Who was that?

13 A. That is Samuel Jabba.

14 Q. Where was he when he wrote the letter?

10:11:16 15 A. I think it was after the meeting in Kono, when we returned,
16 it was when we wrote the letter. It was in Monrovia that we
17 wrote the letter.

18 Q. And what happened with the letter that you signed?

10:11:51 19 A. Well, I said I gave it to the ECOWAS leaders, and the
20 letter was taken to Sierra Leone, and they gave it to President
21 Kabbah; and in President Kabbah's testimony, he said they changed
22 taken the letter. No, the letter was given to President - to
23 Mr Sankoh, and President Obasanjo and Konare were there.

24 Mr Sankoh was taken from the prison and taken to Lungi and the

10:12:19 25 letter was handed over to him.

26 Q. Was it a handwritten letter?

27 A. Yes. I think so. We used a pen to write it.

28 Q. So, Mr Sesay, why would someone make a copy, another
29 handwritten copy of a handwritten letter?

1 A. Well, I don't know, but the content of the letter which
2 I sent is the same as this.

3 Q. I want to move on --

10:13:05

4 JUDGE DOHERTY: Mr Koumjian, before you move on, I would
5 like to clarify.

6 Mr Sesay, in your evidence you mentioned that there were
7 copies for President Obasanjo and President Konare, now was the
8 letter written by hand and then the copies also written by hand,
9 or was there an original and someone helped you get a photocopy
10 while in Monrovia?

10:13:24

11 THE WITNESS: My Lord, we wrote the letter to Mr Sankoh and
12 we give it - we gave it to the ECOWAS leaders.

13 JUDGE DOHERTY: I'm still not clear. Does that mean you
14 wrote only one letter and someone made copies by a machine?

10:14:02

15 THE WITNESS: No. Others were written, and I had one in my
16 file also; one was sent to Mr Sankoh, the one that the ECOWAS
17 leaders brought.

18 MR KOUMJIAN:

19 Q. Mr Sesay, I want to move on to another topic. Was there a
20 time during the junta that the RUF proposed merging the SLA with
21 the RUF into one unified People's Army?

10:14:28

22 A. That was the time that the AFRC overthrew and the RUF was
23 invited. That was when Mr Sankoh proposed that and he spoke to
24 Johnny Paul, but that did not work. The SLA did not accept that.

10:15:01

25 Q. How was that proposal done? Did you - was any document
26 prepared about that?

27 A. No. According to what I understood, when Mr Sankoh and
28 Johnny Paul spoke at the initial stage of the coup, that was when
29 Mr Sankoh said the idea of the RUF joining the AFRC was a good

1 idea, but they did not accept that, to form the People's Army was
2 a good idea.

3 Q. Well, isn't it the fact that Sam Bockarie prepared a
4 written proposal and he - for Johnny Paul Koroma, and that was
10:15:58 5 sent, that document, to Johnny Paul Koroma?

6 A. Well, we, the RUF, referred to ourselves as the People's
7 Army but the AFRC did not accept to be called the People's Army.

8 Q. No. My question is: Was a document prepared and sent to
9 Johnny Paul Koroma by Bockarie?

10:16:31 10 A. Yes. I know of a document that Sam Bockarie prepared and
11 sent to Johnny Paul Koroma about the council members, and I was
12 instructed to sign it on his behalf and send it to Johnny Paul
13 Koroma, and even about the reintegration of the RUF into the
14 army, but all of those did not work. So the name, the People's
10:17:01 15 Army, was only used by the RUF.

16 Q. So did you sign the document on behalf of Sam Bockarie and
17 send it to Johnny Paul Koroma?

18 A. Yes.

19 MR KOUMJIAN: Could the witness be shown the document
10:17:16 20 behind tab 5 of the bundle that was handed out this morning.

21 Q. This is P-360. Mr Sesay, in this document, P-360, we see
22 it's to His Excellency Major JP Koroma, Head of State and
23 Chairman of the AFRC from the Military High Command and War
24 Council, People's Army of Sierra Leone, and the subject is
10:18:20 25 Proposal For the Tentative Integration of the People's Army Into
26 the National Army and the Political Circle. It's dated 13 August
27 1997.

28 I don't want to take time to read all of it but, turning to
29 the second page, the salutation is: "Respectfully submitted,

1 yours faithfully, Colonel Sam Bockarie, Battlefield Commander,
2 People's Army of Sierra Leone", and above that we see "for" and a
3 signature. That's - this is the document you just told us you
4 signed for Sam Bockarie, correct?

10:19:03 5 A. Yes.

6 Q. And, Mr Sesay, this is one of the signatures that you
7 denied this morning, that was number 5 on MFI-34. Why did you
8 deny this signature this morning?

9 A. This is my signature.

10:19:35 10 Q. Yes. Even though it has the loop, this is your signature,
11 correct, the "Y" is in a loop that goes up?

12 A. Yes. I said it's my signature.

13 Q. Thank you. Could the witness be shown the document behind
14 tab 4 from today, which is P-28? Actually, if we could have the
10:20:21 15 P-28 which has some colours on it put on the screen.

16 Actually, could I be handed the document for just one
17 moment, myself? Thank you.

18 If we could show the bottom of the document with the
19 signatures, please.

10:21:31 20 Mr Sesay, we can see from the bottom of the document that
21 the printed names, General Issa Sesay and General Yeaten they are
22 written in the same coloured ink in what appears to be the same
23 printing. Would you agree?

24 A. Yes, it's the same colour.

10:22:05 25 Q. Did Benjamin Yeaten have adjutants working for him?

26 A. Well, I would suppose so, but I did not know the person.

27 Q. Were you familiar with how orders were issued in the
28 Liberian military, what they would look like, in 2001, January
29 2001?

1 A. I was not familiar - I was not familiar with the Liberian
2 administration. I only used to meet with them once in a while,
3 but I did not know how they worked.

4 Q. Benjamin Yeaten was the director of the Special Security
10:22:57 5 Service, the SSS, correct?

6 A. Yes.

7 Q. But on the battlefield, he was something else. He was the
8 general responsible for all military forces, militia and the AFL,
9 isn't that correct?

10:23:16 10 A. I did not know about that.

11 Q. On the battlefield, it would make sense that - not to refer
12 to him as director but, rather, to his title of General, wouldn't
13 that make sense to you, based on your military experience?

14 A. Well, the two of us never went on a military operation, so
10:23:44 15 I don't know.

16 Q. You saw the photographs, which we showed last week, of
17 Benjamin Yeaten with a red beret with four gold stars. You
18 remember that?

19 A. Yes, I remember.

10:23:57 20 Q. Did you see him wearing that beret during your dealings
21 with him?

22 A. No. When I dealt with him, I did not see him wear that
23 beret, when I used to go to Monrovia.

24 Q. Mr Sesay, the signature above where it's printed "General
10:24:22 25 Essa Seasay" - well, first of all, a Liberian adjutant wouldn't
26 know how to spell your name correctly, Issa; isn't that true?

27 A. Well, I don't know. What I know is that my name is "I",
28 not "E".

29 Q. Do you know how the name Issa is normally spelt, for

1 example, in the Gambia?

2 A. No, my Lord. I have never been to the Gambia, so I don't
3 know.

10:25:01

4 Q. And, Mr Sesay, the signature that appears above that
5 printing, that's one of the signatures that you acknowledge this
6 morning as being yours, correct?

7 A. Well, I indicated the signatures that I said were mine, but
8 they could be forged by somebody.

9 Q. Thank you. I'm done with that document.

10:25:29

10 PRESIDING JUDGE: Mr Koumjian, you did not indicate which
11 numbers - which number of signature this particular signature is.

12 MR KOUMJIAN: I apologise. I thought - it's number 4. So
13 the copy of the document is behind tab 4 and all of the documents
14 appear in the tabs according to the number that they are on

10:25:52

15 MFI-34. So the document that was P-360, that I referred to, was
16 number 5 on MFI-34 and appears behind tab 5.

17 Could the witness be shown the document behind tab 9.

18 Actually we have apparently the original. This is RUF exhibit
19 210 so perhaps that should be shown to the witness. Court
20 Management has that.

10:27:03

21 Q. Mr Sesay, do you recall - if we go to the second page, do
22 you recall presenting in your Defence case this exhibit in the
23 RUF trial?

24 A. Well, I cannot recall all the exhibits that were presented
25 in my case.

10:28:17

26 Q. Do you recall, Mr Sesay, writing to Daniel Opande,
27 lieutenant general, then the force commander of UNAMSIL, in
28 December of 2000, this letter that you see before you?

29 A. Yes, I wrote the letter to him.

1 Q. And is this your signature on this letter?

2 PRESIDING JUDGE: Mr Sesay, what is your answer?

3 THE WITNESS: I don't recall signing that letter like this.

4 PRESIDING JUDGE: But you say you wrote the letter?

10:29:38 5 THE WITNESS: Yes, I wrote a letter to General Opande.

6 PRESIDING JUDGE: That was not the question that counsel
7 asked you, and we are not interested about "a letter" that you
8 wrote. We are talking about this letter that was exhibited as
9 210, a Defence exhibit, in your case, the RUF case. Did you

10:29:59 10 write this letter?

11 THE WITNESS: Yes, my Lord. I write - I wrote a letter to
12 General Opande, yes.

13 PRESIDING JUDGE: I'm asking you about this letter. I'm
14 not interested about a general letter. This letter. Did you
10:30:15 15 write this letter or did you not write this letter?

16 THE WITNESS: I wrote it, my Lord.

17 PRESIDING JUDGE: And did you sign the letter that you
18 wrote?

19 THE WITNESS: I signed it.

10:30:33 20 PRESIDING JUDGE: So, then, is this the letter that you
21 wrote or a copy thereof? Is this a copy of the letter that you
22 wrote to Opande?

23 THE WITNESS: Well, my Lord, this signature is different.

24 MR KOUMJIAN:

10:30:53 25 Q. Mr Sesay, are you saying that the document that was
26 presented during your Defence case had a false signature on it?

27 A. Well, I am saying that I cannot recall all the exhibits
28 that were presented in my Defence case.

29 PRESIDING JUDGE: Mr Sesay, nobody is talking about all the

1 exhibits that were presented in your Defence case. We are
2 talking about this letter, only this letter, and the signature on
3 this letter. So answer the question, please. The question is:
4 Are you saying that in your case, you exhibited exhibit 210
10:31:37 5 containing a false signature?

6 THE WITNESS: No, that couldn't have happened. That
7 couldn't have happened, my Lord.

8 PRESIDING JUDGE: Then exhibit 210 had a genuine signature;
9 is that what you're saying?

10:32:13 10 THE WITNESS: Yes, my Lord.

11 MR KOUMJIAN:

12 Q. Mr Sesay, I want to move then to another document but first
13 I'd ask that this be marked for identification, the original.

14 PRESIDING JUDGE: Mr Koumjian, we would like to know which
10:32:38 15 number of signature this represents on that list of 15
16 signatures.

17 MR KOUMJIAN: This is number 9. All of the tabs are in the
18 order of the numbers that were on the MFI-34, the signature page,
19 so this is number 9.

10:32:56 20 PRESIDING JUDGE: In other words, this is the signature
21 that Mr Sesay originally discounted as a forgery, but now admits
22 is genuine?

23 MR KOUMJIAN: Correct.

24 Q. Mr Sesay, I want to ask you about the last signature that
10:33:16 25 you denied, and that's Defence exhibit 258, D-258 in this case.
26 Excuse me, 259, 259. And that's behind tab 15.

27 PRESIDING JUDGE: Mr Koumjian, did you ask me to mark tab
28 9, the document in tab 9?

29 MR KOUMJIAN: Well, your Honour, we actually have the

1 original which is also an RUF exhibit, so I don't know how Court
2 Management feels about us taking the original. I think we could
3 do that since this is an ongoing trial and that's a completed
4 trial. No? I see I'm getting a head shake, so I'd ask to mark
10:34:32 5 the document behind tab 9, please.

6 PRESIDING JUDGE: All right. This is the document
7 entitled, "Revolutionary United Front Party of Sierra Leone."
8 It's a letter to Daniel Opande, dated 7 December 2000 and signed
9 by Issa Sesay. This document is a replica of the RUF exhibit
10:34:57 10 210. That is marked MFI-36.

11 MR KOUMJIAN:

12 Q. Mr Sesay, you've been handed the exhibit D-259 and looking
13 at the second page, is that your signature or is that forged?

14 A. No. This is not my signature.

10:35:49 15 Q. Thank you. So, Mr Sesay, again, we have here a press
16 communique supposedly issued by the RUF, by you, dated 21 August
17 2000, but this is not your style of writing, is it?

18 A. No. I did not write.

19 Q. Looking at the first page, the fourth paragraph, the fourth
10:36:24 20 line, it has your name spelled Issa with an "I" and Sesay,
21 S-E-S-S-A-Y. Is that how you spell your name, with three "S"s?

22 A. No. It's one "S" but this is two "S".

23 Q. So someone in Monrovia issued this press release, following
24 the meeting with the ECOWAS leaders on your behalf and forged
10:36:59 25 your signature. Is that right?

26 A. Well, I don't know, because the meeting with the ECOWAS
27 leaders was on news, it was known world wide.

28 Q. Well, let's look at the press communique. Have you read
29 it, or do you want me to read it out?

1 A. You can read it.

2 Q. I'm going to read it and I'm going to ask you whether
3 you've read this before:

4 "Press communi que issued by the Revol uti onary Uni ted Front,
10:37:39 5 RUF, fol lowing a meet ing wi th Hi s Excel lency Alpha Oumar Konare,
6 President of the Republic of Mali and chairman of ECOWAS. Hi s
7 Excel lency, Chi ef Ol usegun Obasanjo, President of the Federal
8 Republic of Ni geria, and Hi s Excel lency Dankpannah Dr Charles
9 Ghankay Tay lor, President of the Republic of Li beria, Monrovia,
10:38:08 10 Li beria, August 21, 2000."

11 By the way, Mr Sesay, in Sierra Leone do you follow the
12 American convention of saying month and then day, August 21, or
13 do you follow the British convention of saying day and then
14 month, 21 August?

10:38:34 15 A. In Sierra Leone, the date comes first and the month and
16 then the year.

17 Q. Thank you.

18 "The high command of the RUF today met with Hi s Excel lency,
19 Alpha Oumar Konare, President of Mali and chairman of ECOWAS.
10:38:52 20 Hi s Excel lency, Chi ef Ol usegun Obasanjo, President of the Federal
21 Republic of Ni geria and Hi s Excel lency, Charles Ghankay Tay lor,
22 President of the Republic of Li beria. The meeting was sequel to
23 the one held in Monrovia on 26 July 2000 and the High Command's
24 letter dated 1 August 2000 to Chairman, Foday Sankoh on
10:39:19 25 developments connected with the peace process in Sierra Leone.

26 Hi s Excel lency, President Konare and Hi s Excel lency,
27 President Obasanjo, brought a handwritten and signed reply to our
28 letter addressed to chairman Foday Sankoh. We are convinced that
29 the letter which confirmed Brigadier General Issa, with Sesay

1 misspelled, as the interim leader of the RUF is authentication.
2 As the high command of the RUF, we are fully appreciative of the
3 advice provided us by the three ECOWAS Presidents and we pledge
4 our readiness to cooperate with ECOWAS in the achievement of
10:40:04 5 lasting peace in Sierra Leone.

6 The RUF cherishes the hope that the Government of President
7 Tejan Kabbah will fulfil its total obligations under the Lome
8 Accord. We welcome the decision of His Excellency, President
9 Ahmad Tejan Kabbah to release about 171 of our comrades in
10:40:32 10 detention in various cities in Sierra Leone as a mark of
11 confidence building and in the new spirit of peace in our
12 country."

13 Mr Sesay, actually, the government didn't release 171 RUF,
14 did they?

10:40:50 15 A. No, no.

16 Q. They released people and the RUF pointed out that these are
17 not our members, correct?

18 A. Well, later, they released RUF members, five of them, but I
19 don't know about people who were released and the RUF objected
10:41:16 20 that they were not their members. I don't know about that.

21 Q. I'll continue reading:

22 "As a mark of our sincerity and reciprocity, we have also
23 decided to release, as early as arrangements can be made with
24 UNAMSIL, field commanders, the equipment captured by our
10:41:37 25 fighters. Furthermore, the RUF high command calls for the early
26 deployment of UNAMSIL troops from the subregion in our areas of
27 operation in Sierra Leone and assures of our readiness to
28 cooperate with them in order to ensure the success of the DDR
29 programme in particular and the peace process in general, as

1 mandated in the Lome Peace Accord. The high command expresses
2 gratitude to all the leaders of ECOWAS, in particular to
3 Presidents Alpha Konare, Olusegun Obasanjo and Charles Taylor for
4 their untiring efforts in bringing durable peace and stability to
10:42:19 5 our dear country, Sierra Leone. Done in Monrovia this 21st day
6 of August, AD 2000."

7 Mr Sesay, did you see this letter before, or did you see
8 this letter in August 2000?

9 A. Well, I did not see the letter in August of 2000 but I know
10:42:40 10 that my delegation held a press conference. They made the press
11 release, and it was Kposowa, Massaquoi, Abdul Razak and Ken.

12 Q. So Mr Sesay, is this your signature or is it not your
13 signature?

14 A. No. I said it's not my signature. But my delegation held
10:43:09 15 a press conference and they made a press release and they held a
16 meeting with the ECOWAS leaders in Monrovia.

17 Q. That press conference was arranged by the Liberian
18 government, correct?

19 A. No. It was the RUF delegation that called for that. They
10:43:34 20 spoke to the journalists and they wrote it. So they made a press
21 release about the development of the peace process and the
22 readiness of the RUF in the process.

23 Q. I'm going to move on from these documents now, unless there
24 is any further questions.

10:43:56 25 PRESIDING JUDGE: Mr Koumjian, the signature on this
26 document, does it appear on your list of 15?

27 MR KOUMJIAN: Yes. This is number 15.

28 Q. Mr Sesay, the RUF joined with the Liberian forces to attack
29 Gueckedou and towns in Guinea; isn't that correct?

1 A. No, that is not correct.

2 Q. I'd like to read to you from the testimony of 30 March
3 2010, page 38260. This is from a Defence witness in this case.
4 DCT-215. Beginning at line 25, the witness was asked during
10:45:50 5 cross-examination:

6 "Q. And another main point you testified about was that
7 the RUF and the AFL, the Liberian Armed Forces, after the
8 Lome Accord, sometime later they joined forces to attack
9 Gueckedou and other towns in Guinea, correct?

10:46:11 10 A. Yes, you are correct."

11 Mr Sesay, you ordered RUF forces to fight in Guinea and to
12 follow the directions of NPFL or AFL, Armed Forces of Liberia,
13 commanders, correct?

14 A. No. I did not order any RUF to go and fight in Guinea
10:46:36 15 together with the AFL, except for people who went on their own,
16 but I did not order anyone to go and fight, be it in Liberia nor
17 Guinea, no.

18 Q. Let's look at this witness's testimony at page 38162 of 26
19 March 2010, page 38162. Mr Sesay, do you know Joe Kwame?

10:47:09 20 A. Joe Kwame? No, I don't remember.

21 Q. Beginning at about line 10 - line 9, the witness said:

22 "A. No. Matthew Barbue - I mean Joe Kwame was not
23 accepting commands from Matthew Barbue, but the instruction
24 from Issa to Matthew Barbue was that whatever plan that
10:47:51 25 comes from Joe Kwame, all of us should work together to
26 accomplish that aim so that our areas would not come under
27 attack. So we were only trying to prevent our areas from
28 being attacked. This was a guerilla warfare and we were to
29 do anything to prevent our areas from being attacked."

1 Mr Sesay, you ordered Matthew Barbue to go to Guinea and to
2 coordinate and take instructions from the AFL; isn't that true?

3 A. No, no. I did not send Matthew Barbue to Guinea, and
4 Matthew Barbue did not go to Guinea.

10:48:34 5 Q. In the fighting, fighting in Guinea, you talked about RUF
6 forces, you made some vague references to cross-border fighting.
7 Are you admitting, Mr Sesay, that the RUF crossed into Guinea and
8 attacked Guinean towns, yes or no?

9 A. Well, it's on the border. The Guineans used to attack and
10:48:59 10 the RUF too used to attack, and that was towards the Kambia area.

11 Q. By the Kambia area, are you talking about Guinean towns
12 like Madina Wulo?

13 A. Well, I did not know about Madina Wulo, or Madina "Wala",
14 as you said it. I did not hear about that. But I heard it was
10:49:28 15 around the borderline.

16 Q. Well, thank you for correcting my pronunciation. What's
17 the correct way to pronounce it?

18 A. Well, it's a town also around the Makeni area. I hear
19 people call it Madina Wulo. Even before the war, I used to hear
10:49:46 20 that name, and I hail from that area.

21 Q. Did you hear of RUF attacking Pamelap?

22 A. No, I did not hear. I said I heard about the borderlines,
23 I heard that the Guineans were launching - I heard the Guineans
24 launching and the RUF too repelled them. That was around the
10:50:09 25 borderlines.

26 Q. Well, let's be - please clarify that for me. Are you
27 saying, yes or no, did the RUF attack towns on the other side, on
28 the Guinean side of the border?

29 A. Well, no. I heard about the borderlines.

1 Q. Mr Sesay, during the fighting in September 2000, up through
2 January 2001, early 2001, the RUF suffered major defeats in
3 fighting the Guinean Armed Forces in Guinea; isn't that true?

4 A. Well, I know that some fighters got wounded at the
10:51:04 5 borderline, but they were not many.

6 Q. Because the Guineans at that time were well-armed with
7 helicopter gunships, with jets, with artillery, correct?

8 A. Yes. The Guinean troops are armed, but that problem has
9 started since '98 on the borderline between the RUF and the
10:51:26 10 Guineans, and even in '99 or early 2000, when Komba Gbundema
11 disarmed a 40-barrel missile and some 35 jeeps from them on that
12 same road.

13 Q. But they became even better armed in late 2000, 2001; isn't
14 that true?

10:51:47 15 A. Yes, because they were shelling at the borderline, they
16 used to come and attack the RUF positions, so the RUF were also
17 defending themselves on the borderline.

18 JUDGE LUSSICK: Mr Koumjian, are you and the witness
19 talking about the same thing? The witness is referring to
10:52:04 20 hostilities on the borderline, whereas you're talking about
21 fighting in Guinea. Are you talking about two different
22 instances?

23 MR KOUMJIAN:

24 Q. Mr Sesay, the fighting was in Guinea where RUF soldiers
10:52:19 25 were wounded and killed, correct? It was over the border.

26 A. No. I did not know about that. I only know about the
27 border.

28 Q. If we could look at the testimony for 1 June 2010, page
29 41805. This is from DCT-292, another Defence witness called in

1 this case. If we could go to the bottom of the page, the last
2 two lines, the witness was asked:

3 "Q. But you knew that the RUF had sent - done a major
4 operation in Guinea. You knew that as being a person of
10:53:50 5 high position within the RUF, correct?

6 A. Yes.

7 Q. And you were close to Issa Sesay at that time,
8 correct?"

9 He was asked to repeat it - he asked to repeat the
10:54:06 10 question. Then the witness was asked:

11 "Q. In your jobs after Sam Bockarie left Liberia, from,
12 let's say, from December, from let's say January 2000 up
13 until Issa Sesay's arrest in March 2003, you reported
14 directly to Issa Sesay, correct?

10:54:23 15 A. Yes."

16 And just before we get a response from you, Mr Sesay, the
17 same witness on 3 June 2010, page 42035 - while that's coming up,
18 Mr Sesay, you made Superman the battlefield commander when you
19 were the interim leader, correct?

10:54:57 20 A. Yes.

21 Q. Starting at line 7, in the middle of the line, the witness
22 said - the question to the witness was:

23 "Q. Superman was made the number two to Issa Sesay in the
24 RUF military command, correct?

10:55:24 25 A. Yes, my Lord.

26 Q. And they were working together after 8 May 2000,
27 correct?

28 A. Yes, my Lord.

29 Q. Superman led troops into Guinea, correct?

1 A. Yes, my Lord.

2 Q. Those were RUF troops, correct?

3 A. Yes, my Lord."

4 Mr Sesay, I've read you from two different witnesses called
10:55:49 5 by the Defence for Charles Taylor who said they were RUF and said
6 that RUF was sent into Guinea to fight. That's true, isn't it?

7 A. No. RUF did not send fighters to go and fight in Guinea.
8 I know about the border line attacks that the Guineans were
9 attacking, so we also told our men to defend themselves at the
10:56:22 10 border positions where they were located.

11 Q. You ordered the troops to attack Guinea following
12 instructions you received from Charles Taylor; isn't that true?

13 A. No. I did not get such an instruction from Mr Taylor.

14 Q. I'm now going to read from some Prosecution witnesses,
10:56:47 15 starting with 6 February 2008, page 3273. This is from the
16 testimony of King Perry Kamara. Going to about line 20, line 18,
17 I begin reading from the end of line 18:

18 "It was during Issa's command, Issa used to send manpower
19 and, before Bockarie left, Bockarie used to send manpower
10:57:38 20 to go and fight in Lofa, Lofa is an area that joins
21 Sierra Leone. That was an instruction from Mr Taylor. And
22 even after we attacked UN, ULIMO was also attacking Taylor
23 from the border, the Guinea border. So he requested for
24 Mr Sesay, who would come and contribute manpower, they
10:58:00 25 would go and fight along the Guinea and Liberia borders.
26 This used to happen all the time. And later again Taylor
27 called for RUF senior officers meeting in Monrovia. He
28 requested for a mission that was to go and attack Guinea by
29 Sierra Leone and also attack Guinea's position by Liberia,

1 Lofa County.

2 Q. Just briefly, when was the - when did Mr Taylor ask
3 Sam Bockarie to send forces to go and fight inside Liberia?

10:58:46

4 A. It was 1999. It was in '99. That was when we had
5 returned from Freetown, our fighting had quelled down a
6 little. That was the time. Because immediately after our
7 men had withdrawn from Freetown we were not fighting any
8 more, so our troops were going to fight in Liberia. That
9 was under Sam Bockarie's administration.

10:59:06

10 Q. And when was it that Issa Sesay was asked to raise
11 manpower to help fighting inside Liberia again - Guinea,
12 I'm sorry?

10:59:26

13 A. That was the time when Issa Sesay was now the RUF
14 commander and this was the time we had arrested and taken
15 away the UNAMSIL or United Nations weapon and ULIMO started
16 attacking Taylor from the border, so he requested for
17 Mr Sesay, so that Issa Sesay could send troops there,
18 because of the route Issa Sesay would use to Liberia, so
19 that that route should not be blocked. That went on
20 until the time he called again for a meeting to organise
21 and attack the Guinea position. Mr Taylor called this
22 meeting."

10:59:51

23 And let me skip to the next page, to about line 18 again,
24 just to finish this thought. Perhaps go up to the middle of the
25 page, please. Thank you. Line 15, the witness said:

11:00:24

26 "A. Yes, we started this. That was the time when we went
27 and attacked Guinea, from Foya we attacked Guinea, that is
28 Liberia, and also we attacked Guinea from Pamelap, that is
29 northern part of Sierra Leone. It was at that time that we

1 started recruiting again and this arrangement was from
2 Mr Taylor, according to our senior officers who were
3 invited to Monrovia."

4 Mr Sesay, the RUF started receiving requests from
11:01:02 5 Charles Taylor to fight against his opponents who came from
6 Guinea, that is Mosquito Spray and later what became LURD, isn't
7 that correct?

8 A. No, no. Mr Taylor did not request to me for the RUF to go
9 and fight in Liberia, no. I was not aware of that. And
11:01:31 10 Mr Taylor did not invite me and my senior officers to a meeting
11 in Monrovia during which he told us to go and attack in Guinea,
12 no, because the only officers with whom I went to Monrovia were
13 Gibril, Kposowa and others, that was during the meeting with the
14 ECOWAS. Since then I did not assemble any RUF senior officers
11:01:56 15 for us to go and hold a meeting with Mr Taylor.

16 PRESIDING JUDGE: Very well. We will take a midmorning
17 break now and reconvene at 11.30.

18 [Break taken at 11.02 a.m.]

19 [Upon resuming at 11.36 a.m.]

11:36:55 20 PRESIDING JUDGE: Mr Koumjian, please proceed.

21 MR KOUMJIAN: Your Honour, just before I begin, just to
22 note a change of appearance. Lena Sokolic, who prepared the
23 bundle of documents with the signatures this morning, has left
24 us.

11:37:11 25 Q. Mr Sesay, I'd like to read to you now from the testimony of
26 another witness, 23 January 2008, page 2045. We're still on the
27 subject of the RUF fighting in Liberia and Guinea under the
28 orders of Charles Taylor, and I'm going to read to you from the
29 testimony of Abu Keita. So, going to about line 20:

1 "Q. Can you tell us were you involved in operations by the
2 RUF outside the borders of Sierra Leone?

3 A. Yes."

4 And he explained:

11:38:16 5 "The first operation was Mosquito spray 1999, August, and
6 when they attacked Liberia from Voinjama and Kolahun, that was
7 the first operation that I took part in."

8 And he is asked to explain Mosquito Spray, and on the next
9 page at the top he testified:

11:38:39 10 "A. Mosquito Spray was one commander of the LURD rebels
11 who entered into Liberia. That was the name that he called
12 himself, he said Mosquito Spray. He said he was in Liberia
13 to spray the AFL and the national police and to remove
14 Charles Taylor from power."

11:38:57 15 Skipping down that page to about line 20. Thank you. Line
16 22:

17 "A. Sam Bockarie contacted us in the morning to prepare
18 ourselves to move to Foya. He said because LURD rebel
19 Mosquito Spray had already attacked Voinjama and Kolahun,
11:39:20 20 so Benjamin Yeaten said we should move. So he got the
21 instructions from Benjamin Yeaten. So he called Issa Sesay
22 and Morris Kallon for us to move and implement this
23 operation in Liberia."

24 And then if we could go to page 2047, the next page, going
11:39:48 25 to the bottom six lines, line 24:

26 "Q. Were there other units besides RUF that were fighting
27 together against Mosquito Spray?

28 A. Yes, they were the AFL, whom I told you that their,
29 their commander was Colonel Stanley, the battalion

1 commander in Foya, and the police and the ATU. We all did
2 the operation to clear off Mosqui to Spray from Kolahun and
3 Voinjama."

4 Skipping to the bottom of the next page, 2048, the last
11:40:36 5 four lines, he was asked about the next operation, and he said:

6 "A. The next one, after releasing the peacekeepers, which
7 were the Zambians and the Kenyans, when Issa Sesay came
8 with the 50 boxes of ammunition, we moved from Makeni to
9 Kamakwie and then the commander, who was in Kokuima, who
11:41:01 10 was called Colonel Komba Gbundema, he was the commander in
11 Kamakwie, and then we used the Kabbah Ferry. We met -
12 we went to Madina Wulo. We attacked Madina Wulo in Guinea
13 and then, in that attack, we incurred more casualties."

14 He was asked when that occurred, the capture of the
11:41:26 15 peacekeepers, and he said: "That was 2000." Skipping down about
16 10 lines, line 10 - excuse me, line 16, he explained:

17 "A. In that operation we were fighting against the Guinean
18 army.

19 Q. Who was commanding the RUF forces?

11:41:54 20 A. It was Short Bai Bureh.

21 Q. Sir, did you receive any information? Were you told
22 why RUF was going to Guinea, attacking Guinea at that time?

23 A. Issa Sesay said Charles Taylor informed him that we
24 should give him grounds in Guinea so that the time for the
11:42:20 25 disarmament into Sierra Leone, some of arms we had would be
26 crossed over into Guinea for safekeeping."

27 Skipping down about another 10 lines, to about line 18.

28 Thank you. Line 22:

29 "A. The next operation was Dennis Mingo, alias Superman,

1 when we moved from Kono we attacked Guinea closer to
2 Kissidou. We went in between Kissidou and Gueckedou and
3 then they had a refugee camp there where both Liberians and
4 Sierra Leoneans were based."

11:43:05 5 Going to the next page, to the middle of the next page,

6 line 15:

7 "Q. And how long do you think you were in Guinea that
8 time?

9 A. We spent a month. We retreated to Sierra Leone."

11:43:35 10 Skipping to the next answer, he said:

11 "A. We moved to Kono. From there Issa provided transport
12 for everyone of us and we moved to Liberia and we were in
13 Foya where we met Colonel Benjamin Yeaten and he said

14 'Guys, everybody should get ready for the operation'. He

11:43:51 15 said, 'This time around we have to take Gueckedou.' So we
16 used the Solomon crossing point, that is the crossing point
17 between Liberia and Gueckedou they call 'Solomon'."

18 Going to the next page, 2052, the fourth line:

19 "A. It was a joint operation. The RUF, the AFL, the ATU,
11:44:20 20 the police, all of us crossed."

21 Skipping down to his next answer, about 10 lines down -

22 line 18:

23 "A. The commander was Benjamin Yeaten. The field
24 commander was Superman and then we had different

11:44:38 25 commanders. I was a commander, Matthew Barbue was a

26 commander, was Mark Gwon was a commander. Then I think the
27 operation was planned and signed by Issa Sesay and Benjamin
28 Yeaten, and then I think I gave a copy of that to the
29 Prosecution. I wish you can help me with the copy to

1 identify them to the judges."

2 And, Mr Sesay, then he was shown and identified the
3 document P-28, which you were shown this morning, and that was
4 number 4 on the signature page, and you identified your signature
11:45:17 5 on that document.

6 Going to page - do you remember, Mr Sesay, on that
7 document, P-28, Matthew Barbue was listed as Major General?

8 A. Yes, I saw it there.

9 Q. Matthew Barbue was promoted to major general by Benjamin
11:45:47 10 Yeaten and yourself, isn't that true?

11 A. No, I did not go up to the rank of major general. How
12 could I promote somebody to the rank of brigadier general?

13 THE INTERPRETER: Your Honours, can the witness repeat that
14 last part of his answer, kindly.

11:46:12 15 PRESIDING JUDGE: Mr Sesay, can you repeat your answer,
16 please.

17 THE WITNESS: My Lord, I said Matthew Barbue was in Makeni.
18 He did not go to Guinea. And I was a brigadier general. How
19 could I have promoted somebody to the rank of major general when
11:46:25 20 I was not up to that rank, major general.

21 MR KOUMJIAN:

22 Q. Mr Sesay, that is because, isn't it true, in Liberia, in
23 the field, people received higher ranks in the Liberian militia
24 forces than they had in regular forces, isn't that true?

11:46:42 25 A. I don't understand the question.

26 Q. After July 2000 you were the interim leader of the RUF,
27 correct?

28 A. Yes, you're correct.

29 Q. Let's look at testimony from 2 September 2008, page 15179.

1 And this is from TF1-338. Go to about line 10. Line 8, I'll
2 begin reading from there:

3 "A. Superman was replaced by Matthew Barbue and Matthew
4 Barbue was promoted to a major general.

11:47:50 5 Q. Now, who was Matthew Barbue?

6 A. Matthew Barbue was an RUF vanguard but he was a
7 Liberian.

8 Q. And who promoted him to major general?

9 A. The agreement was between Benjamin Yeaten and Issa.

11:48:05 10 The two of them joined together and promoted him."

11 And that's the truth, isn't it, Mr Sesay? Under the
12 instructions of Benjamin Yeaten, you promoted Matthew Barbue
13 while he was in, fighting in Liberia and Guinea, to major
14 general?

11:48:24 15 A. No, no. I did not promote Matthew Barbue to major general,
16 and I don't know of him being major general, because he did not
17 go to fight in Guinea from Liberia.

18 Q. If we could have the testimony of 23 January 2008, 2055 -
19 this is back to the testimony of Abu Keita. That's

11:49:22 20 23 January 2008, page 2055, beginning to read from line 4:

21 "Q. Sir, during the operation you mentioned against
22 Gueckedou, do you know if Issa Sesay went anywhere?

23 A. Yes. Issa Sesay and Benjamin Yeaten left us and went
24 to Monrovia."

11:49:43 25 Then skipping a couple of lines, he said:

26 "A. When they came they told us they saw Charles Taylor.

27 Q. In these operations that you talked about and discussed
28 in Guinea and against the LURD in Liberia, where did RUF
29 get its ammunition?

1 A. They were supplied directly by Benjamin Yeaten."

2 Mr Sesay, Benjamin Yeaten provided the RUF with ammunition
3 to launch these attacks on Guinea and to fight in Lofa County,
4 isn't that true?

11:50:22 5 A. No. Benjamin Yeaten did not give me ammunition to supply
6 to the RUF and I did not send RUF to be based in Lofa and fight
7 in Guinea. The only RUF whom I knew went to Liberia when we
8 started - was when we started the disarmament; those who refused
9 to disarm, they crossed over into Liberia.

11:50:47 10 MR KOUMJIAN: If the witness could be shown P-381, please.
11 And if we could go to the page stamped 26055.

12 Q. Mr Sesay, we see at the top that there's a date of
13 4 December - 4.12.2000 - it indicates Battle Group Mission Report
14 from Ops Madina Wulo on 3 September 2000 materials issued: "One,
11:52:16 15 50 boxes AK rounds. Two, RPG rocket." And then it lists
16 manpower and then arms and then lists materials captured and
17 casualties. Turning the page. Again, it lists materials
18 captured, government items. And then we see on the bottom of the
19 page: "Second materials issued for the mission Faramoriah"?

11:52:48 20 Mr Sesay, Faramoriah is in Guinea, correct?

21 A. Well, I don't know.

22 Q. It's dated 29 September 2000 and it says: "10 boxes of HMG
23 rounds. 15 RPG bombs with TNT." Next page: "44 boxes of AK
24 rounds". We then have a list of materials captured, materials
11:53:17 25 used, and then a summary for, in the whole operation: "75 WIA".

26 Mr Sesay, did the RUF call wounded WIAs, wounded in
27 actions?

28 A. Yes, wounded in action, WIA.

29 Q. And is KIA, killed in action?

1 A. Yes.

2 Q. It then lists 20 KIAs. And then going to the next page, it
3 has: "General requisition for another mission ahead. One, 1,000
4 manpower. Two, 50 boxes of AK rounds. Three, 30 boxes of G3
11:54:13 5 rounds", and it goes on.

6 Mr Sesay, major materials were issued to the RUF by the
7 Armed Forces of Liberia by Benjamin Yeaten in order to attack
8 Guinea, isn't that true?

9 A. That is not true, because I did not issue these types of
11:54:34 10 ammunitions to the RUF, these that I've seen written here.

11 Q. You have mentioned an RUF radio operator by the name
12 Mortiga, correct?

13 A. Yes.

14 Q. Did Mortiga go to Liberia?

11:54:49 15 A. Mortiga, I knew that he was in Kailahun when they started
16 the disarmament and during the disarmament he was still in
17 Kailahun. But after the disarmament I did not go to Kailahun so
18 I did not know his - I did not know the whereabouts of all the
19 RUFs because many of them went to Liberia and some of them were
11:55:14 20 in Sierra Leone.

21 MR KOUMJIAN: Could the witness be shown P-99A and I'd ask
22 to show the ninth and tenth pages in, which would be first the
23 ninth page stamped 19181. Well, it's more than the ninth
24 page in. But 19181. Okay, that should not be shown on the
11:56:25 25 overhead because apparently this version is confidential.

26 Q. Mr Sesay, let me just read this out loud, as I read the
27 document:

28 "Reference to the telephone conversation for day. I have
29 dispatched 10 boxes of AK rounds, 10 boxes of RPG rounds, all

1 with" - something I can't read - "TNT for smooth operation.
2 Colonel Gborie is en route with one of your men, major" - looks
3 like it could be Takpor - "assigned at Foya airfield. Contact
4 and keep me posted any latest development. Regards."

11:57:22 5 Then we see it says, "Signed for Benjamin D Yeaten" on the
6 left. And then going to the next page we see a message to
7 General Issa Sesay from General 50. It's dated 22 October 2001.
8 In this message it complains:

9 "Be informed that your men headed by Colonel Chucky have
11:57:49 10 retreated from Guinea leaving no security at the border."

11 Again, at the bottom it's signed "for General Benjamin D
12 Yeaten". Mr Sesay, you, as the interim leader of the RUF, were
13 battling the enemies of Charles Taylor, both in Liberia and in
14 Guinea, isn't that true?

11:58:16 15 A. No. I did not fight the enemy of Mr Taylor.

16 Q. Mr Sesay, as time went on, during the time you were the
17 interim leader, Charles Taylor was fighting for his survival
18 against LURD. Isn't that true?

19 A. Well, up to the time - the time that I disarmed the RUF
11:58:51 20 Mr Taylor was the President of Liberia and he controlled almost
21 the entire Liberia. It was only the Guinean border where the
22 LURD attacked, and Lofa. Those were the only places.

23 Q. Well, Charles Taylor testified that in 1991 he made an
24 alliance with Foday Sankoh to fight a common enemy, ULIMO. So in
11:59:15 25 2001, when LURD was attacking him, and you were the interim
26 leader, did Charles Taylor ask you to assist him, the same way he
27 had asked Foday Sankoh?

28 A. No, no. If he asked Mr Sankoh but he did not ask me. But
29 I knew that the NPFL came to fight against the ULIMO. But he did

1 not ask me to fight against LURD. Because this operator who
2 wrote these messages in 2000, he was in Kailahun, he was not in
3 Liberia.

4 Q. Mr Sesay, did Charles Taylor ask you for any assistance
11:59:54 5 against the LURD insurgency in either Guinea or in Lofa County?

6 A. No, he did not ask me. I said he did not ask me. The RUF
7 who went there did so on their own accord.

8 Q. Well, when you say the RUF that did so on their - went
9 there did so on their own accord, are you saying that RUF
12:00:21 10 fighters joined with the forces under Charles Taylor to fight
11 against LURD?

12 A. Well, what I mean, when I asked them to disarm, the
13 vanguards who refused, together with their bodyguards, they
14 crossed over to Liberia. Even Superman, during the disarmament
12:00:45 15 he crossed into Liberia. He said he was going back to his
16 country. I could not force them. And during disarmament I was
17 not in Kailahun, they used to cross over into Liberia. But to
18 say that officially I organised men to send them to Liberia and
19 fight, no.

12:01:06 20 Q. Well, Mr Sesay, that is what I'm saying. "Int no in masta,
21 kova slort no in misis." You understand what I mean? The "int"
22 knows its master like the fitted African dress knows its
23 mistress. That's exactly what you did; you sent them, the men,
24 to fight in Liberia for Charles Taylor. Isn't that true?

12:01:31 25 A. No, I did not send any men to Liberia to fight for
26 Mr Taylor.

27 Q. You're saying "men". Now, you didn't answer my question in
28 your last answer previously. You started talking that you didn't
29 organise men to go to Liberia. The question was: To your

1 knowledge, did RUF fighters join with Charles Taylor forces to
2 fight against the LURD, yes or no?

3 A. Well, the RUF did not send fighters to go and join forces
4 with Mr Taylor and fight against the LURD. I said during the
12:02:17 5 disarmament some of the RUF members crossed into Liberia, those
6 were Liberians and I could not stop them.

7 Q. Did they join the forces to fight against LURD, to your
8 knowledge? For example, let's go with Superman. Did Superman
9 join and fight against LURD?

12:02:33 10 A. Yes, the Liberians who crossed, they joined the forces in
11 Liberia.

12 Q. How about John Vincent, did he join the Liberian
13 Armed Forces - Taylor's forces?

14 A. Well, I think so when he crossed during the disarmament,
12:03:00 15 because they were former fighters, they were commanders.

16 Q. Now, in an earlier answer you said that Mortiga had never
17 left Kailahun. Let's look at the testimony of John Vincent from
18 26 March 2010, page 38176. He was being asked some questions -
19 let me just start reading from line 5, there's one thing I want
12:04:01 20 to mention, he was asked - he said, excuse me, on line 6:

21 "A. I mean SOD. That is the name the person called,
22 special SOD, special operation division or something like
23 that.

24 Q. Of the police force?

12:04:17 25 A. Of which police force? The LNP, the Liberian national
26 police.

27 Q. Thank you, Mr Vincent."

28 And something was read to the witness, some testimony of
29 another witness, and he was asked:

1 "Q. Do you know a radio operator by the name of
2 Generation?

3 A. No, I don't know Generation, but the radio operator
4 that went on that operation was Mortiga."

12:04:50 5 So one of the Defence witnesses in this case, John Vincent,
6 who talked about crossing over into Guinea on an operation
7 coordinated with the Liberian Armed Forces said that the radio
8 operator on that mission was Mortiga. That's the truth, isn't
9 it, Mr Sesay?

12:05:14 10 A. No. I knew that Mortiga was in Kailahun during the
11 disarmament. So if he went to Liberia after disarmament I am not
12 aware of that, because after the disarmament, after I'd given the
13 orders for Kailahun to be disarmed, I did not visit there any
14 more.

12:05:35 15 Q. If we could go to testimony from 18 November 2008,
16 page 20506. This is from the testimony of Augustine Mallah, OG.
17 By the way, you said, Mr Sesay, that Mortiga was in Kailahun at
18 the time of disarmament. Disarmament in Kailahun was late in
19 2001, correct?

12:06:24 20 A. Yes, I said Mortiga was in Kailahun up to the disarmament.

21 Q. The operations that you did in Guinea were from September
22 2000 up until early 2001, January, March. Isn't that true?

23 A. Well, I did not do any operation in Guinea.

24 Q. So the witness on 18 November 2008, page 20506, reading
12:07:01 25 from about line 12 - line 13:

26 "Q. There was a Guinean operation that resulted in conflict
27 between you and Issa Sesay, isn't that correct?

28 A. Yes, when I said that I was not going to Guinea to
29 fight.

1 Q. What year did that incident take place?

2 A. That was in 2001."

3 Skipping down about 10 lines, the witness said:

4 "A. I said the only time" - line 27 - "I went towards

12:07:38 5 Guinea, the Guinean-Sierra Leone border or the

6 Liberian-Sierra Leone border was at the time Issa Sesay

7 sent me to go and join the NPFL soldiers at Mendekoma in

8 Liberia to fight against the LURD rebels. But I did not,

9 in fact, explain the other problem, but when you spoke

12:08:00 10 about the Guinean problem, and that was something that

11 actually happened between the two of us. He said I should

12 go as a reinforcement to Guinea, but I refused going. I

13 said I was not going anywhere. I said I was not going to

14 fight in Guinea."

12:08:17 15 Mr Sesay, the RUF suffered a big loss in morale when

16 fighters were ordered to go to Guinea and they suffered severe

17 casualties and defeat. Isn't that true?

18 A. What this witness is saying is a lie. Throughout 2000 and

19 2001, he was in Tongo. They were the ones who refused to disarm

12:08:46 20 in Tongo. That was the time I arrested him. What he is saying

21 here is a lie.

22 Q. If we could have testimony from 2 September, please, 2008,

23 page 15176. I'll begin reading from line 23. 2 September 2008,

24 15176. Mr Sesay, this is testimony of another witness, TF1-338:

12:09:29 25 Line 23:

26 "Q. Mr Witness, in 2001, did Issa Sesay take any

27 additional trips outside of Sierra Leone?

28 A. In 2001, he was - he did not just - he did not continue

29 making trips like that. He made a trip that I recall

1 outside Sierra Leone.

2 Q. Where?

3 A. He went to Monrovia.

4 Q. Why?

12:09:58 5 A. He was invited by Benjamin Yeaten.

6 Q. What happened?

7 A. Benjamin Yeaten told him that he called on Issa and he
8 said Charles Taylor told him that the materials that he had
9 given to him, he was to use them to enter Guinea. He said

12:10:18 10 that was the reason why he invited him, so that he will

11 come for them to discuss that."

12 That's true, isn't it?

13 A. No, that's not true.

14 Q. Could we have the testimony for 5 March 2008.

12:10:38 15 5 March 2008, page 5337. This is the testimony of another

16 witness, TF1-337. And go to the answer beginning about line 12.

17 Thank you. Line 11, the witness said:

18 "A. At this time I was at Kamakwie number 3 with Komba

19 Gbundema when Issa Sesay, Morris Kallon and my former

12:11:18 20 commander, Augustine Gbao, came and met us at Kamakwie and

21 we all slept in the same house. Then the following

22 morning, Komba Gbundema held a muster parade and Issa Sesay

23 and Morris Kallon addressed the fighters there to go and

24 attack the Guinean territory to oust Lansana Conte.

12:11:42 25 Q. Who spoke at the parade?

26 A. Issa Sesay was the first to speak - first person to

27 talk to us. Later, Morris Kallon addressed us, and I also

28 saw a Guinean who also addressed us a bit.

29 Q. What did Issa Sesay say when he was addressing this

1 muster parade?

2 A. Issa Sesay told us at the muster parade that
3 ex-President Charles Taylor had given him that mission to
4 launch an attack against Lansana Conte in Guinea."

12:12:15 5 That's true, isn't it, Mr Sesay? You were given this
6 mission by Charles Taylor to attack Guinea?

7 A. No. Mr Taylor did not give me any mission to attack
8 Guinea, and I did not address an RUF parade in Kamakwie. That's
9 not true.

12:12:34 10 Q. Did you know - meet any Guinean dissidents in RUF
11 territory?

12 A. No, no. I did not bring any Guineans who wanted to take
13 our fight to Guinea. I knew about Guineans who were coming from
14 Guinea, who were transacting business in RUF territories, Kono
12:13:02 15 and other areas.

16 Q. I want to read to you from yet another witness,
17 9 April 2008, page 7056. 9 April 2008, 7056. This is from
18 TF1-516. Beginning about line 6, the witness said:

19 "A. After the insurgents took back Voinjama, another
12:14:00 20 attack was organised, but that was now within the
21 Armed Forces of Liberia, and Voinjama was captured. It
22 spent so long and in 2000, the year 2000, sometime in 2000,
23 Voinjama again fell into the hands of the insurgents, and
24 this time Superman was called upon to come and take care of
12:14:20 25 that situation.

26 Q. When you say Superman was called upon, who called upon
27 Superman to come and take care of the situation?

28 A. The negotiation was between Benjamin D Yeaten and
29 General Issa Sesay."

1 And then if we go down a few lines, he was asked, line 25:

2 "Q. And what was it requesting Issa Sesay to do?

3 A. To send a strong commander to come and have Voinjama
4 situation under control.

12:15:02 5 Q. Was any particular commander requested?

6 A. Yes, Superman. After the information about sending
7 manpower that General Issa responded that Superman was
8 going to be dispatched to meet 50 for that operation."

9 Mr Sesay, Superman did not leave the RUF, he was

12:15:24 10 re-assigned to fighting in Liberia; isn't that correct?

11 A. No, no, no. Superman told me that he was returning to
12 Liberia. I did not send Superman, and nobody sent him. He said
13 he was returning to his country.

14 Q. Mr Sesay, surely you recall, since you were the interim

12:15:50 15 leader of the RUF, press reports and accusations that the RUF was
16 attacking Guinea and committing atrocities. You heard about that
17 in 2000 and 2001, didn't you?

18 A. Yes. I know that there were cross-border attacks when the
19 - which the Guineans started, and RUF too was responding. RUF
12:16:20 20 men got wounded and a few of them died in that.

21 Q. There were media - international media reports and
22 international human rights organisations that were reporting
23 about atrocities committed in this fighting in Guinea; isn't that
24 true?

12:16:36 25 A. Well, I was not aware of what was happening in Guinea, but
26 I heard when they were reporting about the cross-border attacks
27 because the Guineans too were launching long-range missiles which
28 were dropping in RUF-controlled areas. Those border attacks were
29 started by them.

1 Q. Mr Sesay, didn't you hear media reports about people being
2 killed and homes being burnt in Macenta and Gueckedou?

3 A. I heard on the media about attacks on Gueckedou, but I did
4 not know what happened there because I did not send anybody
12:17:29 5 there.

6 Q. Mr Sesay, did you read the media reporting that the RUF was
7 involved in those attacks, along with Liberian Armed Forces?

8 A. Well, where I was, I hadn't access to the media, because in
9 2000 we did not have - we were not receiving these reports from
12:18:00 10 Freetown and I did not have any computer through which I had
11 access to Internet.

12 Q. Did Martin Koker take the computer with him when he went
13 with Sam Bockarie?

14 A. Well, I was not - I was not aware that Buedu had a
12:18:23 15 computer. I didn't know of that.

16 Q. Let's look at the testimony from, please, from
17 26 November 2009, page 32632. This is testimony of
18 Charles Taylor, 26 November 2009, at the bottom of page 32632.
19 I'll start reading the last two lines.

12:18:53 20 While that's coming up, Mr Sesay, did you hear BBC or other
21 radio reports about fighting in Guinea in 2000 and 2001?

22 A. Yes. I heard that between the Liberian border and Guinea,
23 the fighting that used to occur there.

24 Q. Did you read about atrocities being committed, people
12:19:26 25 killed and homes burnt, or hear about that on the radio?

26 A. Yes. I heard about the attacks on the radio.

27 Q. Did you hear about atrocities? That's my question. People
28 being killed, civilians being killed, and homes burnt?

29 A. Well, the news - from the news reports, yes, that there

1 were attacks and so-and-so places were captured, they used to say
2 that on the news, that civilians fled, they abandoned their
3 homes.

4 Q. If we could have, again, the testimony from 26 November,
12:20:16 5 please, 32632, I'll start reading from the bottom two lines,
6 26 November '09. Mr Taylor said:

7 "A. Liberian forces did pursue. I don't know whether it's
8 Macenta or Gueckedou, but I know that there is a border
9 town on the Liberian side that Liberian forces pursued some
12:20:43 10 Guinean and Liberians inside Guinea. I don't recall us
11 entering Macenta.

12 Q. In fact, in both Macenta and Gueckedou, there were
13 atrocities against civilians. Do you recall reading about
14 that?

12:20:56 15 A. I heard about the internal problem in - because - but
16 what I read was not Liberian. There was a Guinean rebel
17 group, I understand, and from what I understand, there was
18 fighting - the Guinean government and had involved in
19 certain atrocities, not Liberian forces that had gone
12:21:16 20 there. That's not what I got."

21 So, Mr Sesay, I don't believe you've answered my question.
22 Did you hear? You said you heard there were attacks and people
23 captured. Did you hear that there were atrocities committed in
24 Guinea?

12:21:37 25 MR CHEKERA: Sorry, did Mr Sesay say people captured? I
26 could have missed that, but I don't think so.

27 MR KOUMJIAN: Yeah. I'm reading from page 69, line 20 on
28 my LiveNote, the answer that began, "Well, the news - from the
29 news reports".

1 MR CHEKERA: "Places".

2 MR KOUMJIAN: Thank you. Thank you, counsel. That was my
3 error.

12:22:04

4 Q. Mr Sesay, you said places were captured. So my question
5 does not have to do with places captured or attacks, it has to do
6 with atrocities. Did you hear that people were killed and homes
7 of civilians were burnt?

8 A. Well, that was on the news, that there were casualties on
9 the sides of civilians. It was on the radio.

12:22:31

10 MR KOUMJIAN: Could we look behind tab 20, please, if that
11 could be shown to the witness.

12 Q. Mr Sesay, were you ever accused - did anyone accuse you of
13 being involved in these attacks on Guinea? By "you", I mean the
14 RUF. Or was it only in this courtroom that you've heard that
15 accusation?

12:23:22

16 A. No. Even before - during those border attacks, yes, they
17 used to say that the RUF and the Guineans were fighting around
18 the Kambia axis, and the Guineans were launching, and they used
19 to cross over with their jets and they used to launch.

12:23:51

20 Q. Mr Sesay, Kambia's in the north of Sierra Leone, correct?

21 A. Yes, that's correct.

22 Q. Gueckedou is in the west - excuse me, the east, adjacent to
23 Kailahun; isn't that true?

24 A. Well, Gueckedou, it is Nongowa that is by Kailahun because
25 Gueckedou is behind Nongowa.

12:24:22

26 Q. It's - from Kailahun in Sierra Leone, how far is it to
27 Gueckedou?

28 A. Well, the border from Koindu - when you cross - like where
29 the Guineans are in Yenga, when you go across the river you go to

1 Nongowa and you drive to Gueckedou, but I do not know how
2 many miles it is.

3 Q. But how long does it take to drive to Gueckedou once you
4 cross the border?

12:25:05 5 A. I think it's about - about 50 minutes to one hour.

6 Q. Okay. Thank you. Now, I'm showing you the article behind
7 tab 20 - yes, tab 20. It's from the BBC News and it's dated
8 Thursday, 7 December 2000. The title is "Hundreds killed in
9 Guinea attack". I'm just going to read a couple of paragraphs
10 from this page.

11 "Aid workers in Guinea say hundreds of people have been
12 killed in a rebel raid on a town near the border with
13 Sierra Leone and Liberia but government officials put the death
14 toll at 48 people - 36 civilians and 12 rebels - during the raid
15 on Gueckedou town."

16 And then skipping a paragraph:

17 "The official, Umar Issa Damagaram, also said more than
18 1,000 people were wounded and many homes were burnt."

19 The next paragraph, skipping one paragraph:

12:26:21 20 "The Guinea government accuses Liberia and the
21 Sierra Leonean rebels of being behind a series of recent
22 cross-border attacks into Guinea."

23 Mr Sesay, did you hear reports like this of atrocities
24 being committed in Gueckedou and the Guinean government accusing
12:26:39 25 the RUF of taking part?

26 A. Well, by then I did not have access to internet or these
27 clips.

28 Q. You were receiving radio reports from Focus on Africa, BBC
29 radio, correct?

1 A. Yes, I used to listen to the BBC.

2 Q. And you've told us as the interim leader you had good
3 relations and you were talking to force commanders and you were
4 talking to the UN special representative, correct?

12:27:17 5 A. Yes.

6 Q. Did anyone accuse the RUF, in your presence, of being
7 responsible for taking part in these attacks on Guinea?

8 A. No. The UN authorities in - the UNAMSIL authorities in
9 Sierra Leone then did not accuse the RUF of what happened in
10 Gueckedou. They were only talking about the cross-border attacks
11 that were occurring between Kambia, for it to stop, and when -
12 that was after the Abuja II. So they too suggested that they
13 should - the cross-border attacks were to stop and that the
14 Guineans were to stop launching missiles into RUF territories
15 that were falling in civilian towns. They said Kambia should be
16 disarmed and I agreed to their suggestion.

17 Q. Did you receive reports that the Guinean government, the
18 Government of Guinea, accused the RUF of working with
19 Charles Taylor's forces in these joint attacks against Guinea?

12:28:37 20 A. No. I was not aware of that.

21 Q. In the article I just read, the official talked about many
22 homes burnt. Many homes burned. If we could have the testimony
23 from 12 March 2008, please, page 5951. 12 March 2008, 5951.

24 While that's being brought up, I'd ask that the article,
12:29:24 25 the one page, be marked for identification, the document behind
26 tab 20.

27 PRESIDING JUDGE: Mr Koumjian, you are sure you want the
28 one page marked?

29 MR KOUMJIAN: Well, actually I'd prefer that both pages be

1 marked, and perhaps there's one sentence I'd like to read from
2 the second page. And I can do that now.

3 Q. Mr Sesay, the article says in the second paragraph:

4 "A military source told BBC correspondent Al Hassan Cillah
12:30:13 5 in Guinea that it was the biggest battle the army had fought with
6 insurgents since September."

7 The first big attack on Guinea was in September 2000, isn't
8 that correct, the attack by the RUF and the Charles Taylor
9 forces?

12:30:29 10 A. I was not aware because the RUF did not join Charles
11 Taylor's forces to attack Guinea.

12 Q. And then going down, skipping one paragraph, it says:

13 "But during that time the rebels had burnt public
14 buildings, business premises, vehicles and cut down telephone
12:30:51 15 lines."

16 Had you heard reports again about this arson occurring in
17 these attacks, these burnings?

18 A. Except on radio.

19 MR KOUMJIAN: I would ask that the two-page document be
12:31:09 20 marked for identification.

21 PRESIDING JUDGE: The BBC News Online of 7 December 2000,
22 an article entitled "Hundreds killed in Guinea attack",
23 consisting of two pages, is marked MFI-37.

24 Mr Sesay, you said in that last answer "except by radio" -
12:31:43 25 "except on radio". I don't know what that answer means. Does it
26 mean that you heard of everything that counsel has suggested to
27 you on radio? Did you hear of the burnings on radio?

28 THE WITNESS: The attacks on Guinea I heard on the radio.
29 But the burning and killing, I did not hear of all those details.

1 MR KOUMJIAN:

2 Q. Mr Sesay, you didn't hear those details or you didn't pay
3 attention to details about civilians atrocities?

12:32:24

4 A. Well, my Lord, I did not carry out - it was not the RUF
5 that carried out the attacks and I was not listening to the radio
6 every day.

7 Q. So 12 March, please, 2008, page 5951. I'll begin reading
8 from line 5. This was from the cross-examination of Zigzag
9 Marzah and the witness said:

12:32:51

10 "The time he sent us to Guinea, from the start that was the
11 time the LURD were based in Macenta. He gave us instructions
12 that we should go and burn the place down and as far as Gueckedou
13 to Nongowa, that was the artillery base, and that was what we
14 did."

12:33:08

15 Mr Sesay, you did hear about this instruction from
16 Charles Taylor to go into Guinea, attack the place and burn the
17 place down. Isn't that true?

18 A. No, I never heard of such an instruction from Mr Taylor.
19 He did not give me such instructions.

12:33:29

20 Q. Thank you. I'm going to move on and leave this topic of
21 attacks by the RUF in Liberia and Guinea, unless there are any
22 further questions from the Bench. And I'm going to talk to you
23 now, Mr Sesay, about specific individuals. First of all, Joseph
24 Brown, what was his position with the RUF in Sierra Leone?

12:33:56

25 A. Joseph Brown was a G4 in - from part of '92 up to 1994. He
26 continued until he joined Mr Sankoh when they went to the Ivory
27 Coast on the peace talks.

28 Q. Then what were his positions after that?

29 A. Well, after that he was in the Ivory Coast and when

1 Mr Sankoh was arrested he was no longer with the RUF until when
2 he returned in 1999.

3 Q. When he returned in 1999, where was he based?

4 A. He was in Buedu. He was in Buedu.

12:35:05 5 Q. And how long did he remain with the RUF?

6 A. He was in Buedu up to December and during that confusion
7 Mosquito told him to go to Liberia with him. In 2000, when I
8 went to Liberia, he joined me and we came to Sierra Leone and we
9 were in Kono together and during the disarmament he went to
10 Liberia.

12:35:31

11 Q. So he was with you in Kono from 2000 until disarmament in
12 late 2001. Is that correct?

13 A. He was in Kono, yes, before the disarmament, then he
14 returned to Liberia and never returned.

12:35:50

15 Q. Mr Sesay, a protected witness told this Court on
16 17 March 2010, page 37473, that Joseph Brown never was in
17 Sierra Leone after 1996. That witness lied, isn't that true?

18 A. Well, yes, because Joseph Brown came in '99 for a short
19 time - in late '99, I think it was around October, and then he
20 returned in December and came back in 2000. He did not stay

12:36:29

21 long, then he returned. So he was not staying there permanently
22 like he was with the RUF from '91 to '96.

23 Q. Mr Sesay, on 30 July of this year you were talking about
24 Martin George. You said he was one of the Liberian RUF who went
25 to fight in Liberia. Is that true?

12:36:55

26 A. Yes, I said they went to Liberia during the disarmament.

27 Q. When was it - what year was it that Martin George went to
28 Liberia?

29 A. I think it was in 2001.

1 Q. Did you say 2001 or 2000, I'm sorry?

2 A. I said 2001.

3 Q. Thank you. Mr Sesay, let me read to you from the testimony
4 of Martin George. 23 April, please, this year, page 39846.

12:38:16 5 MS IRURA: Could counsel please repeat the page reference.

6 MR KOUMJIAN: It's 23 April 2010, 39846.

7 Q. Beginning at line 2, the witness said:

8 "I was in Kono. I entered Kono in '91 - I mean, 2001.

9 After all the UN disturbances that happened, I disarmed. I went
10 to Magburaka, I voted in 2000."

12:38:54

11 And then skip down to the next question:

12 "Q. What year was that when there was no longer RUF
13 activity and Tejan Kabbah had won the elections?

14 A. We're talking about 2002."

12:39:15

15 And then skipping a few lines, he then was asked at line
16 19:

17 "Q. Thank you, Mr George. After there was no longer RUF
18 activity, did you remain in Sierra Leone?

19 A. Yes, I remained Sierra Leone until 2005, April 7. Then
20 I found myself in Liberia."

12:39:35

21 Mr Sesay, your testimony is that Mr George left in 2001,
22 before the 2002 elections, correct?

23 A. Yes, because after that disarmament I no longer heard of
24 him and I was not meeting with him until I was arrested in --

12:40:00

25 THE INTERPRETER: Can he kindly repeat the date he was
26 arrested.

27 PRESIDING JUDGE: Mr Sesay, you said until you were
28 arrested, when?

29 THE WITNESS: March 2003.

1 MR KOUMJIAN:

2 Q. So when Mr George says he voted in 2002 elections and did
3 not leave Sierra Leone until 7 April 2005, that's not true, is
4 it?

12:40:28 5 A. I was not seeing him. I was not seeing him in Makeni or
6 Freetown where I was.

7 Q. He's one of those people you said left to go - was against
8 disarmament and left to go join the fighting in Liberia, correct?

9 A. Yes, I said they left during the disarmament. They went
12:40:57 10 across Kailondo, Lion, Martin George and others.

11 Q. And you said he was fighting with the Liberian army against
12 LURD, correct?

13 A. Yes, they crossed over into Liberia during the disarmament.

14 Q. The Liberian --

12:41:21 15 PRESIDING JUDGE: Sorry, sorry, that's not the question
16 counsel asked: You said he was fighting with the Liberian army
17 against LURD, correct? What is your answer to that question?

18 THE WITNESS: Well, my Lord, I don't know, because I - I
19 said we should disarm and they crossed into Liberia. I was in
12:41:40 20 Liberia - I was in Sierra Leone, I did not go to Liberia, so I
21 did not know what they were doing. What I knew was that Lion - I
22 heard that he died because he was fighting along with the AFL,
23 but for Martin George, I did not know.

24 MR KOUMJIAN:

12:41:56 25 Q. Well, you talked to Sam Kolleh and he told you that they
26 had been fighting against the LURD rebels, correct?

27 A. That was what Sam Kolleh told me but Lion - Lion, Kailondo,
28 but I did not know about Martin George. I just knew that all of
29 them had crossed into Liberia.

1 Q. Mr Sesay, the Liberian war ended in August 2003. Did you
2 know that?

3 A. I did not know, I was in detention.

12:42:47

4 Q. If Mr George testified that he didn't leave Sierra Leone
5 until April 2005, that's not true, because you know he went and
6 crossed over during the Liberian war; isn't that true?

7 A. Well, that was what Sam Kolleh told me and I was not seeing
8 him. People were moving around that border. They were coming,
9 after the disarmament, to Sierra Leone; people were moving across

12:43:17

10 the border. Refugees from Liberia used to cross into
11 Sierra Leone.

12 Q. Okay. I'm going to go on and ask you about another
13 individual. You told us that you knew someone named Sunlight and
14 he was a radio operator at Benjamin Yeaten's house, correct?

12:43:36

15 A. Yes.

16 Q. I'd like to read from the testimony of the first Defence
17 witness after Mr Taylor from 1 March 2010, page 36288. This is
18 the testimony of Yanks Smythe. Mr Sesay, did you meet Yanks
19 Smythe?

12:44:02

20 A. I do not recall.

21 PRESIDING JUDGE: Mr Koumjian, when you asked the witness,
22 "Did you meet Yanks Smythe", what do you mean? Meet him where?

23 MR KOUMJIAN:

24 Q. Have you ever in your life met Yanks Smythe?

12:44:31

25 A. I said I do not recall that name. I do not know anybody
26 whom I met.

27 THE INTERPRETER: Your Honour, can he kindly repeat this
28 answer again.

29 PRESIDING JUDGE: Can you please repeat your answer for the

1 interpreter.

2 THE WITNESS: My Lord, I said I do not recall the name and
3 I cannot recall that I met with him because it was not everybody
4 that I met whose name I can remember.

12:45:01 5 MR KOUMJIAN:

6 Q. Okay. Going to the testimony of Yanks Smythe from
7 1 March 2010, page 36288 line 10:

8 "A. I never saw any long-range radio in Benjamin Yeaten's
9 house.

12:45:18 10 Q. When I say 'his house', just so we are not playing with
11 words, I mean around anything around his house, a porch, a
12 structure that's in the yard next to his house. Did you
13 see a radio in or around the area of Benjamin Yeaten's
14 house?"

12:45:36 15 And Yanks Smythe, who said he was at one time the assistant
16 director of operations for the SSS, testified:

17 "I didn't ever see any radio in or around Benjamin Yeaten's
18 house.

19 Q. And you had been to Benjamin Yeaten house many times,
12:45:51 20 correct?

21 A. Yes, yes."

22 That's not true, is it, Mr Sesay, because there was a radio
23 at Benjamin Yeaten's house, as you've told us, correct?

24 A. Well, at the time that I went there, I saw a radio there.

12:46:09 25 I do not know about the other times that I was not going there.

26 Q. Mr Sesay, you said that Sunlight was the operator at
27 Benjamin Yeaten's house. How did you know that name, Sunlight?

28 A. Well, I said at one time I was at the guesthouse when he
29 came to visit Memuna and others and they introduced me. That was

1 when I knew him and when they went to Ben's house I saw him.

2 Q. What did he say when he introduced himself to you?

3 A. No, it was Memuna and others who said this was our
4 colleague operator, he was staying with Ben. Then he greeted me
12:46:52 5 and I responded. I did not say anything.

6 Q. Did you only meet him that one time or did you meet him on
7 other occasions?

8 A. I said at the other time when I went to Benjamin's house I
9 saw him there. Since then I have not met with him.

12:47:15 10 Q. When he introduced himself to you, did he give his name or
11 what did he say, as far as what he was called?

12 A. It was Sunlight. He said his name was Sunlight.

13 Q. Looking at the testimony, please, again from 1st March,
14 Yanks Smythe, page 36290, please. If we could go down to line

12:47:49 15 15. Line 16, the witness was asked - Yanks Smythe was asked:

16 "Q. Have you ever heard the name Sunlight?

17 A. Never heard of the name Sunlight."

18 Mr Sesay, would you expect the assistant director of
19 operations to know the names of the radio operator at

12:48:15 20 Benjamin Yeaten's house?

21 A. Well, I don't know.

22 Q. I want to move on and ask you about another individual,
23 Savage. What did you know about Savage?

24 A. Well, when I was in Pendembu I heard of Savage's name, that
12:48:46 25 he was committing atrocities in Tombodu. He was killing people
26 and amputating people's arms, but at that time I did not know him
27 in person. It was in December in Makeni when I saw him with
28 Brigadier Mani's group. That was when I knew him in person.

29 Q. So you learned about him committing these atrocities in

1 Tombo [sic] while you were in Pendembu in 1998, is that correct?

2 A. Yes. It was at that time that the news was flying around.

3 Q. And correct me if I'm wrong, but you testified, if I'm
4 correct, that you were in Pendembu from about May to December
12:49:25 5 1998, correct?

6 A. May to November when Bockarie called me in Buedu, May
7 to November '98.

8 Q. Did you hear about Savage being treated by Pa Demba?

9 A. Well, I heard that in Makeni, when we met in Makeni, that
12:50:03 10 he went off - when he went - when he came from Tongo he became
11 mad, so it was Pa Demba who was treating him around that
12 Koinadugu axis until he became normal.

13 Q. When you were based in Makeni you got to know Savage, you
14 met him and got to speak to him, correct?

12:50:26 15 A. Yes, he was introduced to me at Brigadier Mani's house -
16 Brigadier Mani's house. They said "this was the Savage".

17 Q. And he was operating as a member of the forces, as that
18 time, he was working with Brigadier Mani in the forces of the
19 SLAs, correct?

12:50:49 20 A. Yes.

21 Q. This was in 2000?

22 A. No, my Lord, it was in December 1998 when we met in Makeni.

23 Q. Okay. Thank you. Did you see him again after that time?

24 A. Well, after Superman had attacked me and I escaped from
12:51:19 25 Makeni in April of '99 I never saw Savage until the disarmament.

26 Q. You heard about Savage operating in the Makeni area all the
27 way through 2000, correct?

28 A. Well, yes, in '99 when we came to Makeni, when Superman
29 attacked the AFRCs and dislodged them from Makeni, he was around

1 that Kamabai axis.

2 THE INTERPRETER: Your Honour, can he kindly repeat this
3 answer more clearly.

12:52:08

4 PRESIDING JUDGE: Mr Sesay, please repeat your answer more
5 clearly, slowly.

6 THE WITNESS: Yes, my Lord. I said when I came
7 in October 1999 in Makeni, after Superman and Gibriil Massaquoi
8 had attacked the AFRC and dislodged them from Makeni, Savage was
9 in Kamabai, because that was where he was with Brigadier Mani.

12:52:29

10 But during this time Brigadier Mani went to Kabala where he
11 transited to Freetown. Savage was between - between Kamabai and
12 Fadagu, and he was killing civilians in that area. So we got
13 that information, that he was killing people in Fadagu, the
14 civilians. Civilians - people came from Fadagu to Makeni to make
15 the complaints.

12:53:01

16 PRESIDING JUDGE: Now, I note that the location mentioned
17 by the witness is Kamabai not Kambia. Kamabai is K-A-M-A-B-A-I.

18 MR KOUMJIAN:

12:53:21

19 Q. So, Mr Sesay, you met Savage in December 1998 when he was
20 operating under the command of Brigadier Mani, and is it correct
21 that you understood him to remain working under Mani all the way
22 up through the October 1999 fighting in Makeni between the SLAs
23 and the RUF?

24 A. Yes.

12:53:46

25 Q. In that time, from the time of the attack on Makeni
26 in December 24, 1998, until that infight in October 1999,
27 Brigadier Mani was working with the RUF and reporting to
28 Foday Sankoh, correct?

29 A. Well, they were reporting but he was not taking

- 1 instructions because Mr Sankoh said he, Brigadier Mani, Gullit
2 and RUF members, Superman and others, should meet him in Lome,
3 they should go to Kailahun onwards to Lome, but they refused.
4 They refused. In fact, he left Makeni and went and stayed in
12:54:34 5 Kamabai. It was only the AFRC that was in Kamabai with Savage
6 and - he was with Brigadier Mani in Kamabai before
7 the October fighting in '99.
- 8 Q. To your knowledge, Savage was never detained up through
9 disarmament, correct? No one arrested him?
- 12:55:00 10 A. Yes, you're right, nobody arrested him.
- 11 Q. Now, you said at one time he was treated by Pa Demba. Who
12 is Pa Demba?
- 13 A. Well, Pa Demba was a juju man who was with Brigadier Mani
14 and General Bropleh around that Koinadugu axis.
- 12:55:24 15 Q. And Pa Demba was RUF, correct?
- 16 A. Well, Pa Demba became RUF in '99 but in '98 he was an AFRC
17 - he was with the AFRC.
- 18 Q. Pa Demba also mediated after Superman and SAJ Musa had the
19 fight in 1998, in late 1998. Pa Demba mediated between them and
12:55:57 20 got them to reconcile, correct?
- 21 A. I did not hear of that because during that infighting
22 SAJ Musa left and he joined Gullit's troops. And since that
23 time, up to the death of SAJ Musa, I did not hear that he and
24 Superman had any business.
- 12:56:21 25 Q. I want to ask you about Staff Alhaji. You got to know him
26 in Kono, correct?
- 27 A. Yes.
- 28 Q. When was that?
- 29 A. Well, I knew him in '99 when he was in the mining unit.

1 Q. And he remained in the mining unit when Sankoh assigned you
2 to take over the mining in Kono, correct?

3 A. Yes.

12:57:04

4 Q. Staff Alhaji was never arrested, detained or punished, was
5 he?

6 A. Well, I did not know about what he did. It was later in
7 this courtroom that I knew about the atrocities that he had
8 committed. But during that time he did not tell me and nobody
9 else told me in Kono.

12:57:25

10 Q. I would like to now ask you about a Defence witness who
11 testified with protective measures in your case, I'm not going to
12 name the witness, but if we could look behind tab 35, please.

13 And this is a closed session transcript. On 6 November 2007, I'm
14 going to read from the testimony or I'm going to paraphrase from
15 testimony beginning on page 62, at line 8.

12:58:26

16 Your witness testified that he came from mission in
17 Sierra Leone where he was wounded by a grenade. And then he said
18 on line 13 he was taken to a hospital in Liberia called Gotri
19 Hospital. And then on line 21 he explained that after Gotri he
20 went to Phoebe hospital. And then line 27 then after that he
21 said he returned to Sierra Leone.

12:58:59

22 But then going to the next page, at line 8 he explained
23 that when he was in Phebe Hospital Charles Taylor used to pay
24 visits at Phebe Hospital. NPFL soldiers were there and he used
25 to visit them and the witness met Charles Taylor. And then he
26 was asked if he had anything to do with Taylor after meeting him.
27 He explained that, yes, when Taylor came to the hospital he was
28 going by the beds where the witness was lying. He met the
29 witness and greeted him and he told the witness that we resemble.

12:59:31

1 And Taylor told the witness that he loved him. Taylor told the
2 witness that he liked him and wanted the witness to live with
3 Taylor.

4 He then sent a vehicle - I'm going to the next page - which
13:00:15 5 took the witness to Gbarnga. And it was a CSO named Jackson who
6 collected the witness and took him to Gbarnga. He was then asked
7 what he did for Charles Taylor, beginning at line 10. He said
8 when he was with Charles Taylor he wasn't long with him but
9 whenever Taylor was travelling anywhere, Taylor would send the
13:00:46 10 witness first and the witness would make an assessment of the
11 area. And he said he was a security to him almost, because of
12 the job he was doing. He was asked how long he did that job
13 before coming back to Sierra Leone, and he said he was there for
14 about a month and then left.

13:01:11 15 Mr Sesay, you recall this witness, don't you?

16 A. Yes, I recall the witness.

17 Q. So this is a witness who was RUF, was wounded and taken to
18 a hospital for NPFL soldiers and then joined Charles Taylor as a
19 security in Gbarnga for a time, correct?

13:01:37 20 A. That is what he said. He said in '91.

21 Q. And then he came back and rejoined the RUF, correct?

22 A. Yes.

23 Q. Because the RUF and the NPFL were one organisation, it was
24 just like being transferred from one branch of service to the
13:01:58 25 other, correct?

26 A. Well, after the six months of the invasion in Sierra Leone,
27 from March in '91 - after six months from that time there was
28 cordial relationship up to the time when there was a problem
29 between the NPFL and the RUF, then there was a breakdown in their

1 relationship.

2 MR KOUMJIAN: Could this transcript behind tab 34 be marked
3 for identification, please. Excuse me. I may have given the
4 wrong tab. Tab 35.

13:02:44 5 PRESIDING JUDGE: This is a closed session transcript,
6 Issa Sesay et al case, dated 6 November and consisting of pages
7 62, 63, 64 and the back page. That will be marked MFI-37 and
8 will be kept confidential. Sorry, 38. MFI-38 and will be kept
9 confidential.

13:03:15 10 MR KOUMJIAN:
11 Q. Mr Sesay, I now want to talk to you, ask you, about Daniel
12 Tamba. He was a very good friend of yours, correct?

13 A. Yes, he was my friend.

14 Q. And you called him at one point General Tamba, do you
13:03:37 15 recall that?

16 A. I don't recall if I had referred to him as General Tamba.

17 Q. Would you ever call him General Tamba? Did you know him as
18 General Tamba?

19 A. Well, I did not know him to be a general.

13:04:11 20 Q. Okay. I'll come back with that reference if I can find it.
21 Daniel Tamba, your friend, Jungle, worked for the SSS. Isn't
22 that true?

23 A. I was not aware of that.

24 Q. And one of the people that he worked with was Musa Cisse,
13:04:47 25 the protocol officer for Charles Taylor, correct?

26 A. I don't know.

27 Q. Well, he was your very good friend. He never told you
28 that?

29 A. He did not tell me that.

1 MR KOUMJIAN: Could we have the testimony, please, from
2 2 March 2010, page 36485. And the witness was shown a
3 photograph, P-153B. Perhaps we should show that to Mr Sesay.
4 But while it's being prepared, I'll read the transcript.

13:06:00 5 Q. The witness was shown P-153B and he said he recognised the
6 man in white as Ibrahim Bah, he did not recognise the man in
7 black. And then he said he recognised the man in the blue robe
8 as being a bodyguard to Ambassador Musa Cisse. He said, to quote
9 him exactly, line 17: "I said I recognise him as I think a
13:06:34 10 bodyguard to Ambassador Musa Cisse, I think." And then he was
11 asked a few lines down, if we go down a bit, he said - yes. So
12 line 24 he was asked:

13 "Q. So the man in blue is a man that you recognise that you
14 saw with Musa Cisse, is that right?

13:06:59 15 A. Yes, he was a bodyguard to Musa Cisse, I think. I
16 don't know his name actually but he was a bodyguard to Musa
17 Cisse."

18 If that photograph could be put on the screen.

19 PRESIDING JUDGE: Mr Koumjian, if you have a ready copy,
13:07:43 20 you can have that used.

21 MR KOUMJIAN: Yes.

22 Q. The photograph that's on the screen, Mr Sesay, you
23 recognise all three of these individuals, don't you?

24 PRESIDING JUDGE: Is it possible to improve the focus,
13:08:28 25 please? Improve the focus of the photograph on the screen.

26 MR KOUMJIAN:

27 Q. Mr Sesay, can you see the photograph on the screen and
28 recognise the people or do you want to hold it in your hands?

29 A. I can only recognise Daniel Tamba, who is wearing the gown

1 in the middle.

2 Q. Okay. That's sufficient. The witness in the transcript I
3 read described the bodyguard as the man in the blue robe. So
4 you're saying the man in the blue robe is Jungle, Daniel Tamba,
13:09:24 5 correct?

6 A. Yes.

7 Q. Did you know that Daniel Tamba worked with Musa Cisse?

8 A. No, I did not know. The time he was in the RUF, I did not
9 know.

13:09:49 10 Q. Okay. Thank you. That photograph can be taken away. And
11 I have some more documents I'll get the Court Officer to prepare
12 in just a moment. Meanwhile, if we could have the transcript,
13 please, for 26 March 2010, page 38110. Thank you.

14 If we can go down to about line 15. Line 15, the middle of
13:11:12 15 the line, the witness, who was John Vincent, said:

16 "A. I was made to understand that Jungle was always in and
17 out, in and out, because that was his home. He will go
18 there and come back.

19 Q. When you say he was always going in and out, in and out
13:11:32 20 of where?

21 A. Going in Liberia, coming to Sierra Leone, going to
22 Liberia and returning to Sierra Leone.

23 Q. And you said he had a house. Are you saying he had a
24 home in which he lived in Buedu?

13:11:49 25 A. Yes. I met him at his house whilst I and some
26 vanguards were walking down the road. And we got to his
27 house. That was where I got to know him.

28 Q. Before that day, the day of the meeting at Waterworks,
29 had you ever seen this person, Jungle?

1 A. I said that was the first day that I saw him.

2 Q. These trips to and back from Liberia, do you know the
3 purpose of these trips?

4 A. Well, I got to know later that he too was somehow
13:12:40 5 helping his brother Sam Bockarie, because both of them were
6 from that same Buedu Town. So when he used to come, he
7 used to come with some ammunition and he would leave it,
8 because that was his home as well, so he was playing his
9 own part."

13:13:00 10 Mr Sesay, is that true: Jungle would bring ammunition to
11 the RUF from Liberia?

12 A. No. The time that I was in the Kailahun District, I never
13 saw that, nor did I hear it.

14 Q. Mr Sesay, if it wasn't true, do you know of any reason why
13:13:22 15 a Defence witness in this case, John Vincent, would make it up?

16 A. Well, the time that I was in Pendembu, John Vincent was in
17 Jojoima. And for me, he never passed through Pendembu to that
18 place, right up to '98, and I did not see Jungle bring ammunition
19 to Buedu, and he never told me that. And Jungle had been with
13:13:57 20 the RUF from 1992 up to '96, before he went to Abidjan. So if he
21 said he did not know Jungle, it could be because that from 1994
22 he had been in the Northern Jungle, him, Vincent.

23 Q. Mr Sesay, obviously, John Vincent did not say he did not
24 know Jungle. I just read to you where he said Jungle would come
13:14:25 25 and go to Buedu and he would bring ammunition. And the question
26 I asked you, which you haven't answered, is: Do you know of any
27 reason why a Defence witness in this case, John Vincent, would
28 make that up, if it wasn't true?

29 A. Well, I don't know. But that account is not a true account

1 because Jungle was not bringing ammunition. He brought foodstuff
2 from the Lebanese. He used to come in '98, and in '99, he used
3 to do that and he returned in Liberia.

13:15:06 4 Q. Because you have told us that you knew where - what the
5 sources were of all the ammunition that was coming to the RUF.
6 Sam Bockarie would tell you, correct?

7 A. Sam Bockarie used to say it, and I knew it from the
8 ammunition that the RUF bought from Liberia in '98, from ULIMO,
9 and from the ammunition that Mike Lamin bought.

13:15:40 10 Q. Mr Sesay, the reason why you don't admit that Jungle was
11 bringing ammunition is because you know that this was - that he
12 was an SSS for Charles Taylor and he was bringing the ammunition
13 on the orders of Charles Taylor; isn't that true?

14 A. No, that is not true. I did not know Jungle to be a member
13:16:06 15 of the SSS, because Jungle was in the RUF for a long time.

16 Q. Jungle was killed fighting with Taylor's forces against -
17 while he was fighting with Taylor's forces against LURD, correct?
18 Did you hear that?

19 A. Well, I don't know how he died. He just told me in
13:16:36 20 detention that Jungle had died, but I did not know how.

21 Q. Because he was killed after you were detained. He was
22 killed after 10 March 2003; you heard that, correct?

23 A. It was in 2004 that I heard, when Eddie told me that Jungle
24 had died. And I don't know how, whether he was killed or how he
13:17:05 25 was killed. I don't know.

26 MR KOUMJIAN: Well, if we could have testimony, please,
27 from 31 March 2010, page 38368.

28 Q. While that's coming up, who told you that Jungle was
29 killed?

1 A. I said it was Eddie Bockarie.

2 Q. Beginning at line 23, please. The witness was asked:

3 "Q. You talked about - you identified a picture and talked
4 about Daniel Tamba, Jungle. You were in the SSS when
13:18:11 5 Daniel Tamba was killed, correct?

6 A. Yes. At that time I was in the SSS."

7 Let's just skip down some lines. The Presiding Judge, on
8 page 38369, at about the middle of the page, pointed out that the
9 witness had been asked a simple question: "Jungle died. When he
13:18:47 10 died, it was made to look like he died in fighting. He was shot
11 from behind." And the witness answered: "Okay. I'm sorry. It
12 is true. I heard that he was shot from the back."

13 "Q. Did you hear that was by Nyalay?

14 A. Yes, that was what I heard.

13:19:10 15 Q. Nyalay had been RUF, correct?

16 A. Yes.

17 Q. Was a bodyguard to Morris Kallon; is that right?

18 A. Yes, yes."

19 Mr Sesay, Nyalay was one of Morris Kallon's bodyguards,
13:19:34 20 correct?

21 A. Well, I don't recall the name, Nyalay.

22 MR KOUMJIAN: Well, if it's available, I'd like to show the
23 witness now D-316. If we could go on this list to number 9, I
24 believe it - excuse me, it should be the page that says
13:20:58 25 "Presidential Advance Team". It's about the fourth page in,
26 page 4.

27 Q. We see number 9, Second Lieutenant Daniel Tamba. That's
28 Jungle's name, isn't it?

29 A. Daniel Tamba? Yes, that's the name, Daniel Tamba.

1 Q. And looking at the first page, we see this is a document
2 with the - on the letterhead "Republic of Liberia, Special
3 Security Service Executive Mansion", to U50 - from U51, dated 9
4 November 2001.

13:22:05 5 Could the witness please be shown P-153A.

6 Mr Sesay, do you recognise the persons whose faces are
7 shown in that photograph, first of all, the man in the front of
8 the photograph with the helmet, the vest, camouflage vest, and
9 pink shirt, with an automatic weapon in his right hand?

13:23:11 10 A. Yes. This looks like Benjamin Yeaten.

11 Q. And over his shoulder, his right shoulder, there's a man
12 wearing a vest, facing the camera, with a blue shirt. Who is
13 that?

14 A. He looks like Jungle.

13:23:34 15 MR KOUMJIAN: Now, if the witness could be shown, please,
16 P-45, and I believe it's A, P-45A.

17 While that's being looked for. If we could have testimony
18 from the RUF case, 23 June 2007, page 32.

19 Q. Mr Sesay, did Jungle command troops in the RUF?

13:25:23 20 A. Well, they had some of the NPFL - few NPFL fighters who
21 crossed into Liberia - sorry, into Sierra Leone, during the time
22 that the ULIMO invaded in Lofa in '92, like Sellay, he was one of
23 the them, all of them were in the RUF controlled area.

24 Q. Is it correct, from your testimony, that from, let's say
13:25:54 25 from the 30th, after the Abidjan Accord, 13 November 1996, Jungle
26 did not command any troops for the RUF, correct?

27 A. Yes, even before that time, because before then he had gone
28 to Abidjan.

29 Q. And you are saying the troops that he commanded were NPFL

1 troops in Liberia that had crossed over into Sierra Leone at the
2 time of - ULIMO closed the border, correct?

3 A. Yes, about 20 of them because even Major Brown was amongst
4 them, around 20 of them. They were in the Koindu area and later
13:26:46 5 all of us were in Giema.

6 Q. Did they remain a unit or were they dispersed, put into
7 different units, this NPFL group. Do you understand the
8 question?

9 A. Yes, they had stayed with the RUF, so they were in
13:27:12 10 different units. It was not a special unit that he commanded
11 them, no. They were working with the RUF.

12 Q. Okay. If we could look then at the testimony from the RUF
13 trial, 22 June 2007, page 32, please. We can go to line 17. Let
14 me double-check my reference. What I got is 22 June 2007,
13:28:12 15 page 32. Is that where we are? Line 17, please. In your own
16 trial you said:

17 "A. Yes, my Lord. I knew Jungle, who was Daniel Tamba,
18 and later I knew Marzah."

19 Why did you refer to Jungle as General Tamba?

13:28:51 20 A. That could have been a mistake but he never had the title
21 of a general, or a rank.

22 Q. The RUF referred to him as a General because he was a very
23 important person, he was the liaison between Charles Taylor and
24 the RUF, correct?

13:29:15 25 A. No, Jungle was with the RUF for a long time. He was not a
26 middle man.

27 Q. I could break here, if the photograph's not yet available,
28 and this would be a convenient time. We'll come back with the
29 P-45A after the break. Or I could use the black-and-white copy,

1 it's not very good but I have my own black-and-white.

2 PRESIDING JUDGE: Mr, Koumjian, we'll continue after the
3 luncheon break and hopefully we'll have this photograph ready
4 after the luncheon break.

13:30:03 5 We'll reconvene - we'll take a break now and we'll
6 reconvene at half past two.

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

8 [Upon resuming at 2.37 p.m.]

9 PRESIDING JUDGE: Good afternoon. Mr Koumjian, please
14:38:28 10 continue.

11 MR KOUMJIAN: May the witness please be shown the
12 photograph P-45A.

13 Q. Good afternoon, Mr Sesay.

14 A. Yes, sir, good afternoon.

14:38:52 15 Q. I am going to show you a photograph, P-45A, and when it is
16 on your screen, please tell me if you recognise any of the three
17 individuals in the photograph. Let's start from the right-hand
18 part of the screen, the man in the white baseball cap and dark
19 glasses, who is that?

14:39:38 20 A. This is Abu Keita.

21 Q. Who is the man in the middle?

22 A. That is Jungle.

23 Q. And who is the man on the left?

24 A. I don't recall.

14:40:01 25 Q. It is Zigzag Marzah, isn't it?

26 A. Well, I don't recall.

27 Q. Do you recognise that as Buedu? If you can zoom out please
28 so more of the photograph is visible.

29 A. Well, I don't know if this is Buedu because I don't recall

1 this particular scene.

2 Q. I am going to move on and ask you about another individual,
3 and I have completed with the photograph, thank you, and that is
4 Superman.

14:41:08 5 I want to ask you about something your co-accused in the
6 RUF trial, Morris Kallon, said - it is behind tab 37 - well,
7 actually I am not sure we have the right page, it should be P-70.
8 I am not sure we have that at the moment.

9 Mr Sesay, I am going to read this and you tell me if you
14:41:56 10 agree with it or not, and we will see whether it is necessary to
11 bring the transcript.

12 Mr Kallon was being asked about Superman. He said Superman
13 was not trained from the Camp Jackson Naama as a vanguard but he
14 claimed the title because he was an old fighter of NPFL and the
14:42:18 15 old fighter of NPFL were always superior over we, the RUF, that
16 were trained at Camp Jackson Naama. Even those who came on the
17 base, Foday Sankoh always considered them as the most senior and
18 experienced militant that we are not a fighter.

19 Would you agree, first of all, Mr Sesay, that Superman was
14:42:45 20 not trained at Camp Jackson Naama?

21 A. Yes, I agree that Superman was not at Naama.

22 Q. Do you agree that he was an old fighter of NPFL?

23 A. Well, I did not know whether he was an old fighter - a
24 former fighter but he did not go through Naama. I came to know
14:43:12 25 him in Sierra Leone and later I understood that he was born
26 towards the borderline in Lofa, in a place called Massambolahun.

27 PRESIDING JUDGE: Mr Koumjian, what was that that you were
28 reading from?

29 MR KOUMJIAN: I was reading from the transcript from the

1 Sesay et al trial, the transcript of 18 April 2008, page 70, the
2 last six lines and the first two lines on page 71. I think we
3 have other parts - it is testimony of Morris Kallon and tab 37 I
4 believe is other parts of his testimony, so we can - I can get
14:44:02 5 that at least by tomorrow morning.

6 PRESIDING JUDGE: Was that closed session testimony or not?

7 MR KOUMJIAN: No, it is open session.

8 PRESIDING JUDGE: Massambolahun, I think we might have that
9 spelling on the record, do we? Otherwise I would ask you to
14:44:24 10 spell it.

11 Mr Interpreter, can you spell Massambolahun for us, please?

12 THE INTERPRETER: Yes, your Honours, it is

13 M-A-S-S-A-M-B-O-L-A-H-U-N.

14 MR KOUMJIAN:

14:44:45 15 Q. Mr Sesay, are you saying you did not know that Superman was
16 NPFL?

17 A. No, you said a former fighter. But later I understood that
18 they were the people who were recruited in Lofa. They were
19 operating Anthony - under Anthony Mekunagbe as junior commandos.

14:45:06 20 Q. Okay. Just so we are clear, I think I understand you but
21 when you say "they were junior commandos", are you saying that
22 Superman was a junior commando with the NPFL operating in
23 Lofa County?

24 A. Yes, yes.

14:45:25 25 Q. And just so everyone is completely clear, when we talk
26 about Superman we are discussing Dennis Mingo, correct?

27 A. Yes, Dennis Mingo.

28 Q. Do you agree that Foday Sankoh always considered them, that
29 is, the NPFL fighters, the most senior and experienced as being

1 more senior and experienced than the RUF fighters?

2 A. No, I disagree because, from Camp Naama, Mr Sankoh promoted
3 the RUF trainees who were vanguards, the Sierra Leoneans to
4 lieutenants and most of the Liberians were not promoted to
14:46:10 5 lieutenant.

6 Q. Mr Sesay, you said a moment ago NPFL junior commando, what
7 does that term mean?

8 A. Those were the ones walking under Anthony Mekuagbe in
9 Lofa, those that were trained in Liberia were junior commandos.

14:46:36 10 Q. How did you learn the meaning of this term, Mr Sesay?

11 A. Well, after six months the NPFL joined us in Sierra Leone,
12 up to the Top 20, when we fought against them. It was through
13 that that I came to know.

14 Q. Actually, Mr Sesay, you have made it clear in your
14:46:59 15 testimony that in the invasion Sam Tuah, Charles Timber and
16 others from the NPFL joined you in the March 1991 invasion;
17 correct?

18 A. Yes, Sam Tuah and Charles Timber but when Sam Tuah killed
19 Chief Bunduka in Mobai, Mr Sankoh became annoyed so he told
14:47:31 20 Anthony Mekuagbe, so Sam Tuah was withdrawn. It was after six
21 months that Sam Tuah came with the NPFL reinforcement to us from
22 - to - with Mr Sankoh.

23 Q. So your answer is yes, Sam Tuah, Charles Timber and others
24 from the NPFL joined you in the March 1991 invasion; correct?

14:47:54 25 A. Yes. They were the ones that were given by Anthony
26 Mekuagbe to Mr Sankoh to join the RUF from Kailahun.

27 PRESIDING JUDGE: What was the name of this chief that was
28 killed by Sam Tuah?

29 THE WITNESS: Chief Bunduka, Chief Bunduka.

1 MR KOUMJIAN: I know that that was mentioned before, but I
2 don't recall the spelling.

3 PRESIDING JUDGE: Mr Interpreter, can you spell that for
4 us.

14:48:30 5 THE INTERPRETER: Yes, your Honours, it is B-U-N-D-U-K-A.

6 MR KOUMJIAN:

7 Q. Mr Sesay, Dennis Mingo was one of the strongest fighters of
8 the NPFL, correct?

9 A. No, when Dennis Mingo joined the RUF he was not a strong
14:48:52 10 fighter initially.

11 Q. I meant the RUF. I think - when did Dennis Mingo become a
12 strong fighter for the RUF?

13 A. It was from '94. At the time he was at the Peyima Jungle.

14 Q. He remained a strong fighter all the way up through the
14:49:17 15 time he went to Liberia and fought in Liberia; correct?

16 A. Yes, he was a commander. He was a strong commander up to
17 the time he opted to go back to his country and he went to
18 Liberia.

19 Q. Mr Sesay, you have talked about Foday Sankoh using divide
14:49:47 20 and rule and he used that in particular to balance Sam Bockarie
21 and Superman, he divided and ruled over both; isn't that true?

22 A. Yes, because he was working with both of them.

23 Q. You have told us, isn't it correct, that from December 1998
24 to March 1999 Superman wasn't communicating and taking

14:50:24 25 instructions from Sam Bockarie; correct?

26 A. Yes, sir, from December '98 to March '99, yes, sir.

27 Q. In December 1998 under Bockarie's instructions, he captured
28 Lunsar; correct?

29 A. Yes, sir.

1 Q. And then in the first week of January 1999 he followed
2 Bockarie's instructions and he attacked Port Loko; correct?

3 A. Yes, sir.

4 Q. When that attack failed Bockarie sent him instructions that
14:51:12 5 he should take the road and attack Freetown through Waterloo;
6 correct?

7 A. Yes, sir, to advance to Waterloo.

8 Q. And Superman followed all of those instructions; correct?

9 A. Yes. He went, according to it, at that time.

14:51:35 10 Q. And under Bockarie's instructions in February 1999
11 Superman, with Gullit and Rambo, tried to go back to Freetown
12 attacking Tombo; correct?

13 A. Yes, but the mission was not a successful one, he did not
14 go through.

14:52:10 15 Q. When Superman left Sierra Leone you know that he was with
16 the AFL, the Liberian Army, fighting against LURD; correct?

17 A. Yes. I knew that he was in Lofa because that was what I
18 heard.

19 Q. When did you hear that Superman was killed?

14:52:38 20 A. Well, I said - I heard that around mid-2000, 2000-2001 -
21 mid-2001, yes.

22 Q. So about the time of Abuja II you learned about Superman
23 being killed; correct?

24 A. At that time we had ended the Abuja II. We were now on
14:53:12 25 disarmament.

26 Q. So it was just after May 2001 Abuja II that you heard
27 Superman was killed, it was a month or two later; correct?

28 A. Well, I think it was two to three months later that I heard
29 that when I went to Kailahun.

1 Q. Now, you mentioned Zigzag Marzah. Tell us how you know
2 Zigzag Marzah?

3 A. Well, I said I knew Zigzag Marzah in 1999 at the time they
4 came with the ambassadors that had come from Lome. They,
14:54:05 5 together with Mr Sesay, they came to talk to Sam Bockarie
6 together with the other RUF commanders regarding the Lome Accord.
7 That was the time I came to know Zigzag Marzah.

8 Q. Mr Sesay, you know, don't you, that Zigzag Marzah testified
9 in this case?

14:54:29 10 A. Well --

11 Q. Did you hear anything about that?

12 A. I did not hear that.

13 Q. So in 1999 you said Zigzag Marzah came with the ambassadors
14 from Lome to Buedu. How long did the ambassadors stay in Buedu?

14:54:51 15 A. Well, I think they passed two nights in Buedu, the day they
16 arrived they passed the night and the following day - we held a
17 meeting the following day at the Buedu town hall and the day
18 after that - I think it was the very evening after the meeting
19 that they returned.

14:55:20 20 Q. So this would have been - was this before or after Lome
21 that the ambassadors visited, after the accord was signed - let
22 me try that question again.

23 A. It was before the signing of the accord, because this was
24 meant to come and talk to the RUF, for them to know the
14:55:47 25 importance of the agreement so that Mr Sankoh will go ahead to
26 sign the accord. So they had come to come and read the accord to
27 the RUF.

28 Q. How many people came in that delegation? Not just the
29 ambassadors, but the ambassadors, drivers, security, anyone else.

1 How many total people came with the - aides came with the
2 delegation?

3 A. Well, I do not recall the figure but we had the
4 ambassadors, the ambassadors, the chief of protocol, Omrie
14:56:30 5 Golley, the late SYB Rogers, all of them came. But I don't
6 recall the exact number of people who came because even one of
7 the ambassadors who - in 2007, he was the Nigerian ambassador to
8 Ethiopia, he was part of that delegation, because he also made a
9 statement in my Defence case, and he was part of that group that
14:57:00 10 came.

11 Q. How many security in total came with the group?

12 A. Well, I don't recall. I don't recall how many securities
13 now.

14 Q. Did the ambassadors bring their aides? Did they have
14:57:21 15 assistants?

16 A. Well, yes, they had some other people with them. Not just
17 the ambassadors. They had some other people with them.

18 Q. Can you, for example, give us the name of any of the
19 assistants with the Nigerian ambassador?

14:57:42 20 A. Well, I do not recall their names now.

21 Q. What - was this the only time that you met Zigzag Marzah?

22 A. Well, yes, that was the first time I met him. And the
23 other time was when I - when I went to Monrovia to escort the
24 Abuja II delegation. I met him at Benjamin's house. So he
14:58:18 25 greeted me, and he said, "Oh, have you forgotten me?" And then
26 he told me that they were the ones who brought the ambassadors,
27 and then I greeted him and we shook hands. Since then, I have
28 not been meeting him.

29 Q. Now, Mr Sesay, you told us you didn't go to Monrovia for

1 Abuj a II.

2 A. Abuj a I, my Lord.

3 Q. What other securiti es were with the ambassadors, that you
4 recall?

14:58:58 5 A. Well, those who came, I do not recall the names of all the
6 securiti es who came, but he had one Massaquoi that was amongst
7 the group.

8 MR KOUMJIAN: Could the witness be shown D-51, please.

9 While that's - and then I am going to ask for the transcript from
14:59:34 10 13 March 2008. You could put my copy on the screen, if you like.

11 Q. Mr Sesay, who is in the photograph?

12 A. This is Sam Bockarie.

13 Q. And he is with Zigzag Marzah; isn't that true?

14 A. Yes, this is Marzah.

15:01:04 15 Q. Now - thank you. Take the photograph away, please. I
16 would like to read something from the cross-examination of Joseph
17 Zigzag Marzah on 13 March 2008, page 5982, beginning to read from
18 line 8. The Defence lawyer for Mr Taylor asked Zigzag Marzah
19 this question:

15:02:01 20 "Q. Did you have a bush wife in Buedu?

21 A. Yes.

22 Q. How old was she?

23 A. The woman was about - she was having two kids
24 according to her from Magburaka. They called her Hawa.

15:02:18 25 Then in Koindu - I mean Kono I was having a girl by the
26 name of Seibatu. She hadn't a child but she gave birth to
27 a child for me."

28 Mr Sesay, the question from the Defence lawyer, "Did Zigzag
29 Marzah have a bush wife in Buedu," do you know the answer to that

1 question? Did Zigzag Marzah have a bush wife in Buedu? I am
2 asking you.

3 A. Well, I did not know about that.

4 Q. Let me continue to read. And then he was asked:

15:03:00 5 "Q. And did either of those women willingly become your
6 partner?

7 A. Yes.

8 Q. Both or just one?

9 A. It was one at the time. At the time Mosquito was
15:03:12 10 there, he gave me the lady. He approached the lady for me,
11 and when Mosquito left, when I was retreating with Issa to
12 Kono, he approached Seibatu for me and Seibatu is now in
13 Freetown. She's got our little son. Sometimes she visits
14 me in Liberia, yes.

15:03:35 15 Q. So would it be fair to say that she was forced to
16 become your partner?

17 A. She was not forced. She was not forced.

18 Q. She was just given to you like a bag of rice?

19 A. She was wooed by my friend to be my friend, and she
15:03:53 20 accepted."

21 Mr Sesay, do you know Seibatu?

22 A. Well, the only Seibatu that I know was the one who was in
23 Buedu, Hawa's sister, but I did not give this man any woman in
24 Kono that was called Seibatu, and I did not even travel with him
15:04:17 25 to Kono.

26 Q. Mr Sesay, what do you know about Zigzag Marzah?

27 A. Well, I don't know much about Zigzag Marzah. So if Zigzag
28 Marzah said I gave him a woman in Kono, no, it's a lie. I did
29 not do that. I did not give him a woman in Kono.

1 Q. No, Mr Sesay, I am asking you what you have heard about
2 him. In all the times that you were with the RUF and when you
3 visited Monrovia, what did you hear about Zigzag Marzah?

4 A. Well, I said I knew him in '99 when they came with those
15:05:03 5 ambassadors, and after that I again met him in Monrovia in 2000,
6 but I did not hear much about him.

7 Q. Did you hear that he ate humans?

8 A. No, I did not hear about that.

9 Q. Let me move to another person: Sampson. Sampson, like
15:05:27 10 Zigzag Marzah and Jungle, were regularly travelling between
11 Monrovia and Buedu, bringing you ammunition; isn't that true?

12 A. No. I did not know Sampson in '98 - '98 and '99. I only
13 came to know Sampson in 2000.

14 Q. And you said you met him one time, correct?

15:05:53 15 A. Yes. I said it was - at the time I went to the UNAMSIL,
16 they were the ones who came on board the helicopter. He was the
17 one distributing the combat uniforms that they had brought for
18 the UNAMSIL. He was the one distributing them to the UNAMSIL
19 soldiers.

15:06:13 20 Q. This is distributing uniforms to the soldiers who did not
21 have clothes because they had been disrobed by the RUF; is that
22 right?

23 A. Yes, because the RUF had taken some of their jackets, some
24 were without, so that's true.

15:06:32 25 Q. So Sampson, you met him that one time in 2000, when he was
26 handing out the uniforms to the peacekeepers; is that right?

27 A. Yes. I said that was the first time I came across him.

28 Q. At that time, you were, in effect, the leader of the RUF
29 because Foday Sankoh was in jail, correct?

1 A. Yes. I was the field commander of the RUF at that time.

2 Q. So you were - and at the scene in Foya, you were the top
3 representative of the RUF, correct?

4 A. Well, I was the one who took the people along, so, yes. So
15:07:18 5 if anybody came to see the people or to receive the people, I was
6 the one that they were supposed to talk to, yes.

7 Q. How many other RUF went with you?

8 A. I do not recall the number now as to how many RUF went with
9 me.

15:07:44 10 Q. Would it be somewhere over 100?

11 A. No, no, no. We're talking about maybe 15, because I was
12 driving a vehicle when we went, and we had drivers also who drove
13 them, and my securities, my security officers.

14 Q. How many peacekeepers were you taking to Foya? You had
15:08:18 15 told us that more than 300 were captured. How many were you
16 taking to Foya?

17 A. Those were the Zambians, the Kenyans and a Gambian and an
18 Asian, plus the military observers. Yes, there were more than
19 300.

15:08:41 20 Q. Are you telling the judges that you had only 15 or so
21 security guarding 300 soldiers, captive soldiers?

22 A. Yes, because at that time it was a deep RUF-controlled area
23 and the UNAMSIL were not armed, and I had told them that I was
24 taking them along to be released. So I did not see any reason
15:09:12 25 why I should have had a lot of armed securities.

26 Q. How many Liberian security were at the Foya airfield?

27 A. Well, in Foya, it was the AFL who were there, so I did not
28 know how many of their armed men were at the field.

29 Q. The total number of people that you saw at the airfield,

1 not counting the peacekeepers, would you say there was over 100,
2 between the RUF, the AFL, any assistants, political people,
3 journalists? Would that be correct?

4 A. No. There was no journalist there, but the citizens of
15:10:02 5 Foya came and stood around the edges of the field and they were
6 watching. The commander in Foya asked that they prepare food for
7 them, and those who brought the food for them, they were also
8 present after the UNAMSIL - after eating, they handed out the
9 uniforms to the UNAMSIL. So all of those people were there.

15:10:24 10 Q. Mr Sesay, how is it that in 2010, you recall the name of
11 one man handing out uniforms in that busy scene at Foya airfield
12 11 years ago? How do you remember Sampson's name 11 years later,
13 if you only saw him handing out uniforms?

14 A. Well, they were the ones who came on board the helicopter.
15:10:55 15 They came with the helicopter and he introduced himself to me,
16 and he was handing out the uniforms.

17 Q. But you couldn't remember the names, for example, of any of
18 the assistants with the Nigerian ambassador who you had met for a
19 couple of days in Buedu. The reason you remember Sampson's name
15:11:20 20 is because he was a regular visitor, like Zigzag Marzah, to
21 Buedu, bringing ammunition from Charles Taylor to the RUF. Isn't
22 that true?

23 A. I did not know him. I did not know that he was bringing
24 ammunition to the RUF.

15:11:40 25 Q. I want to ask you about another person you spoke about who
26 you said was at Camp Naama training with you, Momoh Dgiba. Could
27 the witness be shown, if we could bring up all of these, D-297C,
28 D-165, D-172, P-122F and D-141. Perhaps we can start with the
29 first four, they are photographs; D-297C, D-165, D-172 and

1 P-122F.

2 Starting with D-297C, if that could be put on the screen,
3 please. If we could zoom in a bit on the speaker and the man
4 behind him. Mr Sesay, do you recognise Charles Taylor speaking
15:13:44 5 in this photograph being at the podium?

6 A. Yes, my Lord.

7 Q. And who is the man in uniform just behind him?

8 A. That is Dgi ba.

9 Q. D-165, please. If we don't have that, then D-172, please.

15:14:52 10 Mr Sesay, do you recognise the man in uniform with the military
11 cap - hat, is that Momoh Dgi ba?

12 A. Yes, that is him.

13 Q. P-122F, please. Do you recognise, Mr Sesay, Charles Taylor
14 being the man on the left of our screens shaking hands with the
15:15:56 15 sunglasses on?

16 A. Yes.

17 Q. And the man uniform behind him, again is Momoh Dgi ba,
18 correct?

19 A. Yes, that's Dgi ba.

15:16:12 20 Q. D-141, page 180, please. This is the Presidential papers.
21 This photograph, Mr Sesay, do you recognise the man in the white
22 tracksuit as Charles Taylor?

23 A. Yes, my Lord.

24 Q. And the man just behind him with the jacket and the pink,
15:17:22 25 what appears to be pink-coloured shirt with the gold medal or
26 gold medallion around his neck, that's Momoh Dgi ba, correct?

27 A. Yes, sir.

28 MR KOUMJIAN: Could we have, please, the transcript for 20
29 July 2009, page 24757. If we go down to about line 7 - 24758,

1 excuse me, line 7.

2 Q. What Charles Taylor told these judges a year ago in this
3 courtroom, or in this trial, he said:

4 "I knew nothing of Sierra Leoneans training in Naama
15:18:50 5 whatsoever. I was aware of a training, NPFL training going on in
6 Naama, not Sierra Leoneans training in Naama for any operation."

7 And just so we're clear, the question he was asked is just
8 above that. "So, Mr Taylor, what did you know about Sierra
9 Leoneans training at Naama, so-called vanguards?"

15:19:17 10 Mr Sesay, you've told us that one of those who trained at
11 Camp Naama was Momoh Dgiba, the man we saw in all these
12 photographs just next to Charles Taylor, correct?

13 A. Yes, I said Momoh Dgiba was at Naama but before we left
14 Naama he and his brother, they left Naama, they escaped and went.
15:19:42 15 So they did not graduate with us at Naama. They were at Naama of
16 course but later they left Naama and went.

17 Q. So Momoh Dgiba knew very well about Foday Sankoh training
18 vanguards, training soldiers, for the invasion of Sierra Leone at
19 Camp Naama; correct?

15:20:04 20 A. Yes. He knew when he came there because he came there, he
21 and his brother, and at that time they were civilians. But when
22 he came he did not complete the training. He then left and went.

23 Q. And you've told us you knew that Momoh Dgiba even became
24 the head of the ATU in Liberia, the special Anti-Terrorist Unit
15:20:25 25 replacing Charles Taylor's son, Chucky. Isn't that true?

26 A. Yes, I know that. I knew that in 2000.

27 Q. So this close security officer for Charles Taylor was one
28 of the vanguards who trained - one of those who trained with you,
29 at Camp Naama in Liberia, correct?

1 A. But he did not complete the training. He left and went.

2 Q. When you saw him in Monrovia you recognised each other,
3 correct?

4 A. Yes, we recognised each other.

15:21:23 5 Q. Did you ask him what he had been doing since Naama?

6 A. Well, we said greetings to each other but I did not ask him
7 about what he has been doing. But, since 1990, or early '91,
8 when he left Naama I never saw him again until the time I went
9 there and saw him in the year 2000.

15:21:50 10 Q. And during your trips to Liberia you saw that he was very
11 close to President Taylor, correct?

12 A. Yes. But Momoh Dgiba was born in Liberia. It was only his
13 father who was a Sierra Leonean. He and his brother who were at
14 Naama were born in Liberia.

15:22:18 15 Q. I am going to move to another subject and just briefly ask
16 you about some things you said this morning. You said you met
17 Sunlight at the RUF guesthouse. When was it that you met him?

18 A. It was during the visits that I made to Monrovia. I said
19 there was a day when I was at the guesthouse when he came there
20 to say hello to Memuna and others. That was the time I knew him.

15:22:49 21 Q. Which of your visits? Which month and year?

22 A. Well, it was during the - that was 2000, during the visit
23 with the ECOWAS. I think it was during that visit.

24 Q. The first one or the one at the airport? The first visit
15:23:29 25 where you met the three Heads of State?

26 A. The first visit with the ECOWAS was comprised five Heads of
27 State. It was the second one that had three Heads of State. But
28 it happened during one of the two visits.

29 Q. When was it that you saw Sunlight at Benjamin Yeaten's

1 house?

2 A. I said at the time I went to escort the delegation that was
3 going to Abuja. That was the time I saw him at --

15:24:14

4 THE INTERPRETER: Your Honours, the name that the witness
5 referred to was not clear to the interpreter.

6 PRESIDING JUDGE: Mr Sesay, you saw him at where?

7 THE WITNESS: At Benjamin Yeaten's house, my Lord.

8 MR KOUMJIAN:

15:24:37

9 Q. So that would have been April/May 2000, correct? Excuse
10 me. That would have been October, the end of October 2000,
11 correct?

12 A. Yes. It was around that time.

13 Q. Because Abuja I was signed November 2, is that right?

14 A. I think so.

15:24:55

15 Q. Perhaps it might be helpful - we do have in this tab the
16 Abuja I Accord. I am just trying to find which of the tabs has
17 it. If we could have tab 29. Turn to tab 29, please, and have
18 that shown to the witness.

15:26:22

19 Mr Sesay, this is a letter or a document from the United
20 Nations Security Council. It is dated 14 November 2000. The
21 title is "Identical letters dated 13 November 2000" and the
22 permanent representative of Mali to the United Nations, addressed
23 to the Secretary General and the President of the Security
24 Council. Then there is the annex to this document which is
25 agreement on ceasefire and cessation of hostilities between the
26 Government of Sierra Leone, represented by Solomon Ekuma Berewa
27 and the Revolutionary United Front, represented by Jonathan Jim
28 Kposowa. If we turn to the last page we see it states it is done
29 at Abuja, this 10th day of November 2000.

1 Do you recognise this, you can take your time and look at
2 it, as the Abuja I Accord?

3 A. Yes, this is Abuja I.

4 MR KOUMJIAN: Could this document marked behind tab 29 be
15:27:46 5 marked for identification, please.

6 PRESIDING JUDGE: The document entitled, "Agreement on
7 ceasefire and cessation of hostilities between the Government of
8 the Republic of Sierra Leone and the Revolutionary United Front",
9 and the document is dated 10 November 2000, that is marked
15:28:20 10 MFI-39.

11 MR KOUMJIAN: Thank you.

12 Q. Mr Sesay, do you recall that early in your - in this
13 cross-examination I asked you about hearing the slogan "no
14 master, no slave" and you said you had never heard that. Do you
15:28:43 15 recall that?

16 A. Yes. I did say that I was not familiar with that slogan.

17 Q. And I put it to you that Foday Sankoh used to chant that
18 regularly, do you recall? Is that true that Foday Sankoh used to
19 chant "no master, no slave"?

15:29:07 20 A. Well, during the war there were areas that I did not stay
21 together with Sankoh and there were areas he went to I did not go
22 to. Because since '94, when he came to Zogoda until the time he
23 left for Abidjan I did not go there, I did not see him.

24 Q. So are you saying you never heard Foday Sankoh or anyone in
15:29:30 25 the RUF use that phrase, "no master, no slave", is that what
26 you're saying?

27 A. Well, what I understood was that we were independent states
28 and we were no longer supposed to be subjected to slavery, so
29 that was what I understood but, maybe the way you understand it,

1 it is not the way I understand it.

2 PRESIDING JUDGE: Sorry, Mr Koumjian, MFI-39, did you wish
3 to append the letter of transmission as well?

4 MR KOUMJIAN: No, I don't think that's necessary. Thank
15:30:06 5 you.

6 Q. Mr Sesay, I would like to show you a short video clip. It
7 is only about six or eight seconds, but if that could be
8 broadcast please.

9 [Video played to the Court]

15:30:55 10 MR KOUMJIAN: I think it caught me not looking, I don't
11 know about your Honours. Could we play that again, please.

12 [Video played to the Court]

13 Q. Mr Sesay, do you recognise Foday Sankoh in that clip?

14 A. Yes, yes. That is Mr Sankoh speaking.

15:31:32 15 MR KOUMJIAN: Could the clip be marked for identification.
16 And just for the benefit of Defence counsel, this is from the
17 documentary "Blood Diamonds" that was disclosed in August 2007.

18 PRESIDING JUDGE: Mr Koumjian, I don't know how to describe
19 this clip anyway.

15:31:55 20 MR KOUMJIAN: It is a clip regarding "no master, no slave"
21 or a clip of Foday Sankoh from the movie documentary "Blood
22 Diamonds".

23 PRESIDING JUDGE: Very well, that video clip will be marked
24 MFI-40.

15:32:12 25 MR KOUMJIAN: Could we have the transcript please for 19
26 April 2010, page 39303. Beginning at line 4.

27 Q. This Defence witness was asked the following:

28 "Q. Mr Witness, before we leave the issue of enslavement,
29 one of the charges in this case, I want to ask you, it's

1 true that part of the propaganda or ideology or whichever
2 words you choose and the RUF was 'no master, no slave',
3 Foday Sankoh used to chant that, correct?

4 A. Very much.

15:33:17 5 Q. But, in fact, in the RUF, Sam Bockarie was called
6 Master, correct?

7 A. Yes, he was.

8 Q. And Issa Sesay was called Master, correct?

9 A. Yes, he was."

15:33:36 10 Mr Sesay, you and Sam Bockarie were called Masters - each
11 called Master, correct?

12 A. Well, it was not just Issa and Sam Bockarie that were
13 called that way. It was a common name used by all officers,
14 Master, Master, Master. It was just a common name because there
15:34:00 15 were people who were more senior to Issa and Sam Bockarie in the
16 RUF who were also referred to as Master. You know, even
17 sergeants also call themselves, Master, Master, Master, Master
18 Sergeant, it was just a common name.

19 Q. I want to move to another topic, and that is the Abuja I
15:34:23 20 trip you took. You talked about going to Monrovia for Abuja I.
21 We saw that the accord was signed on 10 November 2000. You spoke
22 about on the way how Sheik Fofana was killed in the vehicle you
23 were driving and how Morris Kallon executed the Black Guard who
24 had fired the shot. Have I stated all this correctly so far,
15:34:57 25 Mr Sesay?

26 A. Yes.

27 Q. You said you went there and you met with Mr Taylor before
28 the delegation went and also after the delegation returned;
29 correct?

1 A. Yes.

2 Q. Why didn't you travel to Nigeria with the delegation?

3 A. Well, I had people who looked inclined to be able to
4 discuss the accord and they had had experience about peace talks
15:35:36 5 and Ibrahim Bah had said to me that he had called Michel and
6 others to come to Monrovia, so I thought that he was going -
7 calling them to do business and that's why I decided I was not
8 going and allowed the delegation to go.

9 Q. You were not - you didn't stay in Monrovia because you were
15:35:58 10 ill, that would not be true; correct?

11 A. I did not say I was ill?

12 Q. No, you didn't, but the private session transcript from 2
13 June 2010, page 41926, a witness, a protected witness, said you
14 did not go because you were sick. That's a lie, isn't it?

15:36:41 15 A. Well, I was not ill because I was to meet Michel and
16 Ibrahim Bah for us to transact business but I decided I was not
17 going and that the delegation should go.

18 Q. So you made that decision? First, let me ask you, did
19 Charles Taylor tell you not to go?

15:37:09 20 A. No. He was not the one.

21 Q. Did you make that decision yourself or did somebody else
22 tell you not to go?

23 A. No, I made the decision because Ibrahim Bah had called
24 them, those men, Michel and others, whom I was supposed to meet
15:37:29 25 with the diamonds that I had so that we could sell the diamond,
26 myself and Kallon, but I said I was not going.

27 MR KOUMJIAN: Could we please display the transcript from
28 the RUF trial, 29 May 2007 page 74.

29 Q. Mr Sesay, I want to read to you from your own testimony in

1 your own case. If we could go to about line 20, if you would go
2 up a little bit, please. Thank you. About line 15 you were
3 asked by your lawyer:

4 "Q. So was there a meeting for Abuja I?

15:38:48 5 A. Well, the Abuja I was - the discussion was how to
6 implement the Lome Agreement. The implementation of the
7 Lome, that was the main discussion of the Abuja, so that we
8 could continue to observe the ceasefire.

9 Q. Did you play a role?

15:39:07 10 A. Well, I did not go but I was the one who took the
11 delegation from Sierra Leone to Monrovia and it was I that
12 sent them. Because he fired - said that we should not go,
13 they wouldn't have gone.

14 Q. Was there a reason for why you didn't go?

15:39:34 15 A. So I played a role. Well, it was Kposowa that said I
16 should not go and that they were to go."

17 Which is true, Mr Sesay, that you made the decision not to
18 go because you wanted to make a diamond deal, even though the
19 delegation was going to return through Monrovia and did return
15:39:59 20 through Monrovia, or was it true that what you said in the RUF;
21 that it was Kposowa that said you should not go?

22 A. It was because I had to meet those people for us to
23 transact business. That's why I did not go.

24 Q. Mr Sesay, then when you were asked by Mr Jordash, your
15:40:23 25 counsel, was there a reason for why you didn't go and you said,
26 "Well, it was Kposowa that said I should not go and that they
27 were to go", were you lying?

28 A. Because I did not recall that when I stayed it was as a
29 result of the transaction, I did not remember that.

1 Q. Mr Sesay, is the reason you can't keep your story straight
2 about why you didn't go to Abuja I, between your RUF testimony
3 and your testimony in this case, because Charles Taylor gave you
4 the instruction not to go and you don't want to reveal that?

15:41:09 5 A. No. That's not it. He did not give me any instruction for
6 me not to go. He did not give me any instruction. It was
7 because I wanted to meet those people for us to transact the
8 business. That is why I did not go. And even Mr Taylor asked me
9 whether I was going and I said no, I was not going, I'm going to
15:41:29 10 send the delegation.

11 Q. So you did discuss with Charles Taylor whether you would go
12 or not; correct?

13 A. Yes, because when we arrived we went to the --

14 THE INTERPRETER: Your Honours, can he kindly repeat where
15:41:45 15 they went.

16 PRESIDING JUDGE: Please repeat your testimony slowly.

17 THE WITNESS: My Lord, I said when I went to that
18 delegation, they called me, because when I got there at the
19 guesthouse, they called me, saying the President wanted to see
15:42:03 20 me. So I went. It was in front of the house that I met him, in
21 the compound at the flower house. That was where he was sitting
22 in a chair. Then I greeted him. Then he responded, and he asked
23 me if I had come with a delegation, and he asked me if I was
24 going, and I said, "No, sir," I was not going. I said I was only
15:42:23 25 going to send the delegation and that I had brought the people
26 who are going to join those in Monrovia. Then he said, "Oh,
27 okay." Then I did not stay long. Then I returned to the
28 guesthouse. Then the following day the people went.

29 MR KOUMJIAN:

1 Q. I am going to move on to another subject. Do you recall
2 telling the Court that - well, let me ask you: In 1997, did
3 Sam Bockarie have a satellite telephone?

4 A. In '97?

15:43:03 5 Q. Yes.

6 A. No. I do not recall Sam Bockarie having a phone.

7 MR KOUMJIAN: If we could have the testimony - I need a
8 date. If you can give me one moment, please. I will move on and
9 come back when I have the date.

15:43:45 10 Q. Mr Sesay, do you recall testifying that there was no
11 contact between the junta, Johnny Paul Koroma's led junta, when
12 you were in Freetown, and Charles Taylor?

13 A. Yes, to my own knowledge, from what I knew.

14 Q. Well, Mr Sesay, you were read the testimony of a protected
15:44:09 15 witness, some testimony was read to you from closed session, and
16 you said it was a lie when that witness talked about a delegation
17 being sent to Monrovia to meet with Charles - to try to meet with
18 Charles Taylor. Do you recall that?

19 A. Yes, I do recall.

15:44:29 20 Q. When you said the testimony was a lie, is the truth that
21 you really don't know whether it was true or not?

22 A. Well, I did not hear that and did not see that.

23 Q. And you would know, because you were one of the
24 highest-ranking members of the RUF, correct?

15:44:55 25 A. Yes.

26 Q. And you were a member of the supreme council, correct?

27 A. Yes, I was a council member, although it was not everything
28 they were saying at the council, but I was a council member.

29 MR KOUMJIAN: Could we please have the transcript for 29

1 September 2009, 29 September 2009, page 29770.

2 JUDGE DOHERTY: Mr Koumjian, before you come to that, when
3 - Mr Sesay, when you say, "Yes, I was a council member, although
4 it was not everything they were saying at the council," what do
15:45:43 5 you mean "it was not everything they were saying at the council"?

6 THE WITNESS: Well, my Lord, like the bringing of that
7 shipment from Burkina Faso, they were not discussing it at the
8 council. There were some meetings that we used to have at the
9 council, the information used to leak out and the SLPP radio used
15:46:07 10 to talk about it, so it was not everything that Johnny Paul used
11 to talk about at the council meeting, including SAJ Musa, the
12 AFRC.

13 JUDGE DOHERTY: Thank you.

14 MR KOUMJIAN: If we could have the testimony of 29
15:46:28 15 September 2009, page 29770, and going to about line 15.

16 Q. Mr Sesay, testimony was read to Charles Taylor about that
17 delegation being sent to Monrovia to meet with him, and this is
18 what he said, beginning at line 12:

19 "Q. And who was the government minister who had those
15:46:57 20 contacts?

21 A. At that particular time, it was John T Richardson, who
22 knew a member of the delegation very well, and he took care
23 of - after I refused to see them, he made sure that they
24 got a safe passage back to Sierra Leone.

15:47:22 25 Q. And that was during the period of the junta, was it?

26 A. That is correct. And at that particular time - and
27 that name has come up here before - at that particular
28 time, he was not the national security advisor. He was
29 minister of Public Works at the time, and not - he

1 subsequently, years after that, became the national
2 security adviser, but he was Public Works Minister in 1997
3 when that delegation came to me in Monrovia that I refused
4 to see."

15:47:58 5 So, Mr Sesay, Charles Taylor acknowledges to this Court
6 that the junta did send a delegation to see him in Monrovia in
7 1997. Are you saying that Charles Taylor was lying when he said
8 that?

9 A. I can't say he was lying. I did not know. I did not know
15:48:21 10 of that.

11 Q. But when testimony was read to you from a Prosecution
12 witness who talked about a delegation being sent to Monrovia and
13 not being able to meet with Charles Taylor, you said that was a
14 lie, correct?

15:48:38 15 A. That was because I did not know, I did not know of that,
16 and nobody ever told me that they were sending a delegation to
17 Monrovia.

18 Q. So why didn't you answer, at the time when you were read
19 the testimony of the Prosecution witness, "I don't know about
15:48:55 20 that"? Why is it when the Prosecution witness talks about the
21 delegation, you said it was a lie, but Charles Taylor, when he
22 talks about it, you say, "Well, I don't know whether he's lying
23 or not"?

24 A. Well, I said I did not know of a delegation going to
15:49:15 25 Monrovia. I did not know of that.

26 Q. I want to go back, then, to the satellite telephone. I'm
27 going to leave this subject. And you said now you're not sure,
28 you don't know about Sam Bockarie having a satellite phone in
29 1997.

1 Let me read from 14 April, please, of 2010, page 39026.
2 This is a Defence witness talking about when Foday Sankoh sent
3 \$7,000 to Sam Bockarie from the Ivory Coast.

4 If we start around line 18 approximately, so line 18, yes,
15:50:19 5 the witness was asked:

6 "Q. So help us: That was what time? The time that they
7 went back with the US \$7,000?

8 A. Yes.

9 Q. They also carried a satellite phone?

15:50:34 10 A. A satellite phone.

11 Q. Did they carry anything else?

12 A. No. It was the satellite phone they carried.

13 Q. And who was to be the happy recipient of the satellite
14 phone?

15:50:49 15 A. The satellite phone was taken to Mosquito.

16 Q. Who provided the satellite phone?

17 A. The satellite phone was provided by Omrie Golley."

18 Mr Sesay, do you have any reason to dispute this account
19 that a satellite phone was brought to Sam Bockarie in 1997?

15:51:15 20 A. Yes, I disagree, because I did not see a satellite phone
21 with Sam Bockarie in '97.

22 Q. Mr Sesay, do you remember talking about what you said was a
23 big lie? You said, "Mr Taylor never gave me such an instruction,
24 and I never talk to him through a satellite phone." Did you ever
15:51:42 25 talk to Charles Taylor through a satellite phone, Mr Sesay?

26 A. No. I did not talk to Mr Taylor through a satellite phone.

27 MR KOUMJIAN: Can we have the testimony, please, from 18
28 August 2009. 18 August 2009, page 27047, about line 15 - line
29 14. This is from the testimony of Charles Taylor.

1 Q. Charles Taylor testified:

2 "A. We're talking about Issa Sesay. He's still not in
3 Liberia. That's why it's in Sierra Leone. On the
4 telephone, national security people are really involved in
15:53:19 5 these talks in trying to negotiate where it is made very
6 clear that these people must be released.

7 Q. Now help us: Are you in telephone contact at this
8 stage, then, with the RUF?"

9 Before I continue reading, Mr Sesay, it's correct, isn't
15:53:40 10 it, that in Buedu there was no regular telephone service? Is
11 that right? There was only satellite phone service, correct?

12 A. In Buedu, yes.

13 Q. And the same was true for Koidu, correct?

14 A. Yes.

15:54:01 15 Q. Then he goes on and says - he is asked:

16 "Q. Now help us: Are you in telephone contact at this
17 stage, then, with the RUF?"

18 A. At this stage, for these negotiations, I did speak to
19 Issa Sesay at least once and I made it very clear to him
15:54:20 20 that the United Nations personnel had to be released
21 unconditionally and voiced the outrage of the international
22 community about holding United Nations personnel."

23 Mr Sesay, did you have any telephone conversation with
24 Charles Taylor about the release of the hostages, that you
15:54:41 25 haven't told us about?

26 A. No. What I recall is the call that was made to me, when he
27 called me to Monrovia, when I - he told me about the mandate that
28 he's got from the ECOWAS leaders to release those people. That
29 is when I came and picked up the people.

1 Q. So when Charles Taylor talks about speaking to you by
2 telephone and expressing the outrage of the international
3 community about holding United Nations personnel, he was lying,
4 correct?

15:55:28 5 A. I do not recall that he was able to recall what happened,
6 because it was Benjamin Yeaten who came with the helicopter to
7 Pendembu.

8 THE INTERPRETER: Your Honour, can he kindly repeat his
9 answer, slowly?

15:55:42 10 PRESIDING JUDGE: Mr Sesay, Mr Sesay, please repeat your
11 answer, slowly.

12 THE WITNESS: Yes, my Lord. I said maybe Mr Taylor did not
13 recall what happened because what happened was that he sent a
14 helicopter for them to pick me up. That was the only contact
15:56:00 15 that led to the release of the UN. It was not a telephone
16 conversation.

17 MR KOUMJIAN:

18 Q. Well, Mr Sesay, Charles Taylor did not testify he could not
19 recall. What he said is:

15:56:12 20 "At this stage for these negotiations I did speak to Issa
21 Sesay at least once and I made it very clear to him that the
22 United Nations personnel had to be released unconditionally and
23 voiced the outrage of the international community about holding
24 United Nations personnel."

15:56:32 25 And that was in response to the question: "Are you in
26 telephone contact at this stage then with the RUF?"

27 There was no telephone call from Charles Taylor expressing
28 the outrage of the international community, was there?

29 A. No. It was only when he called me to Monrovia and he told

1 me that the international community was really angry and the
2 Security Council that had given them a mandate to release the -
3 for the RUF to release the people immediately.

4 Q. Mr Sesay, I would like to put on the transcript of
15:57:08 5 Charles Taylor please from 16 September 2009, page 29006.

6 While that's coming up: You told us that you did get a
7 satellite phone from Charles Taylor, correct?

8 A. Yes.

9 Q. When was that?

15:57:32 10 A. I think that was around - around the visit that I made in
11 October when I accompanied the delegation. It was at that time
12 that I was given a phone.

13 Q. How did you use that telephone, that satellite phone?

14 A. I don't understand, sir.

15:57:57 15 Q. What did you use - first of all, did you use a satellite
16 phone to talk to Charles Taylor?

17 A. No. I was not using the phone to talk to Mr Taylor, but I
18 was using it to call Monrovia at the guesthouse to leave
19 messages. Or I had to buy some other phones that I gave to
15:58:20 20 Gibriil, I used to call Gibriil to give him messages. Just like
21 that.

22 Q. Were you using the phone to call Benjamin Yeaten?

23 A. Well, I was not talking to Ben normally.

24 PRESIDING JUDGE: What does that mean?

15:58:46 25 THE WITNESS: When he said I used the phone to call Ben,
26 that was why I said I was not always calling Ben, that I used to
27 call Ben and talk to him. If I had a message I would call Gibriil
28 Massaquoi or the number at the guesthouse. I used to call there
29 and talk to them. But Ben and I were not having telephone

1 conversations.

2 PRESIDING JUDGE: But that's not the question that was
3 asked of you. The question was not whether you used to talk to
4 Benjamin Yeaten normally or frequently. The question was did you
15:59:18 5 use the phone to call Benjamin Yeaten at all?

6 THE WITNESS: I was not calling Ben.

7 MR KOUMJIAN:

8 Q. Mr Sesay, on 16 September 2009, page 29006, Mr Taylor was
9 being asked about the testimony of King Perry and he said at the
15:59:57 10 top of the page:

11 "Yes. The time Sam Bockarie left and went to Liberia to
12 Mr Taylor" - excuse me. The Defence counsel was reading from the
13 testimony of King Perry and he read the following:

14 "A. Yes. The time Sam Bockarie left and went to Liberia
16:00:17 15 to Mr Taylor, and again when Foday Sankoh was arrested in
16 Freetown during the May incident 2000, Issa took over as a
17 leader - as acting leader of the RUF. During that time
18 again Issa had a satellite phone through Liberia, so he
19 himself was talking to Mr Taylor. So whatever they
16:00:42 20 discussed, he would do the same thing by sending messages
21 to all commanders through field radio communications. And
22 even if the RUF spokesman or whatsoever was representing
23 BBC Focus on Africa or the Voice of America, they would use
24 the same satellite phone to talk."

16:01:07 25 And after that testimony of King Perry was read to
26 Mr Taylor he was asked:

27 "Q. One question about that, Mr Taylor. Did you provide
28 Issa Sesay with a satellite phone?

29 A. No, I did not."

1 That was a lie. Correct, Mr Sesay?

2 A. Yes, because he gave me a phone. I requested for a phone
3 and President Taylor himself told President Obasanjo about it,
4 that I should be assisted with a phone. Then President Obasanjo
16:01:43 5 said they would work on it. And during that October visit
6 Mr Taylor gave me one phone.

7 Q. Mr Sesay, you said you used the satellite phone not to call
8 Taylor or Yeaten but to call the guesthouse. That's your
9 testimony, correct?

16:02:00 10 A. Yes. I said I used to call the guesthouse, I used to call
11 Gibril Massaquoi because no others - there was no other strange
12 thing for me to tell Mr Taylor after we had come from there.

13 Q. Mr Sesay, a satellite phone is expensive to use, correct?

14 A. Yes, it's an expensive phone.

16:02:30 15 Q. You have told us that you had a radio operator at the
16 guesthouse, correct?

17 A. Yes.

18 Q. Why would you speak on a satellite phone when you could
19 connect to the guesthouse through the radio for free? Why would
16:02:47 20 you use an expensive satellite phone call?

21 A. But that was - that's the purpose of the phone, for me to
22 talk.

23 Q. Well, what was the purpose of the radio?

24 A. The radio was there, but it didn't mean that if the radio
16:03:09 25 was there I wouldn't talk on the phone. The same phone I used to
26 talk to Freetown to General Opande and others.

27 Q. You used - you were given a satellite phone so that you
28 could have private conversations not over the radio net with
29 Charles Taylor. Isn't that true?

1 A. When they gave it to me it was not that. It was not meant
2 for me to get any private talk. Because what I spoke about the
3 phone, it was in the presence of the ECOWAS leaders. It was not
4 just between myself and Mr Taylor that I made the request. I did
16:03:49 5 not see any private talk that I was to discuss with on the phone.
6 There was no other secret.

7 Q. What did you use the phone for? You've just said to call
8 the guesthouse. That's what you used the satellite phone for.
9 Is there anything else?

16:04:16 10 A. I said I would call the guesthouse. Sometimes I would call
11 Gibril. Sometimes I would call Freetown. Sometimes I would call
12 Ibrahim Bah. Just like that.

13 Q. I want to move on to another topic. Mr Sesay, did
14 civilians carry ammunition for the RUF?

16:04:53 15 A. That one, in the jungle, it used to happen in the jungles.
16 But from 1997 and '98, the RUF withdrew to Kailahun, Sam Bockarie
17 took vehicles from Kenema. Since then I did not see civilians
18 carrying ammunition because, even the ammunition that we used to
19 go to Kono, we put them in a vehicle, myself and Mike Lamin, and
16:05:21 20 he accompanied me to Luawa Baoma. From there fighters came from
21 Kono who received me, then we went together to Kono.

22 Q. So are you saying it was normal, a normal occurrence before
23 1997, for civilians to carry ammunition for the RUF?

24 A. No, it was not normal to give civilians ammunition to
16:05:47 25 carry. It was - it was risky, especially when you were in a
26 place where enemies were present; in case of anything they could
27 drop it and run away. Ammunition was not something that was all
28 over the place for the RUF. It was something that was scarce
29 with the RUF. So I did not know of civilians transporting

1 ammunition.

2 Q. Well, you began your answer, two questions ago, with, "That
3 one, in the jungle it used to happen". So did it used to happen
4 - what were you referring to when you said it used to happen in
16:06:25 5 the jungle?

6 A. Well, I was talking about like civilians carrying foodstuff
7 in the jungle from other jungle - like the town was attacked,
8 that used to happen. But ammunition, it was not easy because
9 during those times RUF only had to capture ammunition. Or those
16:06:47 10 of us who were at the border traded for them but - traded for
11 them with the people who were at the border.

12 Q. Let me re-read the question and the beginning of your
13 answer. On my LiveNote it is page 136, line 10. I said I was
14 moving to another topic, and I asked you: "Mr Sesay, did
16:07:06 15 civilians carry ammunition for the RUF?" You said, "That one, in
16 the jungle, it used to happen."

17 What did you mean when you answered my question, "Did
18 civilians carry ammunition for the RUF", saying, "In the jungle
19 that used to happen"?

16:07:27 20 A. Well, for example, if the RUF attacked a town, when they
21 had moved out of Kailahun District and they launch an attack and
22 ammunition is captured or food is captured, obviously the food
23 and ammunition would be transported by the civilians to the base
24 where the RUF would be in that jungle, the fighters and the
16:07:49 25 civilians.

26 Q. I want to please read the transcript from 8 January 2008,
27 page 732. While that transcript is coming up on the screen,
28 Mr Sesay, Dawa is a town in Lofa County, correct?

29 A. What's the name of the town?

1 Q. Dawa.

2 A. Well, Dawa - Dawa is in Sierra Leone.

3 Q. If we could go to page 731, please, rather than 732. If we
4 go towards the bottom of the page. I am sorry, could we go up a
16:09:29 5 few lines. The witness was asked on line 9: "Can you tell this
6 Court what happened when you got to Dawa?" He said he never knew
7 that place before but:

8 "But they told me it was a marketing place, in our local
9 parlance, Krio, we call it a looma, that is where people meet to
16:10:03 10 sell the different items. But the place was clear and the next
11 thing I saw was the helicopter in that very Dawa."

12 Mr Sesay, Dawa is on the border with Liberia, correct?

13 A. Well, you come from Dawa to the Liberian border. That was
14 in Sierra Leone. Dawa customs. That was where Sierra Leone had
16:10:35 15 its customs. From there you go on to the Liberian border and
16 cross over.

17 Q. Thank you. Back to the transcript, please. Then the
18 witness was asked, line 20:

19 "Q. And what did you notice about this helicopter?

16:10:59 20 A. It had already landed on the ground but, the only
21 thing, the propeller was still turning.

22 Q. What else did you observe about it?

23 A. They opened the rear, the rear of the helicopter, and
24 they started unloading it. I saw boxes unloaded from it
16:11:17 25 and some were metal boxes. They started pulling them out
26 of it. I stood and watched the helicopter. I saw it is
27 Liberia ALA. I said it in my mind that this is Liberia
28 ECOMOG."

29 Then going to the next page, the witness said, on line 2:

1 "A. There was writing on it, Liberia. I can't recall
2 everything because I was under pressure at that time. I
3 can't recall everything that was on it, but I saw the
4 helicopter definitely. With my naked eyes, I saw it."
16:12:00 5 He was asked what was the writing he saw, and he said:
6 "A. Liberia Airlines, something like that."
7 Then he was asked:
8 "Q. You say boxes were unloaded from the rear of the
9 helicopter. Who unloaded these boxes?
16:12:18 10 A. It was the commanders that we went with. They unloaded
11 the particular helicopter, taking out the loads. I was
12 standing by their side and we were in fact in line, we were
13 queued up."
14 Then going down a few lines, he said, line 23:
16:12:42 15 "Q. We were queued up. When they completed the unloading,
16 when as you approach, you just take a box, or you take two,
17 depending on your volume. That is how they gave you load
18 to put - to go directly to Buedu and meet Mosquito. That
19 was how they were loaded and given to us.
16:13:06 20 Q. So all of you civilians carried loads?
21 A. Yes, sir. Every one of us who was a civilian, we
22 carried those boxes.
23 Q. Can you tell this Court what happened when you got back
24 to Buedu?
16:13:22 25 A. Yes, sir. When we went to Buedu, we went directly to
26 Mosquito's residence. We put the things down, and it was
27 from that time that I knew that they were ammunitions. I
28 saw something very long. When the Mosquito himself came
29 closer, he said, 'This is a chaser.' He said, 'This is the

1 thing that we use to bring down the jets."

2 Mr Sesay, you've told us that the RUF did receive chasers,
3 correct?

16:14:07

4 A. In the RUF, the chasers that they received were those who
5 were brought to Magburaka, the ones that the flight brought to
6 Magburaka.

7 Q. You explained that the chaser is a SAM-7 missile, it's a
8 shoulder-fired missile that you shoot at planes to bring them
9 down, correct?

16:14:34

10 A. Yes, that was what it was for, SAM-7.

11 Q. Civilians were carrying loads of ammunition from the border
12 to Kono, to Buedu, for the RUF; isn't that true?

16:15:05

13 A. This is a lie that a helicopter ever came to the Liberian
14 border and there was civilians were queued to Dawa and they
15 carried ammunition. It's not true.

16 PRESIDING JUDGE: Why do you say it's not true?

16:15:30

17 THE WITNESS: Because, my Lord, I never heard that. And
18 Buedu, there were vehicles, there were vehicles in Buedu, even
19 food. When Sam Bockarie sends to Pendembu, it's a vehicle that
20 brings that food, because Sam Bockarie looted a lot of vehicles
21 from Kenema that they took to Buedu, including trucks.

22 MR KOUMJIAN:

23 Q. So you're saying that this witness is lying; civilians
24 never carried loads for the RUF?

16:15:56

25 A. Well, I can't say civilians did not carry loads for the
26 RUF. We're talking about ammunition. I said I did not see that
27 happen.

28 Q. Let's talk about abductions. The RUF would capture areas,
29 and they would abduct, seize, the civilians and not release them;

1 isn't that true?

2 A. Yes, it happened in some areas, but some areas during the
3 war, that never happened.

4 Q. Well, I would like to read from testimony of 3 October
16:16:39 5 2008, page 17861.

6 JUDGE DOHERTY: Before you do, Mr Koumjian, Mr Sesay, are
7 you saying it happened - yes, it happened in some places but it
8 didn't happen in other places? Is that what you're saying?
9 Because your answer to me is somewhat contradictory.

16:17:08 10 THE WITNESS: Yes, my Lord. The war lasted for about 10
11 years in Sierra Leone, and this thing that the lawyer is talking
12 about, it happened in some years. And even in the same years, it
13 happened in some places, and in some other places it did not
14 happen. Like, for example, my Lord, in 1998, some people
16:17:31 15 captured people and took them along. The RUF, like Superman who
16 was in Koinadugu, they used to capture people. Then those of us
17 who came from Kono, from Kono - between Kono and Makeni, they
18 were not capturing people there. People were staying in their
19 villages until the end of the war. So there were some places
16:17:50 20 where they were happening, and in some other places they were not
21 happening. That was what used to happen.

22 MR KOUMJIAN:

23 Q. Mr Sesay, before we go on to the witness I am about to
24 read, the last witness that I read to you was the Reverend Alex
16:18:06 25 Tamba Teh. Did you know him?

26 A. Alex Tamba Teh, yes, I know him, because he used to go - he
27 used to go to Buedu in 1999, because he - in 1998, I was not in
28 Kono, but when I came to capture Kono, he was the one who was
29 praying for the fighters during parades in the morning, and he

1 join the RUF church, and he used to leave Kono for Buedu to hold
2 meetings with Pastor Alpha. That is what used to happen in 1999
3 and 2000. But I knew him in December '98?

16:19:05

4 Q. So would it be correct to say that Sam Bockarie made him a
5 pastor for the RUF?

6 A. No. He left Kono with a title. When he went to Kailahun
7 in '99, that is when Sam Bockarie knew him. It was in Kono where
8 Superman made him pastor. He was a pastor. So they - he was
9 leading the RUF in prayers at parades at Superman Ground. That
10 was what I heard. When I came - when I went there in the
11 morning, I did see that happen during the parades.

16:19:30

12 Q. How did he get his teeth knocked out?

13 A. I don't know, because I was not in Kono. I knew him in
14 December of '98, and even when I said stayed in Kono, he was
15 closer to my own place. He was around - he was between Lebanon
16 and Kokui ma.

16:19:57

17 Q. Rocky C0 was a vanguard, correct?

18 A. Yes, Rocky C0 was a vanguard.

19 Q. He was a Liberian, correct?

16:20:19

20 A. Correct, Liberian trained by the RUF.

21 Q. And you heard about Rocky C0 killing many people in Kono
22 District in 1998, correct?

23 A. Yes. I got that information when I was in Pendembu. It
24 was Mike Lamin who told me that Sam Bockarie had invited Rocky C0
25 to Buedu, based on the information --

16:20:54

26 THE INTERPRETER: Your Honour, can he kindly repeat this
27 answer, slowly?

28 PRESIDING JUDGE: Mr Sesay, please repeat your answer,
29 slowly. You got the information when you were in Pendembu, and

1 then continue from there.

2 THE WITNESS: Yes, my Lord. I said Mike Lamin came from
3 Buedu to Pendembu when he came to me, and he told me that Rocky
4 CO was in Koidu and that he had killed some people and he had
16:21:26 5 been invited by Sam Bockarie. I understood that they asked him
6 questions, and it was the MP who asked him questions, and from
7 that they sent him back. They said he had killed a Nigerian
8 woman.

9 MR KOUMJIAN:

16:21:42 10 Q. He killed over 100 people in Kono; isn't that true?

11 A. Well, that was how Pastor Teh testified at my trial, that
12 he killed people in Kono.

13 Q. And that's true, isn't it? Rocky CO massacred people in
14 Kono.

16:22:08 15 A. Well, my Lord, I was not there. I was in Kailahun, and the
16 commander in Kono was not reporting to me. But when Rocky CO was
17 called and investigated, they said he was guilty for killing an
18 Nigerian woman. Mosquito detained him and he later sent him to
19 Kono.

16:22:32 20 Q. I am going to move back to the testimony of 3 October 2008,
21 page 17861.

22 Mr Sesay, this is the testimony of a witness who testified
23 openly, Patrick Sheriff. He also talked about his brother having
24 his fingers cut off and then killed.

16:23:02 25 I am just going to read to you from line 5. He has
26 testified:

27 "A. They did not release us. We escaped. They did not
28 release us. A rebel does not release somebody. When once
29 they capture somebody, you are a slave to them. They do

1 not release somebody."

2 And that's true about how the RUF treated civilians, isn't
3 it? Civilians were slaves for the RUF.

16:24:09

4 A. No, my Lord. Civilians were not slaves. They were not
5 slaves, because, like myself, where I was staying in Pendembu,
6 civilians were not slaves there. And when I led the attack - I
7 mean, when I lead the attack - when I led the attack on Kono,
8 from Kono to Makeni, civilians were living in their villages and
9 towns up to the disarmament. They were not working for the RUF.

16:24:31

10 Q. Among the places that they were forced to work for the RUF
11 were the diamond fields; isn't that true?

16:24:58

12 A. Well, the diamond fields - there was a time that we had the
13 two-pile system whereby when they mined they shared the gravels.
14 They would wash theirs and the RUF would take theirs. And when
15 they got the diamonds, they would sell them to their jewellers.
16 Some would come to Bo and some would go to Freetown with the
17 diamonds. At that time, vehicles were applying to go to Kono
18 from Makeni, wares were flowing to Kono. I know that during the
19 war, in certain towns, bad things happened to civilians, but the
20 way they are putting it now, that was - that is not how it
21 happened, that throughout the war, that the RUF were maltreating
22 them. It was - all the commanders were not like that.

16:25:23

23 Q. You heard about civilians who were mining in Tongo being
24 killed when the walls of the ground collapsed and they were
25 buried alive. You heard about that, correct?

16:25:48

26 A. I heard about sand that covered people in '97, when they
27 were mining in Cyborg Pit. They said sand used to cover people
28 in '97.

29 Q. And also in '97 Sam Bockarie's boys, or some SBUs shot

1 civilians in the pit; isn't that true?

2 A. I did not know of that, that Sam Bockarie's boys killed
3 civilians, I did not know of that.

4 Q. Mr Sesay, diamonds and the desire for diamonds, the use of
16:26:51 5 diamonds to obtain ammunition and arms from abroad, that was one
6 of the major causes of the Sierra Leone war, wouldn't you agree?

7 A. No, that's not true. The war was not about diamonds. From
8 1991, when the war started in Sierra Leone, up to 1997, RUF was
9 not controlling mining areas. Even in '92 - in '95 when RUF took
16:27:30 10 Kono for about one month, two months in '92 and one month in '95,
11 RUF did not carrying out mining. So from '91 to '97, the RUF was
12 not mining.

13 Q. Mr Sesay, one of the witnesses who testified in this case
14 is Ibrahim Fofana. He also appears on part of P-14, and I would
16:27:56 15 like to play, your Honour, Madam President, a portion of P-14.
16 That was a video clip, but I am only going to play about 30
17 seconds of it.

18 [Video played to the Court]

19 Mr Sesay, do you agree with Mr Fofana?

16:29:13 20 A. Well, my Lord, this is a victim who suffered during the
21 war. His arms were amputated. I agree that some people's arms
22 were amputated. Savage and others did that to people in 1998,
23 including some elements of the RUF in '98 in Kono, between April
24 to March to May - March to June of 1998. But at that time, the
16:29:49 25 RUF was not carrying out mining in Kono. The RUF - when the AFRC
26 was committing these atrocities, amputating people's arms, you
27 see. And when I came to take Kono from ECOMOG in December,
28 amputations were not done. We did not amputate the arms of
29 people. It did not happen. You know, so these crimes were

1 committed - they started in March to May - May, June of 1990 -
2 March to May of 1998 in Kono and then it continued to the north
3 up to Freetown in January '99, you see. But if you see the RUF
4 fighting from Kono, from December coming down to Makeni, even the
16:30:47 5 trial that I faced, even the Prosecutor knew that I was a
6 commander who led that operation. All the victims who testified
7 against me at the trial, there were no amputees from the attack
8 from Kono to Makeni in December 1998, that did not happen, you
9 see.

16:31:09 10 Q. I would like to continue to ask you about how civilians
11 were treated when you were the interim leader, but I see that we
12 are out of time and I can deal with it tomorrow morning.

13 PRESIDING JUDGE: We are going to adjourn until tomorrow
14 morning until 9. And as usual, Mr Sesay, you are not to discuss
16:31:26 15 your evidence with anyone.

16 [Whereupon the hearing adjourned at 4.32 p.m.
17 to be reconvened on Thursday, 26 August 2010 at
18 9.00 a.m.]

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I N D E X

WITNESSES FOR THE DEFENCE:

DCT-172 47058

CROSS-EXAMINATION BY MR KOUMJIAN 47058