Case No. SCSL-2004-15-T THE PROSECUTOR OF THE SPECIAL COURT

V.

ISSA SESAY MORRIS KALLON AUGUSTINE GBAO

THURSDAY, 17 MAY 2007

9.27 A.M.

TRIAL (AMENDED)

TRIAL CHAMBER I

Before the Judges: Bankole Thompson, Presiding

Pierre Boutet

Benjamin Mutanga Itoe

For Chambers: Mr Matteo Crippa

Ms Nicole Lewis

For the Registry: Ms Advera Kamuzora

For the Prosecution: Mr Peter Harrison

Ms Penelope-Ann Mamattah Ms Shyamala Alagendra

For the accused Issa Sesay: $\mbox{Mr Wayne Jordash}$

Ms Sareta Ashraph

For the accused Morris Kallon: Mr Melron Nicol-Wilson

For the accused Augustine Gbao: Mr John Cammegh

		1	[RUF17MAY07A- SM]		
		2	Thursday, 17 May 2007		
		3	[The accused present]		
		4	[The witness entered Court]		
	09:19:19	5	[Open session]		
		6	[Upon commencing at 9.27 a.m.]		
		7	PRESIDING JUDGE: The trial is resumed. We are advised		
		8	that the technology is now in order and functioning properly.		
and	Ė	9	But there is one thing I need to mention. The stenographers		
to	09:49:03	10	the interpreters are again requesting or appealing to Mr Sesay		
the		11	try as much as possible to speak slowly and audibly so that		
		12	testimony can be recorded faithfully and accurately. They are		
		13	concerned about the quality of the translation and also the		
we		14	quality of the recording. I am sure we will all do the best		
	09:49:34	15	can.		
		16	Learned counsel, continue with the presentation of your		
		17	case.		
		18	WITNESS: ISSA HASSAN SESAY [Continued]		
		19	MR JORDASH: Thank you, Your Honour.		
	09:49:46	20	Q. Good morning, Mr Sesay.		
		21	A. Yes, good morning, Mr Jordash.		
		22	Q. Are you feeling ready to continue?		
		23	A. Yes.		

- 24 Q. Let me ask you about some allegations concerning alleged
- 09:50:16 25 offences. It was alleged by a witness that civilians were forced
 - 26 to carry logistical materials, including rice and ammunition,
 - 27 across the Moa River to the front lines in Kono from Kailahun
 - during 1998. Are you aware of that?
 - 29 JUDGE ITOE: First of all, Mr Jordash, who was this

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- 1 witness? And secondly, I thought -- well, as far as rice and
- $\,$ $\,$ $\,$ $\,$ $\,$ condiments and so on are concerned we have not heard his reply.
 - 3 But as far as ammunitions are concerned we heard his reply
 - 4 yesterday and it was very detailed.
 - 09:51:15 5 MR JORDASH: I agree.
 - 6 JUDGE ITOE: Yes.
 - 7 MR JORDASH: I simply put that in there because the same
 - 8 witness made the same allegation.
 - 9 JUDGE ITOE: That's fine. May we have the pseudonym of
 - 09:51:24 10 this witness, please.
 - 11 MR JORDASH:
- $$12\ \ Q.$$ 371. Obviously, in your answer, do not reveal the identity

later	13	of 371. If you need to, then we can go into closed session
	14	on.
09:51:47	15	A. Well, I did not know about this, that they were forcing
the	16	civilians from Kailahun to carry rice and condiments across
	17	Moa, no. Because even when when I was going it was the RUF
	18	unarmed men that carried the condiments and food.
condiments	19	Q. Are you aware of the frequency in which rice and
09:52:19	20	were taken from Kailahun to Kono during 1998?
supply	21	A. Well, I was in Pendembu and those who had been, the
did	22	was from Buedu to Kailahun Town then to the Moa River. But I
food.	23	not know that it was civilians that had been carrying the
	24	It was our fighters who were unarmed men that had been
09:52:43	25	transporting food to Kono.
	26	Q. But before how many weeks was it before you went to
	27	Pendembu?
put	28	THE INTERPRETER: Your Honours, would learned counsel
	29	the question again? The interpreter did not get it.

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- 1 MR JORDASH:
- 2 Q. How many weeks was it before you went to Pendembu?
- 3 A. Well, we arrived late February or early March when we
- 4 arrived at Buedu '98. Then March, I was in Buedu; April

Bockarie

- 09:53:24 5 sent me and when I came I went to Pendembu -- Monrovia, when I
 - 6 came I went to Pendembu.
 - 7 Q. So how many weeks in total were you in Buedu before you
 - 8 were sent to Liberia?
 - 9 A. Well, I would say about five to six weeks.
- 09:53:45 10 Q. Right. So during that time were you aware of any supplies
 - 11 going to Kono?
- 12 A. Well, during that time, no. Bockarie did not supply -- had
 - 13 not been supplying rice.
 - 14 Q. Well, had he been supplying anything?
- 09:54:08 15 A. Well, supply had not been going to Kono during that period.
 - 16 Q. Do you know why not?
 - 17 A. Well, I did not see that he sent rice or condiments in
 - 18 March.
 - 19 Q. Okay.
 - 09:54:33 20 JUDGE ITOE: But you asked him whether he knows why.
 - 21 MR JORDASH: He had been --
 - JUDGE ITOE: Mr Jordash, am I right?
 - 23 MR JORDASH: Yes.
 - JUDGE ITOE: You did, didn't you?
 - 09:54:46 25 MR JORDASH: Yes. Yes, I did.
- $\,$ 26 $\,$ Q. $\,$ Did you know why -- why was it supplies were not going at

	27	that stage?			
not	28	A. Well, I said during that time Bockarie Bockarie had			
that	29	started supplying rice and condiments to Kono because during			
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it	1	five to six weeks he took ammunition to Superman in Kono. But			
	2	was done by unarmed men; but it was not a lot of ammunition.			
supplies	3	Q. Well, were there any requests from Kono to provide			
	4	other than ammunition during that time?			
09:55:32 request	5	A. Well, yes. It was Superman, yes, he would make a			
send	6	and when he made request Bockarie himself would tell him to			
officers	7	the men to the Moa River while he would send the other			
	8	to take the ammunition to the Moa River.			
or	9	Q. I think there might have been a translation difficulty			
09:55:53	10	you are not addressing your mind to the question. What I am			
	11	asking for is: whether there was a request for supplies other			

A. Well, that was later. But during this time it was only

than ammunition?

13

- 14 ammunition supply that Superman asked for.
- 09:56:18 15 Q. All right. Okay. Thank you. And how did you know this?
 - 16 A. Well, I was in Buedu during that time.
 - 17 Q. Well, how did you know it, though?
- 18 A. Well, when Superman sent the request, Bockarie talked about
- 19 it, and Bockarie told his bodyguard commanders, Sabado to take a
 - 09:56:39 20 vehicle --
 - 21 THE INTERPRETER: Your Honours, would the witness go --
 - 22 repeat the last segment of his testimony.
- $\ensuremath{\mathtt{Q}}.$ Sorry, Mr Sesay. I think we are going to have to slow down
 - even more. Repeat your answer, and I think do it slowly.
 - 09:57:07 25 A. I said, Bockarie, when he took the ammunition from his
 - 26 store -- to his veranda -- it was not a secret. I had to know
 - 27 because you asked me -- how I managed to know.
 - 28 Q. Thank you. On this subject, it's alleged by the
- 29 Prosecution that following the retreat, the intervention, there

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1 were tens, hundreds, thousands maybe, the allegations are

- 2 unclear, of people who were abducted and brought eventually to
- 3 Kailahun. Are you aware of these people being resident within
- 4 Kailahun?
- 09:58:22 5 A. Well, what I knew, they were family members of the
- $\,$ 6 $\,$ retreating troops. They were the ones that went with them $\,$ from
 - 7 Freetown here to Masiaka, Makeni to Kono.
 - 8 Q. Are you aware of a large number of strangers living in
 - 9 Kailahun in 1998 from other parts of Sierra Leone?
 - 09:58:49 10 A. Yes. I knew that people came from Kenema, thousands of
- $\,$ 11 $\,$ them, and a few of them stayed in Kailahun. Others crossed and
 - 12 went to Liberia. And some who came with their family members
- from Kono, they stayed in Kailahun. But it was not a large group
 - of civilians which could referred to as thousands. No.
- $09:59:20\ 15$ Q. Are you able to estimate -- I know that it may be too big a
 - 16 question, but are you able estimate how many strangers of this
 - 17 kind were there as part of the population?
 - 18 A. Well, I cannot show a figure because I was not a G5
 - 19 commander who would be able to register all those that went to
- 09:59:48 20 Kailahun, you see, but the civilian population, even when the jet
 - 21 had been attacking, a lot of them went to Liberia.
- 22 Q. Well, what do you mean they went to Liberia? When did they
 - 23 go to Liberia?
 - 24 A. Well, especially in March, a lot of civilians went to
 - 10:00:07 25 Liberia because thousands of people who retreated from Kenema,
 - 26 Segbwema, Daru, they all crossed by Bomaru to -- to Liberia.
 - 27 Q. So they were allowed to leave RUF territory?

- 28 A. Yes. Yes. Because the crowd was too much. It was
- 29 difficult for the RUF to stop them, and the population was too

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	1	heavy for them to live within Kailahun.		
Kailahun	2	Q. Do you know where these strangers who remained in		
	3	lived?		
	4	THE INTERPRETER: Your Honours, would learned attorney		
10:00:53	5	repeat the question.		
	6	MR JORDASH:		
	7	Q. Do you know where these, I suppose, displaced people in		
8		Kailahun lived?		
not	9	A. Well, we did not have a displaced camp. Kailahun did		
10:01:10 10 been		have a displaced camp but they were living civilians had		
living in the villages like Balahun, Buedu,		living in the villages like Balahun, Dodo Kortuma, around		
towns,	12	and some villages around Kailahun Town. Because the main		
-	13	especially like Kailahun, the civilians, avoided that area		

March because the jet had had to -- the jet had had to drop

from

heavy

14

- 10:01:48 15 cluster bombs there.
 - 16 Q. And were these people living freely in these places?
- $\,$ 17 $\,$ A. Well, the only thing which was -- which was the system was
- 18 the pass system, whereby the pas was like a sort of identity to
- $\,$ 19 $\,$ identify yourself -- which village or which town you were living.
 - 10:02:18 20 But, minus that, civilians had been living --
- $\,$ 21 $\,$ Q. And so they were socially mixing with Kailahun residents;
 - 22 is that right?
 - 23 A. Yes, it's a fact. They all had been mingling together
 - 24 because all of them had been staying in the same villages.
 - 10:02:38 25 Q. So would the Kailahun residents be able to speak about
 - 26 these displaced people, in your view?
 - 27 A. Yes, they would be able to talk about that.
 - 28 Q. Thank you.
 - 29 MR JORDASH: I think to be as cautious as one can be, I

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- 1 have to apply to go into a closed session.
- 2 PRESIDING JUDGE: For how long? About--
- 3 MR JORDASH: About at least the rest of the morning.

PRESIDING JUDGE: Very well then. Then we will ask the 10:03:37 5 members of the public to retire until the afternoon session. 6 Thank you. Madam Courtroom Officer, could you have the 7 technology switched on for closed session hearing. Thank you. 8 Mr Jordash, we will now hear your application. 9 MR JORDASH: The application is to go into a closed session 10:05:56 10 so that I can ask Mr Sesay about allegations made by TF1-366, 11 TF1-371. I will also seek to make reference to TF1-078, TF1-071, 12 although that might be possible to do in open session. 13 PRESIDING JUDGE: Yes. MR JORDASH: But because it's linked to the wider 14 questions 10:06:31 15 of allegations made by 366 and 371. It would be quite tricky to 16 compartmentalise it and then I will move into, or I will seek to 17 move into asking Mr Sesay about the training base at Bunumbu, and the allegations made by 362, 363, 093, and 141. And I 18 anticipate 19 that Mr Sesay's answers will necessarily have to deal with the 10:07:14 20 respective roles of those witnesses, and those roles would 21 identify a particular person. That's my application. PRESIDING JUDGE: Thank you. Counsel for the second 22 23 accused, any objection to that? 24 MR NICOL-WILSON: No objection, Your Honour. 10:07:34 25 PRESIDING JUDGE: Counsel for the third? 26 MR CAMMEGH: I support the application, Your Honour. 27 PRESIDING JUDGE: Thanks. And Prosecution counsel? 28 MR HARRISON: There is no objection. I was just checking

29 the numbers, though. If one of them is 363 --

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1 PRESIDING JUDGE: 363. 2 MR HARRISON: I am just not sure if that is one of the 3 witnesses. PRESIDING JUDGE: Mr Jordash, could you --10:07:58 5 MR JORDASH: Sorry. PRESIDING JUDGE: -- rectify that. 7 MR JORDASH: 263. PRESIDING JUDGE: 263, yes. Thank you. This is the ruling of the Chamber, on the closed session 10:08:08 10 application of the Defence, having heard the application and the reasons advanced in support thereof the Chamber grants the 11 application. A detailed ruling will be given on the 12 resumption 13 of open session. We will now proceed, Mr Jordash. 14 [At this point in the proceedings, a portion of the 10:08:20 15 transcript, pages 10 to 58, was extracted and sealed under

separate cover, as the proceeding was heard in a closed

16

session]

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1 [Open session]
2 MR JORDASH: Can I just make
3 PRESIDING JUDGE: We have not been advised yet.
4 MS KAMUZORA: Your Honours, the Court is in open session.
12:43:48 5 PRESIDING JUDGE: We are in open session, Mr Jordash
6 Let's proceed.
7 MR JORDASH: Can I just raise one translation issue?

8 PRESIDING JUDGE: Please do.

MR JORDASH: I want to clarify the answer to the issue of 12:44:01 10 SLAs that came with Fonti Kanu. Ms Ashraph heard Mr Sesay say: These are the ones Sam Bockarie told me to send to the base. 11 Ιt 12 was translated as: These are the ones that Bockarie told me to 13 go with to the base, which is quite different. 14 PRESIDING JUDGE: Mr Interpreter? 12:44:20 15 MR JORDASH: Foday Kallon, sorry. Not Fonti Kanu. 16 PRESIDING JUDGE: Yes. Mr Interpreter, would you --17 THE INTERPRETER: Your Honours, would the learned attorney 18 put the question to the witness again. PRESIDING JUDGE: They are asking that you put the 19 question 12:44:33 20 to the witness again. 21 MR JORDASH: 22 What was your instruction Mr Sesay concerning the SLAs who 23 came --24 MR KAMUZORA: Your Honours, we are in open session; is that 12:44:48 25 okay? PRESIDING JUDGE: Yes. Was this an answer given in 26 closed 27 session? 28 MR JORDASH: But it's -- I think it's --

29

PRESIDING JUDGE: Innocuous? Harmless situation.

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proceed

12:45:35 15

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- MR JORDASH: Well, I hope so. PRESIDING JUDGE: All right. Well, let's proceed then on that assurance. MR JORDASH: 12:45:02 5 What was the instruction given concerning the 12 SLAs? Q. The 6 instruction to you. 7 When Foday Kallon came with the SLAs, 12 of them to Pendembu. I informed Sam Bockarie and Sam Bockarie sent instructions that I should send them to the training base so that 12:45:19 10 MPs would escort them to take them to the training base, in 11 Bunumbu; that was my answer. 12 PRESIDING JUDGE: Right. Does that accord with your wish? 13 MR JORDASH: With Ms Ashraph's hearing. PRESIDING JUDGE: Very well, thanks. Well, let's 14
 - MR JORDASH:

now.

- 17 Q. Sam Bockarie came back from his journey; did he bring
- 18 anything with him?
- 19 A. Yes. He came with -- he came with ammunition and some
- 12:45:52 20 items, with medicines.

he	21	Q.	Well, let's try to be as accurate as possible. What did
	22	come b	pack with? How much ammunition did he come back with?
	23	A.	Well, the ones that I saw were 45 boxes of AK rounds.
	24	Q.	Yes.
12:46:16 and	25	Α.	Twenty, 20 boxes of HMG rounds, 20 boxes of G3 rounds
	26	one	
slow.	27		THE INTERPRETER: Your Honours, would the witness go
	28		PRESIDING JUDGE: Let's have that part of your answer
	29	again,	Mr Sesay.
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of	1	THE WITNESS: I said with My Lords, I said 45 boxes
one	2	AK rounds, 20 boxes of HMG rounds, 20 boxes of G3 rounds and
	3	box of RPG rockets that contains six rockets. That was the
Those	4	ammunition, with medicines and condiments with cigarettes.

- 12:47:30 5 are the things that he brought with the rice.
 - 6 Q. What happened after he returned?
 - 7 A. Well, when he came, I explained yesterday that when he
 - 8 came, when he arrived, he killed Foday Kallon. Then, the next

- 9 day, he called me, Mike Lamin, Pa Rogers, Prince Taylor and him,
- 12:48:16 10 Bockarie, then we drove -- he drove. He drove the jeep, his own
 - 11 jeep. Then he drove to a place where the civilians would sit
 - down during the time of the jet. They called the place
 - 13 Waterworks. It was just a mile from Buedu, on the road to
- \$14\$ Liberia. On the road to Dawa. So when we arrived there he told
 - 12:48:45 15 us because it was he and Pa Rogers who went on the trip and Pa
 - 16 Rogers himself was amongst us. Then he told us that the trip
 - 17 that I told you about, that I was going to Burkina Faso, these
- \$18\$ are the items that I had got including money, which was \$20,000.
- $\,$ 19 $\,$ He said he was led by Jen Jere and they met the head of state in
 - 12:49:10 20 Burkina Faso, President Blaise. He was the one that gave them
 - these provisions on behalf of Foday Sankoh.
 - 22 Q. Did anything else get said at the meeting?
- $\,$ 23 $\,$ A. Yes. Mr Lawyer, let me just explain. So when he has told
- $\,$ 24 $\,$ us this he said, well, this ammunition, he would dispatch me to
- 12:49:36 25 go attack Kono. So he was thinking about how many boxes of this
- 26 ammunition he would give me. He said after that he would arrange
 - 27 with Mike Lamin. He said when I left to go to Kono he would
- \$28\$ $\,$ arrange with Mike Lamin and the other commanders, how they should
- $\,$ 29 $\,$ attack Segbwema and other areas. So he said the next 48 hours I $\,$

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was	1	should leave Buedu to go to Kono. So I said okay. So that
	2	the discussion that we had. We drove and came back to Buedu.
	3	Q. And what did you do after you arrived in Buedu?
	4	A. Well, when I arrived in Buedu, I told my boys, I said:
12:50:32 So,	5	Well, the general said that we were to go to Kono. I said:
should	6	in the next 48 hours we, those that were going, my boys,
	7	get ready to go. Then I showed the others
	8	Q. Who are your boys?
	9	A. My bodyguards.
12:50:51 you	10	Q. And you were saying you showed the others what were
	11	about to say?
would	12	A. Well, I told my bodyguards that the next 48 hours we
and	13	leave Buedu to go to Kono on the instructions of Sam Bockarie
the	14	then I said I told Isiaka he should stay with my wife while
12:51:21	15	others went with me. So they when the day came for me to
of	16	leave Buedu Bockarie gave me 15 boxes of AK rounds, ten boxes
	17	HMG rounds, five boxes of G3 rounds, and the RPG rocket, he

opened it. He gave me four rockets. He said the two should

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be

should	19	with him, and he drafted a plan on a paper how the attack
12:52:07	20	take place in Kono, how the group should be divided and how to
that	21	attack Koidu Town. Then he said Kallon and I should go. At
Kallon	22	time Kallon was in Pendembu, Morris Kallon. So he called
	23	from Pendembu. Kallon came to Buedu. So he instructed Kallon
	24	saying that he should join Issa for this attack on Kono.
12:52:38	25	Q. Let me just ask you when did Kallon
	26	A. Yes.
	27	Q come to Pendembu?
	28	A. Kallon went to Pendembu in late August 1998, from Buedu,
	29	after he had gone, undergone punishment. It was then that

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late		1	Bockarie deployed him to join me in Pendembu. So it was in
		2	August '98 that Kallon went to Pendembu.
		3	MR JORDASH: Can Mr Sesay repeat his last two sentences
		4	because we think something has been missed out in the
12	2:53:29	5	translation.

Q. Could you repeat what you just said, Mr Sesay, please?

- $7\,$ A. I said -- I said Kallon went to Pendembu on Sam Bockarie's
 - 8 instructions from Buedu, in late August 1998.
 - 9 Q. And you also said something about punishment?
- 12:53:57 10 A. Yes, he was under punishment in Buedu. He was locked up.
- $\,$ 11 $\,$ He was there for about two, Bockarie locked him up. He was there
- $\,$ 12 $\,$ for two weeks. Then when he released him, he instructed him to
 - join me in Pendembu.
- $\ensuremath{\text{Q}}.$ Did you have anything to do with Kallon coming to Buedu to
 - 12:54:18 15 be under punishment?
- 16 A. No. During the time when Bockarie ordered that he should
- 17 report to Buedu from Kono I did not know. It was when he arrived
- $$\rm 18$$ $\,$ in Buedu, that was the time that I knew. I did not have anything
 - 19 to do with that.
 - 12:54:32 20 Q. Did you have any authority to recall anyone from Kono?
 - 21 A. Absolutely no. I did not have any authority to instruct
 - 22 anybody or to report to Pendembu or to me. And even if you
 - 23 listen to the Prosecutor's witnesses, even Mike, when Bockarie
 - 24 instructed Kallon --
 - 12:55:06 25 THE INTERPRETER: Your Honours, the interpreter wants
 - 26 Mr Sesay to --
- 27 PRESIDING JUDGE: Let us go back to the original position.
 - 28 Let's see if you can repeat all what you just said before they
 - 29 lost you.

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	1	MR JORDASH: Could I I think it might have been the
	2	point when you mentioned CO Rocky. That's where he lost
	3	PRESIDING JUDGE: That is okay. Yes, all right, yes.
	4	MR JORDASH: I think you lost from that point.
so	5	THE WITNESS: Yeah, okay. Well, I will start it again
not	6	that the interpreter can understand. I said I said I did
if	7	have any instructions to withdraw somebody from Kono and if,
who	8	I mean the Prosecutor came with insiders, even [REDACTED]
SO	9	said that it was Bockarie who instructed Rocky CO from Kono,
	10	that he could report to Buedu. It was Bockarie who instructed
	11	Kallon to report to Buedu from Kono.
in	12	MR JORDASH: Can I just stop you there. There is no one
_	13	the public gallery, so no damage has been done, but the name -
	14	JUDGE BOUTET: Yes, but it's on the broadcast system.
	15	PRESIDING JUDGE: Yes.
	16	JUDGE BOUTET: And the gallery is one part of it.
	17	PRESIDING JUDGE: Yes, we are taking risks.
	18	MR JORDASH: Well, I am not sure we are taking risk. I

the	19 think just it was an accident or if that can be re	edacted from
	20 transcript. I don't think there was any intention	n or it was a
	21 pure accident.	
	22 Q. We are in open session; remember that, Mr Se	esay?
	23 A. Okay, I forgot.	
	Q. No, I understand. It's understandable, I ho	ope.
exactly	MS KAMUZORA: Your Honour, may we be guided	on what
	26 has to be redacted from the transcript?	
	27 PRESIDING JUDGE: Which part, Mr Jordash?	
	MR JORDASH: The name of the witness.	
	29 PRESIDING JUDGE: The name just	
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think.	1 MR JORDASH: The learned officer has got the	e part, I
	2 PRESIDING JUDGE: All right. Okay.	
	3 MR JORDASH: Okay. So we were in open sessi	lon.
	4 THE WITNESS: Okay.	
	5 MR JORDASH:	
to	6 Q. Okay, I think we've dealt with that. So let	c's go back
	7 the preparations to Koidu.	

have	8	A. But I just wanted to complete this '98 that I did not
	9	any authority to recall anybody from Kono, and if you saw the
	10	ones that were called from Kono by Bockarie, they did not pass
Bockarie	11	through Pendembu. So if it was like a chain of command,
from	12	would send instructions to me, then I would order these men
But	13	Kono to Pendembu. From Pendembu I would send them to Buedu.
	14	that was not how it operated. The thing worked, Buedu was the
	15	central [as interpreted].
	16	PRESIDING JUDGE: Right. Take it from there.
being	17	THE WITNESS: Yes, My Lord. My Lord, everything was
	18	directed by Bockarie in Buedu. He would order people straight
about	19	from Kono to Buedu without my knowledge. I would only hear
	20	it through people.
	21	MR JORDASH:
said	22	Q. Okay. Right. So, preparations for Koidu, I think you
	23	Kallon came from Pendembu?
	24	A. Yes.
	25	Q. What happened then?
should	26	A. So when he came, Bockarie ordered him saying that he
are	27	join Issa to go and attack Kono and, in fact, from today you
	28	colonel; you are you are BFI. BFI; battlefront inspector.
	29	Q. Who was BFI?

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	1	A. Kallon. That was before we left. Like we were leaving
F10.5	2	this afternoon for Kono, the morning of that afternoon. That
was		
	3	the time that Kallon reached at Buedu. That was the time that
	4	Bockarie promoted him to colonel. He said he was BFI. Then
	5	Bockarie said: I will give you a little money. He gave me
\$300.		
gave	6	So out of the \$20,000 that he had had, he gave me \$300; he
gave	_	
time,	7	Kallon \$200. Then, as we were talking, in three minutes'
	8	he told Kallon again. He said, "Borrow me the \$100. I will
give		
	9	it to you." So, at the end of the day he did not give it
back.		
left	10	So Kallon had \$100 and he left it with his family and I also
TELC		
	11	it with my own family. So we loaded the ammunition into the
	12	pick-up. Then all of us drove with Mike Lamin from Buedu to
	13	Luawa Boama.
	14	Q. How many fighters did you go with?
	15	A. Well, Mike Lamin gave some of his bodyguards and my own
	16	bodyguards. Bockarie himself also gave about three to four of
call	17	his bodyguards. Then all of us left Buedu. But we did not

bodyguards.	18	for reinforcement from the front lines. Only these
	19	And I and Kallon, we were the ones that left Buedu and went to
to	20	Luawa Boama but, before that, Bockarie had sent instructions
	21	Rambo in Kono, so that he could dispatch unarmed men who would
	22	receive us at the Moa River.
	23	Q. Did you answer the question how many men you went with?
	24	A. Well, I just called the commanders, and the men they
or	25	provided. But I would not be able to recall whether it was 20
	26	30 men. I would not be able to recall the exact number but we
to	27	were not up to, we were not up to 30, who, we that left Buedu
	28	go on the attack on Kono.
resume	29	PRESIDING JUDGE: Well, let us recess for lunch and
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	1	at 2.30 p.m.
	2	[Luncheon recess taken at 1.00 p.m.]
	3	[RUF17MAY07C - MC]
	4	[Upon resuming at 2.37 p.m.]

14:38:40 5 PRESIDING JUDGE: Mr Jordash, let us continue with the

6 trial.

- 7 MR JORDASH: Thank you, Your Honour.
- 8 Q. Good afternoon, Mr Sesay?
- 9 A. Yes. Good afternoon, Mr Jordash.
- 14:39:00 10 Q. Now, I want to try to take this step by step, if necessary,
 - 11 minute by minute.
 - 12 JUDGE ITOE: Or second by second.
 - 13 MR JORDASH: Absolutely.
- $$14\ \ \mbox{Q}.\ \ \mbox{And take us through your attack on Koidu. So that's where$
- 14:39:39 15 I want us to go. So, the first thing, what was the plan or what
 - were the instructions given to you by Bockarie?
 - 17 A. Well, Bockarie gave me instructions to attack the ECOMOG
 - 18 and the CDF in Koidu Town.
 - 19 Q. What was the objective of the proposed attack?
- $14\!:\!40\!:\!20$ 20 A. Well, at that time, we were at war with the ECOMOG and the
 - 21 government of Sierra Leone. They had a civil defence forces.
 - 22 Q. Was there a discussion about what would happen after the
 - 23 attack on Koidu Town?
 - 24 A. No. We hadn't any discussion about what should happen
 - 14:40:50 25 after the attack on Koidu.
- 26 Q. Did Mr Bockarie lay out how this attack should take place?
- $\,$ 27 $\,$ A. Yes. Mr Bockarie knew Koidu Town very well and he showed
 - 28 me the areas, which we wrote on paper, as to how to divide the
 - group for those areas and the ambush.

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- 1 Q. Did he propose how many people should take part in this
- 2 attack?
- $\ensuremath{\mathtt{3}}$ $\ensuremath{\mathtt{A}}.$ Well, he only said all the men in Kono should take part in
 - 4 the attack. They should carry out the attack.
 - 14:41:41 5 Q. Was it clear to him or you, at that time, what kind of
 - 6 numbers of men were in Kono, belonging to the RUF?
- $7\,$ A. Well, Kono? There were armed men there. He himself knew
 - 8 that he had commanders in Kono. He had troops in Kono, RUF
 - 9 troops in Kono.
 - 14:42:08 10 Q. Did he have an idea how many?
 - 11 A. Yes. Because he was the one who appointed the brigade
 - 12 commander who was there, who was Rambo.
 - 13 Q. And who was the brigade commander.
 - 14 A. The name of the brigade commander --
 - 14:42:34 15 THE INTERPRETER: The interpreter is sorry he would like
- the witness to come back because the name was missing on the way.
 - 17 MR JORDASH:
 - 18 Q. Could you repeat what you just said, Mr Sesay?
 - 19 A. Yes. I said the brigade commander in Kono was Rambo and
 - 14:42:54 20 his adviser was Peter Vandi. Because from August to November
 - 21 1998, it was Isaac Mongor who was appointed by Mosquito as

	22	commander. So, in November, Mosquito said Isaac should go to
And	23	Pendembu while Rambo should take over as brigade commander.
	24	Peter Vandi was appointed by Bockarie as Rambo's adviser.
14:43:42 to	25	Q. So, what kind of numbers did you understand were going
	26	be taking part in the attack?
I	27	A. Well, during this time when Bockarie sent me from Buedu,
but	28	did not know the total number of armed men that were in Kono
August	29	in Kono, Bockarie had made Kono, from August rather, from

Dagg (0		
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	1	as a brigade.
	2	Q. And what did that mean in terms of numbers?
mon	3	A. Well, that, you would know that the number, there were
men		
men,	4	there, there were troops there, because we were calling 400
14:44:37	5	we had regarded 400 men as battalion. So where you had up to
	6	four battalions which made up a brigade, then there were
troops		
them	7	there. But all of them were not armed. There were a lot of

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- 8 that were unarmed men.
- 9 Q. And in brief, what was Bockarie's plan, as to how to
- 14:45:06 10 execute the attack?
- 11 A. Well, Bockarie told me that I should divide the group.

One

- 12 group should come from the road, coming from the Guinea Highway,
- $\,$ 13 $\,$ through Kuyor, to Hill Station. Then the other group should come
 - 14 from the DO Barracks, from the Tombodu direction in order to
- $14\!:\!45\!:\!41$ 15 attack the DO Barracks. The other group should come from -- the
 - other group should come from the Kimberlite way, the road from
 - 17 Gandorhun, in order to attack Koidu Town. And the other group
 - 18 should come straight and attack the Five-Five spot.
- $$19\,$ Q. And who were to lead the various groups, as you understood
 - 14:46:21 20 it? Did Bockarie give instructions about that?
- $\,$ 21 $\,$ A. Well, Bockarie just said the commander, the commanders were
- $\,$ 22 $\,$ in Kono. So when I arrive, I was to appoint the commanders that
 - 23 were to lead the various groups.
 - Q. When you set off, then, towards Koidu --
 - 14:46:49 25 A. Yeah.
- Q. Sorry, I'm hearing whispering which is putting me off.
 - the ammunition go with you?
- 28 A. Yes. As I said before lunch, I said we drove in a pick-up
 - 29 and Mike Lamin's jeep and my own vehicle to Luawa Boama from

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	1	Duady and manneyay game from Vana the fightens: the unarmed
men		Buedu and manpower came from Kono, the fighters; the unarmed
	2	came to receive us at the Moa River.
	3	Q. Who came to receive you from the Moa River?
	4	A. They came from Kono, from the Superman Ground. Rambo
sent		
14:47:49	5	them. Mosquito had sent a message from Buedu before the day
we	3	enem. Hosquito had sene a message from sacaa serore one day
	_	left for Dombo to dispetab recovered with severed man account
	6	left for Rambo to dispatch unarmed with armed men escort.
_	7	Q. Listen to the question: Who, which armed men, did you
know		
	8	them?
	9	A. Yes. They were the fighters from Kono, the armed men
and		
14:48:13	10	the unarmed men, in order for them to carry the load.
	11	Q. Was the load carried?
	12	A. Yes. They carried the loads and we went to Kono, at
	13	Superman's ground.
	14	Q. Just very briefly, how long where did you go to?
14.40.46		Q. Just very briefly, how long where did you go to?
14:48:46		
14:48:46 Ground.		Q. Just very briefly, how long where did you go to?
	15 16	Q. Just very briefly, how long where did you go to? A. Well, we went straight to Superman Ground, although we spent two days on the way before we reached the Superman
Ground.	15	Q. Just very briefly, how long where did you go to? A. Well, we went straight to Superman Ground, although we
	15 16	Q. Just very briefly, how long where did you go to? A. Well, we went straight to Superman Ground, although we spent two days on the way before we reached the Superman

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19 way.

- 14:49:19 20 Q. Was there a name for the operation?
- $\,$ 21 $\,$ A. No. The operation hadn't any name. It was just an attack
 - 22 on Koidu Town.
- 23 Q. There has been, I think, maybe two or three witnesses who
 - 24 claimed it was called Operation No Living Thing?
- 14:49:44 25 A. No. No. That was not it; I told you that. Operation No
- $\,$ 26 $\,$ Living Thing, it was only one time that I heard it over the air.
 - Q. Now, where did you go to in Koidu -- in Kono?
 - 28 A. Well, I said we went to Superman Ground.
 - 29 Q. What time of the day did you arrive?

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- 1 A. Well, we arrived there because we slept at Woama. We
- arrived there about 11.00 to 12 midday.
- 3 Q. What did you do when you first arrived?
- 4 A. Well, when I arrived there, Peter Vandi lodged me in his
- 14:50:45 5 own place and --
- $\ensuremath{\text{G}}$ Q. Just a -- sorry. Describe the scene when you arrive; what
 - 7 is the scene which you see?

- 8 Well, when I arrived, all the fighters that were on the 9 ground at the camp, everybody was happy. They came -- a lot of 14:51:19 10 them came and greeted me and the other bodyquards, Kallon, 11 and our bodyguards. 12 Were there civilians in the camp? Did you observe that 13 when you arrived? 14 Well, that very day, no. I think it was during the second 14:51:44 15 or third day when civilians came there and greeted me. 16 So you meet Kallon and you meet Vandi and what is it Q. that 17 is discussed? 18 Well, I and Kallon went together. I did not meet Kallon 19 there. 14:52:07 20 Sorry, you meet Vandi and what did you discuss? Q. I met Vandi, I met Buston Flomo who was Rambo, and the 21 other junior commanders. But that evening they just greeted 22 me and I asked them about the ground and I told them that I had 23 to 24 rest for a day. And, after that, let Rambo call all his
 - 14:52:40 25 battalion commanders with their adjutants, so that they could
- $\,$ 26 $\,$ come for a meeting at the Superman Ground. I forgot; I requested
 - for the battalion adjutant, the battalion commander, and one
- 28 officer. So I told Rambo that he should send this message to his
- $\,$ 29 $\,$ four battalions that he had in Kono so that they could come for

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- $\,$ 1 $\,$ the meeting on the third day, when I arrived at Superman Ground.
 - Q. Well, besides military persons, did you meet anyone else
 - 3 there?
- $4\,$ A. Well, it was only the fighters with their family members.
 - 14:53:47 5 There were no civilians in that zoo bush; except the combat
 - 6 medics.
 - 7 Q. So were there any civilians there under RUF control?
 - 8 A. Well, yes. They used to live but they were not within
- 9 Superman's Ground. They were outside Superman's Ground. I don't
 - 14:54:23 10 know whether it was PC Ground.
 - 11 Q. Sorry, my fault, Mr Sesay. What was the last sentence?
- $\ensuremath{\mathtt{12}}$ A. I said yes, there were civilians but they were not within
 - 13 Superman's Ground because on the very third day some civilian
 - 14 heads came and greeted me at Superman Ground.
 - 14:55:03 15 Q. Who came to greet you, can you recall?
- $$16\,$ A. Yes, I can recall. It was the G5 commander. I don't know.
- $\,$ 17 $\,$ The -- I believe I don't -- I will just stop at the G5 commander.
 - 18 I believe you know what I am trying to say.
 - 19 Q. Are you worried about identities?
 - 14:55:42 20 A. Yes. I would just write this down so I will call the

- 21 others.
- 22 MR JORDASH: Sorry, before I pass this on --
- $\,$ Q. Before I pass this on, are there other names of people you

24 met who you would like to write down as well; would that save us

14:57:09 25 time?

- 26 A. Yes. Yes, okay.
- 27 Q. Thank you.
- 28 PRESIDING JUDGE: Mr Jordash, are you exhibiting it?
- 29 MR JORDASH: I'm wondering if it's going to be safer to

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- 1 apply to go into closed session.
- 2 PRESIDING JUDGE: Advise us.
- 3 MR JORDASH: Yes. Can I apply to go into closed session,
 - 4 please?
 - 5 PRESIDING JUDGE: Right. And how long would we be in
 - 6 closed session, about.
 - 7 MR JORDASH: About ten minutes only.
 - 8 PRESIDING JUDGE: Very well.
 - 9 MR JORDASH: 15 minutes maybe.

to	10	PRESIDING JUDGE: Yes. Can we ask members of the public
	11	retire for about
	12	MR JORDASH: Can I say 25 minutes, just in case?
	13	PRESIDING JUDGE: members of the public to retire for
revert	14	about 30 minutes. And Madam Courtroom Officer, shall we
	15	to closed session.
	16	[At this point in the proceedings, a portion of the
	17	transcript, pages 74 to 77, was extracted and sealed under
session]	18	separate cover, as the proceeding was heard in a closed
	19	
	20	
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	1	[Open session]
# lo o	2	MS KAMUZORA: Your Honour, court is safe to resume in
the	3	open session.
	4	PRESIDING JUDGE: We are back in open session. May you
	5	proceed, counsel.
	6	MR JORDASH: Thank you.
	7	Q. Were there any other meetings before the attack?
	8	A. It was only one meeting. When the various battalion
	9	commanders came, and they
	10	THE INTERPRETER: The interpreter is sorry. Can the
	11	witness come again, please?
Sesay.	12	MR JORDASH: Repeat what you just said, please, Mr
	13	THE WITNESS: I said: It was only one meeting that took
	14	place. Because that between me and the civilians was not a
	15	meeting; one meeting took place. I and the various battalion
and	16	commanders and the staffs at the brigade headquarters and
	17	we that went held the meeting before the attack on Koidu.
	18	Q. So can you just name some of the people who was at the
	19	meeting, please?
Rambo.	20	A. Of course I'm able to do so. I'm able. Myself, Morris
	21	Kallon, Peter Vandi, Rambo, Buston Flomo; his nickname is
	22	Then you you had Akim Turay the battalion commander at
	23	Gandorhun; then you had Kailondo, one of the battalion
then	24	commanders; and you had T KeKeh, a commander from Tombodu;
	25	you had Short Bai Bureh, commander from Yomadu. So these were

	26	the commanders with the unit commanders. We held the meeting.
	27	Q. And what took place at the meeting?
them	28	A. Well, in the meeting I greeted them. I explained to
	29	the message and the mission Sam Bockarie had sent me on and I
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them	1	expected them to cooperate towards the attack. But I told
	2	that I had come with the ammunition that were given to me by
made	3	Bockarie that should be used to carry out the attack. And I
a	4	laws; I told them that anybody that captured, be it a Kamajor,
shouldn't	5	CDF, an ECOMOG, an SLA that was with the ECOMOG, they
they	6	kill a prisoner of war. I said anybody that they captured,
	7	should report that person. Then I said this
	8	Q. Should do what, the person?
	9	A. I said anybody that was captured during the attack, the
not	10	ECOMOG and the CDF, they should bring them to me. They were
of	11	allowed to kill any man that had surrendered during the course
	12	the battle.

	13	Q. Did you say this at the meeting?
	14	A. I said this in the meeting, and I did talk about other
	15	things after this.
	16	Q. What else did you say at the meeting?
	17	A. I said, they shouldn't kill a civilian. I don't want to
burnt	18	hear about amputations. And I don't want to hear that they
go	19	a house, that somebody burnt down a house. I said we should
	20	and fight the enemies and not the civilians. And even the
	21	enemies that we were fighting against, if the man surrendered,
I	22	you should collect the arm from him and not to kill him. And
	23	said any fighter that I caught killing a civilian, I, myself,
	24	would kill that fighter. So these were the rules that I made
	25	during that meeting. I told them that these were the standing
	26	orders for the attack in Koidu. A fighter should not shoot
you.	27	behind when you were aware that there was a brother ahead of
mean?	28	Q. Sorry, go over that last answer, please. What do you
1. 1	29	A. I said a fighter should not fire when he was aware that

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his

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- 1 companions were ahead of him. I said all of them should be
- 2 together to shoot facing the target. But he should not stay
- 3 behind and shoot when his companions were ahead of him; then

he

- 4 kill his brothers.
- 5 Q. And what were to be the target?
- fighting.

The targets were the CDF and the ECOMOG.

targets.

7

- 8 Q. Where were those targets?
- 9 A. Well, these targets were in Koidu Town. And during this

I said the target were the enemies that we were

Those were the

- 10 time, Koidu Town, it was only the ECOMOG and the CDF that
- 11 occupied there.
- 12 Q. How did you know that?
- 13 A. Well, what the commander whom I met at the brigade,

Rambo,

that was what he told me and, indeed, when I came to Koidu,

that

was what I observed, because there were no houses for

civilians

16 to live in. They had burnt down this town since May. The

whole

17 city had been burnt down.

there?

- 18 Q. When you say "burnt down," were there any buildings
- 19 A. Well, the only buildings that were there were the storey
- 20 buildings, but to say single flats; all of them. All of them

were burnt down. So it was those few buildings that were

buildings which were occupied by the Nigerians and the CDFs.

storey

21

22

- 23 They themselves built booths in Koidu Town in the various areas.

Guinea	24	For instance, the road towards Gandorhun, the road towards
	25	Highway, Tankoro Junction. That was how they were.
	26	Q. Well, after the meeting what happened?
	27	A. Well, after the meeting during the meeting I told
	28	Kallon, I said: Kallon, well, you knew that Mosquito said we
	29	should cut the supply lines before the attack.
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	1	THE INTERPRETER: The interpreter is sorry. Would the
	2	witness repeat the last part of his testimony?
you've	3	MR JORDASH: Take this section slowly. Repeat what
	4	just said.
	5	THE WITNESS: I said during the meeting, because you
asked	-	
the	6	me after the meeting what happened, yes. But it was during
who	7	meeting that we planned with the various battalion commanders
WIIO	8	were to lead the attacks. Then I told Kallon that, you know
that	J	mere do read the decachs. Then I tota Rarron that, you know
	9	Bockarie had told us that we should cut off the supply lines.
	10	Then

11 Q. What were the supply lines?

	12	A. Well, like, for instance, the ECOMOG, they had a
you	13	headquarter in Makeni; they had headquarters in Kono. So, if
	14	were between them, it means you've cut off the main road that
what I	15	linked them, then reinforcement could not come in. That's
	16	refer to as supply lines.
	17	Q. Was a particular commander given that job to cut that
	18	supply line?
the	19	A. Yes. It was Kallon who led the ambush mission. He was
	20	senior man in the group that went on the ambush. So I stayed
	21	with the men who were to carry out the attack on Koidu.
	22	Q. So, Kallon led this attack?
After	23	A. Well, it wasn't like an attack. It was an ambush.
as	24	Gold Town it was an ambush. So if reinforcement was coming so
then	25	to reinforce their brothers in Koidu Town during the attack,
not	26	he would be able to stop them on the way, so that they will
	27	be able to reach. That was why he went.
	28	Q. Were any other commanders sent anywhere else?
	29	A. Yes. Rambo, he was to attack the guys' headquarters,

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according to what he told me, that the ECOMOG's headquarters 1 at 2 Five-Five Spot, he was the man that was responsible for attacking 3 there, very close to the Tankoro junction by the petrol station. 4 Anybody else sent anywhere? 5 Well, Kailondo, he came with the group from Kimberlite. Не 6 was the commander; the road from Gandorhun. 7 Anyone else? 8 Tikeke, he came from the Tombodu area in order to attack 9 the DO Barracks. 10 Ο. And anyone else? Well, the -- the brigade major, he -- he led where I and 11 Peter Vandi were, from the Guinea Highway through Kuyor on to 12 13 Hill Station, The Big. 14 Q. And you? Well, I belonged to that group. I, Peter Vandi --15 16 THE INTERPRETER: The interpreter is sorry. 17 interpreter is sorry. There is something that is not clear in 18 the witness's testimony as to who was leading. PRESIDING JUDGE: Mr Sesay. 19 20 THE WITNESS: Yes, My Lord. PRESIDING JUDGE: Clarify that for the interpreters. 21 Who 22 was leading? 23 THE WITNESS: Yes, My Lord. The brigade major. He was the 24 big. He led the group in which we were, the group in which I and

	25	Deter Mandi belanged
	25	Peter Vandi belonged.
	26	JUDGE BOUTET: What's the brigade major? Who is he?
the	27	THE WITNESS: Well, the brigade major, My Lord, he was
brigade	28	2IC to the brigade commander. He was the deputy to the
	29	commander. He was the brigade major.
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	1	JUDGE BOUTET: So you the deputy to the brigade
	2	commander, you call him the brigade major? That's, in your
	3	language, that's what it is? I'm just trying to understand.
the	4	THE WITNESS: No. The brigade major, My Lord. He was
	5	deputy to the brigade commander.
he	6	JUDGE BOUTET: I thought that's what I had asked you, if
	7	was. But you seem to see a difference in what I said. So the
what	8	brigade major was a deputy to the brigade commander; that is
	9	you're saying.
	10	THE WITNESS: Yes, My Lord.
	11	JUDGE BOUTET: Who was he? Who's that person?
	12	THE WITNESS: Well, they called him The Big, Lansana

	13	Sheriff. But aka, The Big, the Big Rebel.
	14	JUDGE BOUTET: So this is not the personal name you had
	15	mentioned before?
	16	THE WITNESS: The brigade major?
	17	JUDGE BOUTET: The Big, or whatever name you use.
	18	THE WITNESS: Well, My Lord, I said I called the names.
person	19	JUDGE BOUTET: I'm just asking if it was a name of a
	20	you had named before, Mr Sesay, that's all.
	21	THE WITNESS: No, sir. He was among the brigade staff,
the	22	sir. Because the brigade staff were the people that were in
	23	at the headquarters, and he was among them.
than	24	JUDGE BOUTET: That's okay. You are confusing me more
	25	you're helping me on this, because now you're talking about
	26	brigade staff. What's the brigade staff?
	27	THE WITNESS: My Lord, it was because you said I had not
	28	called
you	29	JUDGE BOUTET: Where were they? Were they in Kono when

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1 arrived there?

2 THE WITNESS: My Lord, that was where they were. I have 3 named the people that we came with from Kailahun. I said I and 4 Kallon and our bodyquards, including Bockarie and Mike's 5 bodyguards, but all the other people, we met them in Kono. The 6 ones that I said that they were the brigade staff, My Lord, those 7 were the people that were based at Superman Ground which was the 8 brigade headquarters, sir. 9 JUDGE BOUTET: But did they attend your meeting? Because 10 you did describe a meeting you had with what you called the 11 battalion commanders and the brigade commanders, as such. described yourself, Kallon, Peter Vandi, Rambo and so on. 12 So were these people also at that meeting? 13 THE WITNESS: Yes, My Lord. At the brigade 14 headquarters, 15 that was where the meeting took place. All of them were there. 16 The Big was there, sir. 17 JUDGE BOUTET: Thank you. THE WITNESS: Thank you, sir. 18 19 MR JORDASH: This brigade major, was he superior to the adviser to 20 the 21 brigade commander? 22 Well, no. He was junior to the brigade adviser and junior 23 to the brigade commander. 24 How could he be 2IC to the brigade commander? 25 Well you said , the brigade commander. He was the 2IC.

- 26 The 2IC was subordinate to the brigade commander.
- Q. But wouldn't the adviser be the 2IC?
- 28 A. No. The brigade adviser was advising the brigade
- 29 commander, and the brigade major was a deputy to the brigade

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- 1 commander.
- Q. Okay. So was there an attack on Koidu Town?
- 3 A. Yes. We went on the attack.
- 4 Q. How long -- when did the attack take place? Do you know
- 5 the date and the time it started?
- 6 A. Well, after the meeting I said we should give Kallon a
- day,
- 7 because he had to walk on to Yormandu, on to Sandia before he
- 8 surfaced on the main road. So, we said, after the one day --
- 9 Q. I think you might have to repeat what you just said.
- 10 A. I said after the meeting, then I said, I told the men we
- 11 should give a day to Kallon, one day, because he had to walk a
- 12 distance before he could reach his destination. So, after the
- one day, then the next morning we should launch the attack at
- 14 6.00 a.m. in the morning, and I think that was the 16th of
- 15 December 1998.
- 16 Q. And how long did the attack take place? How long did it

	17	take?
from	18	A. Well, we arranged that when this first group, the men
	19	the Kimberlite area, when they open fire, the other group will
	20	respond and the other group will respond from the other side.
	21	That was how it was. We fought from 6.00 a.m. to 7.00 p.m.
	22	before we were able to capture Koidu Town.
	23	Q. What time was Koidu Town captured?
	24	A. 7.00 p.m.
	25	Q. Were there any prisoners of war?
the	26	A. Yes. We captured 12, 12 Nigerian soldiers, ECOMOG and
	27	CDFs. The CDF were about 50.
	28	Q. What happened to them?
	29	A. Well, the CDF, they stayed in Koidu Town. I said the
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told	1	Nigerian ECOMOGs should be escorted to Superman Ground. I
him,	2	the MP commander to take care of them, they should stay with
the	3	and they should provide food for them in the evening. I mean
prepare	4	following morning, because that night they were unable to

- 5 food. But they slept at Superman Ground during that night.
- 6 Q. Who was the MP commander?
- 7 A. Mohamed Jalloh, alias Ojallay.
- $\,$ Q. Why was the -- why were the ECOMOG separated from the other
 - 9 prisoners of war?
- $\,$ 10 $\,$ A. Well, I said they should carry the Nigerian soldiers to the
 - 11 MP. I said let the CDF stay in Kuyor. There was one house in
- $\,$ 12 $\,$ Kuyor. That was where I said they should stay. That was where
 - 13 they slept that night.
 - 14 Q. How were they treated?
- $\,$ 15 $\,$ A. Well, as far as I, who was the commander, I provided food
- 16 for them. I treated them nicely. Nothing went wrong with them.
- $\ensuremath{\text{Q}}.$ Were there any civilians seen or taken captive or present
 - in Koidu Town, as it turned out?
- 19 A. Well, just look at the time that the fight took place, from
 - 20 6.00 a.m. to 7.00 p.m., the civilians were not in Koidu Town.
 - 21 They were at Koakoyima, out of Koidu Town. They were based in
- \$22\$ Koakoyima. So, during that time the civilians with the ECOMOG, a
 - lot of them withdrew.
 - 24 Q. Before we move to that, just describe where ECOMOG were,
 - 25 besides in Koidu Town, where were they based?
 - 26 A. ECOMOG? They were based at the Five-Five Spot at the
 - 27 petrol station. All the houses that were around there, they
- 28 occupied them. And they built some booths which they occupied.

29 Q. And you have mentioned civilians at Koakoyima; is that

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	1	right?
	2	A. Yes, yes.
	3	Q. Koakoyima is to the west of Koidu Town; is that right?
east,	4	A. Yes, yes. I think so. Well, I I wouldn't to say
know	5	west, north or south. But I will just tell you that if you
at	6	Koidu Town, and you look at the Five-Five Spot, and you look
stand	7	the distance from Five-Five Spot to Koakoyima, even if you
effective	8	there with an AK and fire a shot, the shot will not be
reach	9	to kill a civilian at Koakoyima. An AK round will not even
	10	that distance, from Koidu Town to Koakoyima.
How	11	Q. What kind of base were the civilians in at Koakoyima?
	12	were they living?
	13	A. So, before I attacked Kono?
	14	Q. Yes.
	15	A. Well, except I'm to talk based on the information I got

16 from people after the attack of Kono. But I can't tell you 17 before I got into Koakoyima. Please do, and just say who you got the information 18 from, 19 if you can remember. 20 Well, after we had captured Koidu Town, the troops advanced 21 to Koakoyima. Most of the people went into the bushes. But the 22 next day people began coming out, and those who came out, when 23 they were captured, they said the civilian population was based 24 in Koakoyima; that was where they were. And ECOMOG did not allow 25 civilians to go to Koidu Town if you were not going there to mine for the ECOMOG. 26 27 What happened to the civilians during the attack? 28 Well, the civilians, during the course of the fight they 29 left Koakoyima. It was after we had captured Koidu Town, the

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- ones that did not retreat with the ECOMOG, they started coming
- $\,\,2\,\,$ out from the bushes and they stayed in Koakoyima throughout the

3 war, until the end of the war, and nothing happened to them, and 4 there were not even many. 5 Let's just deal with -- first of all, what you mean the 6 civilians who retreated with ECOMOG? Describe what you mean by 7 that. 8 Well, the civilians, a lot of them retreated with the 9 ECOMOG, through Jiama Nimikoro some of them came to Sewafe. When 10 they realised that the road was blocked, they crossed through 11 Jiama Sewafe to Boama Konta. 12 And which direction is that? Which way does that lead to? 13 The one from Nimikoro went towards Tongo. The one from Α. 14 Jiama Sewafe, it went towards Baoma Konta. And Baoma Konta, I 15 think that -- I think that is located in Kenema or Bo District, 16 but it's a town between those borderlines. 17 And you then mentioned some civilians who came out -did you say came out from the bush? 18 19 Yes. I said some few civilians that remained, they were Α. in 20 the bush during the attack. After we had captured Koidu Town, 21 the following day they started coming out. Those were the few 22 civilians that lived. 23 Where were they coming from? Where had they been? 24 Well, when the attack took place, people ran and entered into the bush. When they knew that they -- when they realised 25 26 that the firing had subsided, they came to find out who was in 27 town. From that, they met us and we told them to bring their

28 other family members. They came and stayed in Koidu, sorry, in 29 Koakoyima. SCSL - TRIAL CHAMBER I SESAY ET AL Page 89 17 MAY 2007 (AMENDED) OPEN SESSION 1 Q. Who told them to bring their families? 2 Α. Well, during that time I myself was there. I said the people that had come, the people whom we met here should stay 3 here. And they have seen people, civilians had started coming 5 from the bush to stay in Koakoyima. 6 Why Koakoyima? Why there? 7 Well, because there were no houses in Koidu Town. It was 8 in Koakoyima that there were some houses. I'm sorry, it was in 9 Koakoyima and small Lebanon that you find some houses. 10 THE INTERPRETER: Correction interpreter. 11 MR JORDASH: 12 Were you there when the civilians came out? How did Q. they 13 organise themselves? 14 Do you mean the civilians that were with the RUF? Α. 15 The ones that came out of the bush; were they with the RUF 16 or not?

not	17	A. Well, the ones that were in Koakoyima, I said they were
	18	many, those who hid around because of the fighting. The other
which	19	civilians, they had been with the RUF in these camps. So
	20	ones do you mean? Which of the civilians?
as	21	Q. Let's deal with the ones who you said were in the bush,
Ground.	22	you were told by the civilians who came to see you at PC
	23	When did they start coming out of the bush?
I	24	A. Well, this time I wasn't at PC Ground anymore. I was
we	25	was at in Koidu Town. I was at Small Lebanon. After we
	26	had captured Koidu Town, then the following day people started
	27	coming in bits. All that week, people were coming. But they
	28	were not many, the civilians. For about a week, those who
those	29	started coming out of their hiding place were not up to 60,

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- 1 who did not go with ECOMOG.
- Q. Is that 60 in the week?
- $\ensuremath{\mathtt{3}}$ A. Yes. I said within the week. The ones that came out were

their	4	not up to 60, the mature people, because some of them had
	5	little children among them.
	6	Q. Was there interaction between the civilians and the RUF,
	7	the ones who came out of the bush?
	8	A. Yes. That second witness that I wrote on the paper, he
	9	said from the time they came from the bush, they came to Koidu
	10	Town. From that time, until the end of the war, they did not
had	11	suffer anymore; that's true. The fighters and the civilians
	12	good rapport.
	13	Q. Did you see this in the time you were there, in Koidu,
	14	after the attack, and I mean immediately after the attack?
	15	A. Yes. After the attack, after 48 hours, I myself gave
the	16	instructions to that first name on that paper to go and tell
for	17	civilians so that they could come back to Koakoyima in order
from	18	them to come and stay. So I myself saw the people returning
	19	the bush, the ones that were in the RUF camp.
Bockarie	20	Q. And what happened, in terms of communicating with
	21	at this stage; did you communicate with him?
captured	22	A. Yes. Yes. I communicated. The first day when we
	23	Koidu Town, during that 7.00, I sent a radio message. I said,
morning,	24	"We've captured Koidu." So, the following day, in the
	25	he called me on the radio and we spoke. He said I should give
radio	26	him some details. I told him that I was going to prepare a
	27	message to the effect and give it to the operator. And I told

and	28	him that we captured 12 Nigerians soldiers and about 50 CDF,
was	29	we captured tanks; we captured two functional tanks and one
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	1	not functional. A lot of arms and ammunition. All that the
	2	ECOMOG had in Kono, they left everything there and ran away
	3	all the equipment.
	4	Q. What happened, from a military perspective, after the
anyone?	5	successful attack on Koidu? Were there instructions from
	6	A. Yes. After we had taken over Koidu, Bockarie said, he
	7	said, "Well, the group should be divided into two." He said,
	8	"Akim, let him go towards Tongo through Nimikoro." He said,
	9	"Me", rather, "I, Kallon, Rambo, should pursue ECOMOG towards
	10	Makeni."
	11	Q. And was this done?
me	12	A. Yes. That was the instruction the commander had given
	13	and I told Akim. And I I told Rambo to be the advance team
	14	commander from Kono towards Magburaka.
	15	Q. And what happened during that attack, do you know?
	16	A. Which of the attacks?

	17	Q. To Magburaka?
	18	A. Yes, I know.
	19	Q. Well, take us through the attack and the places?
at	20	A. Well, I told Rambo I said, "You move and meet Kallon
discuss.	21	Gold Town so that Kallon could come back so that we can
	22	You go to Masingbi." I said, "We know that the ECOMOG were in
	23	Masingbi, so you should attack them." So it took about two to
the	24	three days; then Rambo arrived in Masingbi. And in Masingbi
day,	25	ECOMOG only continued running. And the CDF, the following
	26	they surrendered 525 to us. Then Rambo continued moving on to
	27	Makali. He passed Makali. The CDF that were in Makali they,
	28	too, surrendered; they were more than 100. The ECOMOG were in
again	29	Matotoka. When Rambo and others opened fire, they ran away
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on	1	and they went to Magburaka. So, in Magburaka, they were only

the main road. It was there they fought with Rambo for about

minutes. Then they ran away again and went to Makeni. Then

2

3

30

- 4 Rambo continued the journey. He arrived at Makeni Teachers
- 5 College.
- 6 Q. Before we get to Makeni, was there any attack on Bumpe?
- 7 A. Well, yes. We fought with ECOMOG at Bumpe. When they
- 8 divided into two, a group went to --
- 9 THE INTERPRETER: The interpreter is sorry.
- 10 MR JORDASH:
- 11 Q. Repeat your last answer, please, Mr Sesay?
- 12 A. I said yes, ECOMOG was at Bumpe. In fact, our men narrowly
- 13 missed to capture their helicopter there. But their helicopter
- 14 pilots were too smart. So they left. Fighting took place there.
- $\,$ 15 $\,$ So the ECOMOG withdrew from Bumpe in a disorganised manner. One
- \$16\$ group went by Nimikoro and the other group went by Jiama Sewafe.
 - 17 They retreated through Baoma Konta.
 - 18 Q. Let me just ask you this: I don't think there is a
- 19 dispute. The Kono to Makeni highway, was that the main thrust of
 - 20 the attack, after Koidu?
- 21 A. Yes. After Koidu Town, Bumpe, after Bumpe, the only place
 - that there was a fight, which was a short one, that was in
 - 23 Masingbi. Matotoka and Magburaka.
 - 24 Q. And what happened to the various CDF you described as
 - 25 surrendering?
 - 26 A. Yes. I would explain. Because the time when we had
 - 27 captured Kono, the information had spread on to Makeni. The
- 28 civilians in these towns Masingbi, Makali, Matotoka, Magburaka,

29 they saw the ECOMOG arriving. Some hadn't any boots. So, as our

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population	1	men were advancing towards Masingbi, all the civilian
that	2	went to the surrounding villages. This was the same thing
civilians	3	happened in the villages up to Makali. So, later, the
	4	came back to their towns.
surrounding	5	Q. Just pause there: Civilians running into the
	6	areas, what made them come back?
in	7	A. Well, for example, like Masingbi, if the civilians were
more	8	the bush and heard that the CDF had surrendered to the RUF,
	9	than 500, and RUF did not kill any one of them, then the
if	10	civilians would have the courage to come out. Saying, "Well,
would	11	the man did not kill the man he was fighting against, why
I	12	he kill me, a civilian?" So that was what was happening. So
their	13	sent a message that all the civilians should come back to

14	villages.
T-T	viiiages.

	14	villages.			
From	15	Q. Let's just focus on what you did, okay, for a minute.			
	16	Koidu Town, where do you go and when?			
	17	A. Well, the way I set up the the way I organised the			
	18	movement, Rambo, with all the instructions I had given him, he			
will	19	was in the advance team. Then when he had captured Kallon			
nothing	20	come there to ensure that the fighters advance, and that			
	21	went wrong in that village. From that, when I come there, at			
	22	that time, we would have seen. Kallon would have been able to			
	23	see three or four civilians whom we would tell to call their			
was	24	people to come back to the village. Like in Masingbi, that			
	25	what happened there.			
	26	Q. What did you do? That is what I'm interested in for the			
	27	moment. From Koidu Town, where do you go?			

28 Well, when I had received the message that they have

captured Masingbi, and a lot of CDF had surrendered, I too 29

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came

there and talked to the CDF. From there --

2 Let's just go step by step, okay? How far is Masingbi Q. from 3 Koidu? 4 I think it's 45 miles. 5 So when you received the message that Masingbi had been 6 occupied by RUF, what did you do? 7 Well, they told me Kallon sent a message that over 500 Α. CDF 8 had surrendered to us, so I said "fine." So I said: Well, we 9 should talk to them and I myself will come to talk to them. I 10 came to Masingbi. When I arrived at Masingbi --11 When did you get to Masingbi? Ο. 12 Well, I came to Masingbi the following day, when they had 13 captured there. What day was that, do you think? 14 Ο. Well, I cannot recall now. I can just recall the day 15 that 16 we captured Koidu Town but to say that I will be able to remember all the dates of these events, it's difficult. 17 18 Ο. Was it before Christmas? 19 That was before Christmas. You are right. Α. 20 And did you --Ο. 21 Because from Kono, we captured Koidu Town the 16th, then 22 the 24th. Rambo arrived in Makeni -- the 25th we captured the 23 barracks, you see. 24 Did you stop anywhere on the way to Masingbi; you 25 personally? 26 Yes. I stopped at Sewafe.

What did you see before you got to Sewafe? Did you see

27

any

Q.

- 28 problems?
- 29 A. Well, from Koidu Town I did not see any problem.

Sewafe,

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- 1 it was at Bumpe that I saw three ECOMOG soldiers that died at
- 2 Bumpe. Sewafe, no fighting took place there, so I did not see
- 3 any corpse there. Where I saw corpses again was between the
- 4 bridge from Dorgboh to Gold Town. Six Nigerian soldiers died
- 16:03:26 5 there. They were in their uniform.
- $\ensuremath{\text{G}}$ Q. Well, you described that as a problem. Is that a problem?
 - 7 A. Well, we were fighting a war. If during the crossfiring
 - 8 the man dies, if the man surrendered and I killed him, then I
 - 9 feel that is a crime. But, they died during crossfiring.
 - 16:03:26 10 Q. Was it a problem you observed with civilians along the
 - 11 route or civilian property?
- $\,$ 12 $\,$ A. $\,$ No. I did not observe any civilians on that road. To say
 - 13 that civilians died there, no. It was only the vehicles.
 - 14 Because when the convoy stopped, there were a lot of vehicles
- 16:03:27 15 parked between Gold Town and Dogboi and the Alpha Jets went again
 - and bombed some of those vehicles.

- 17 Q. Between Gold Town and where?
- 18 A. Between Gold Town and Dogboi.
- 19 JUDGE BOUTET: Where are these locations again, Mr

Jordash?

- 16:03:27 20 MR JORDASH: Dogboi, I think. Dogboi.
 - 21 THE WITNESS: My Lord, Dogboi. Between Dogboi and Gold
 - 22 Town.
 - JUDGE BOUTET: Can you spell it for me?
 - 24 MR JORDASH:
- 16:03:27 25 Q. Mr Sesay?
 - 26 A. No, I cannot. I cannot.
 - 27 MR JORDASH: G-O-B-W-E-H.
 - JUDGE BOUTET: And the other location?
 - 29 MR JORDASH: Gold Town.

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- 1 JUDGE BOUTET: Gold Town; like gold?
- 2 MR JORDASH: Like gold.
- 3 Q. The vehicles in the convoy were, what? Are you saying

they

- 4 are civilians, or what?
- 16:03:28 5 A. ECOMOG and the civilian vehicles that were retreating from

- 6 Kono, when they found out the road was blocked, they abandoned
- 7 these vehicles, and they went back. They went by the road to
- 8 cross the Sewa River, when they retreated through Gold Town.
- 9 Some were not able to turn the vehicles. Some turned their
- $16:03:28\ 10$ vehicles, went to Sewafe, then they crossed the river and went to
 - 11 Baoma Konta. It was not Gold Town, I'm sorry.
 - 12 O. Where was it if it wasn't Gold Town?
 - 13 A. Baoma Konta. Baoma Konta.
 - 14 Q. Can you spell that?
 - 16:03:29 15 A. Boma, B-O-M -- B-O-M-A. Boma [sic]. I think it's
 - 16 K-O-N-T-E-H or K-O-N-T-A. Konta.
 - 17 Q. Now, what did you find when you -- well, before I get to
- 18 Masingbi, did you speak to any civilians on the way to Masingbi?
 - 19 A. No. Those towns, there were no civilians in these towns
 - 16:03:29 20 during this time, between Sewafe and Masingbi. And even in my
 - 21 testimony I think last week, I said, that during the retreat,
- villages around Gold Town and Sewafe were burnt during the fight
 - 23 between the retreating troops, so there were no civilians in
 - those villages. They were villages that were abandoned.
 - 16:03:30 25 Q. Do you know how the burning took place?
- 26 A. Well, I told you last time that the retreating troops from
- 27 Makeni to Kono, they had some fights with the Kamajors in these
 - villages, around Gold Town and Sewafe.
 - 29 Q. Are you talking about December '98, or before that? Can

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- you clarify when you're talking about? 2 Well, we were talking about December '98, and you asked me 3 if I saw civilians between these villages. I said, well, I had told the Court that there was a fight during the time that we 4 had 16:03:31 5 been retreating, February '98, around Gold Town and Sewafe, when they burnt some villages around that route. So, these 6 villages, there were no people in them in December '98, up to Masingbi. Ιt was at Masingbi that I met few civilians and a group of captured CDFs. 16:03:31 10 JUDGE BOUTET: What you're saying, Mr Sesay, is that these 11 villages had been destroyed when you were retreating from 12 Freetown? 13 THE WITNESS: Well, My Lord, I would not say that we were 14 the ones that destroyed the place, because it was a fight that 16:03:31 15 ensued between the Kamajors and the retreating troops. 16 JUDGE BOUTET: I didn't say you are the ones who burnt the
 - 17 villages. I said, the villages were burnt while you are

period		18	retreating, whether it is you or the Kamajors. That's the			
or		19	of time. I'm talking the period of time that was when the RUF			
	16:03:33	20	the junta was retreating from Freetown; that's when these			
		21	villages were destroyed?			
		22	THE WITNESS: Yes, some of these villages, My Lord. But			
		23	some of the villages were not destroyed, but there were no			
to		24	civilians there in December, during the time that I was coming			
	16:03:33	25	Masingbi.			
		26	MR JORDASH:			
		27	Q. Now, what happened when you arrived at Masingbi?			
		28	A. I said, when I arrived at Masingbi, I found a group of			
29 Kamajors and CDFs that I spoke to; I addressed them. A told						

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	1	them that I said, we are not fighting against them, we are
they	2	fighting against ECOMOG and the government, as we knew that
us	3	were civilians, and they only give them arms to fight against
	4	and we don't have anything against them.

16:03:34 5 Q. At what kind of place did you say this?

- 6 A. Well, this was at the court barri, at Masingbi.
- 7 Q. How did the CDF gather there? How come they were there?
- $\rm 8~$ A. Well, the CDFs had commanders, and I had told Kallon that I
- $\,$ 9 $\,$ was coming to Masingbi, and he also informed the commander that
- 16:03:35 10 his own commander was coming, Colonel Issa, he was on his way; he
- $\,$ 11 $\,$ is coming. So, let the CDFs come together. After that, he would
 - 12 come and talk to you.
 - 13 Q. Did you just say a name?
 - 14 A. What name?
 - 16:03:35 15 Q. I thought I heard a name. Maybe I didn't.
 - 16 A. I said, I sent a message to Kallon that I was coming to
 - 17 Masingbi, so that I myself would come and see the men who had
 - 18 surrendered, the CDFs.
 - 19 Q. So what else did you say to the surrendered CDF?
- 16:04:02 20 A. Well, just like I said a while ago. I said, that they were
 - 21 not our target. We were not here to kill them, since they had
- 22 surrendered, let them feel safe. Nothing wrong will be done to
- $\,$ 23 $\,$ them who are fighting against ECOMOG and the government. We knew
- $\,$ 24 $\,$ that they were civilians and they had only given them guns, so as
 - 16:04:21 25 to fight against us.
 - Q. Okay. Did you say anything else or did you leave?
- 27 A. Well, that very day, I did not say anything else. I just
- $\,$ 28 $\,$ told them that they were to be at Masingbi Town and they were not
 - 29 to go out of Masingbi.

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		1	Q.	Did you leave Masingbi?	
		2	A.	Yes, I left Masingbi and I went back to Kono.	
		3	Q.	Did you leave any RUF in Masingbi?	
		4	A.	Yes, Kallon was there with them.	
	16:04:53	5	Q.	Who else but Kallon? Did you leave other men or just	
		6	Kallo	n?	
I		7	Α.	Well, there were other RUF fighters there with Kallon.	
		8	canno	t name every single RUF fighter.	
		9	Q.	Just give us a rough	
in	16:05:13	10	Α.	And Kallon I said, Kallon and other RUFs were there	
		11	Masin	gbi. There, I left them. I cannot call the names.	
at		12	Q.	What I'm asking you, Mr Sesay, is that we were not there	
		13	these	places, so try and just give us some descriptions. What	
		14	kind	of numbers of men did you leave in this place?	
	16:05:45	15	Α.	Well, what happened, the advance team had come and	

16 captured the town and they'd gone ahead. So when the advance

only a few were left at Masingbi with Kallon.

team had gone ahead, the group of the fighters had gone away,

they'd

17

18

	19	Q. So you returned to Koidu. Are there RUF men in between		
16:06:04	20	Masingbi and Koidu?		
	21	A. Yes, there were RUF men at Sewafe.		
	22	Q. What did they do?		
road,	23	A. Well, we knew that those places, as we passed by the		
very	24	we heard the Kamajors firing. You know, Kenema District is		
16:06:26 25 close to this road, between Masingbi and Sewafe. So, RU to				
capture	26	be there. As we moved, we would capture and deploy, we'd		
and deploy; that was how we operated. We'd not just go without				
28 deploying. So we had our men at Sewafe. Because, Kamajors,				
ambush	29	they too, in January and February, they would come and set		

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- on the roads, the CDFs. They would come from the Kenema
 District, they would cross and make ambush, lay ambush. So,
 we
 also had to deploy, so as to keep the roads safe and the villages
 - 4 that were between the roads.

- 16:07:09 5 Q. Were there any standing instructions or standing orders
 - 6 about what should happen when RUF men deployed?
 - 7 A. Yes. I said, I gave standing orders in the meeting at
 - 8 Koidu Town. I mean, at Superman Ground, before the operation
 - 9 started.
- 16:07:33 10 Q. Okay. How long did you stay in Koidu Town after you'd
 - 11 returned?
- 12 A. I was there from the 16th to the 24th of December. Then I
 - 13 came to Makeni.
 - 14 Q. Did you stay at any place on the way?
 - 16:07:51 15 A. If I stayed in any town, or I made a stop at any town on
 - 16 the way; which one?
 - 17 Q. Did you make any stops in any towns on the way?
 - 18 A. Yes, I made a stop at Masingbi. I made a stop at Makoni
 - 19 Line; I made a stop at Makoni Junction; I made a stop at

Makali;

- 16:08:20 20 I made a stop at Mamori; and I made a stop --
 - 21 Q. All right. What was the last one? Sorry.
- $\,$ 22 $\,$ A. $\,$ And I made a stop -- it's not the last one. And I made a $\,$
 - 23 stop at Matotoka; I made a stop at Magburaka; then to Makeni.
 - Q. Did you do anything during those stops?
 - 16:08:48 25 A. Yes. When I stopped, I would talk to the few civilians
- 26 that I had met with the RUF, so that they could call their people
- $\,$ 27 $\,$ from the bush, so that they could come and stay in the town, that
 - nothing would happen to them, let them come to town. That is
- $\,$ 29 $\,$ why, I -- I made the CDF commanders to live in their towns, like,

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	1	from Makali
you	2	Q. Tell us what happened. Just tell us what happened when
description	3	arrived at a particular town. Just give us a brief
	4	of what you did in each place.
16:09:27 I	5	A. I said, when I arrived in Masingbi, at the first place,
the	6	stopped, I talked to Pa Roke for the first time. Pa Roke was
chief	7	caretaker he was a chief who was left by the paramount
	8	to take care of the chiefdom. He was called Pa Roke.
	9	Q. R-O-K-E?
16:09:50	10	A. Yes.
a	11	Q. Was this the first trip to Masingbi you made or was this
	12	second trip?
you	13	A. This was my first this was my second trip. I told
	14	that I had come there before.
16:10:01 caretaker	15	Q. Okay. So the second trip you spoke to Pa Roke,

chief, and what did you speak to him about?

A. I met Pa Roke and a few other old men, and I talked to

16

17

18 them. I said, "Old people, you, yourselves, have seen. We are 19 not here to kill or destroy." I said, "They have captured 16:10:28 20 Masingbi, and they have not burnt any house, and they have not 21 broken into anybody's house. This should give you the confidence 22 that we have not come here to disturb any civilian." 23 Where did you have this meeting? 24 Well, it was at the CDF -- it was -- it was at the house of 16:10:49 25 the CDF commander. 26 THE INTERPRETER: Your Honours, would the witness go a 27 little bit slow? MR JORDASH: 28 Go back, please. 29 Ο.

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- 1 A. I said, it was not a meeting. I said, I only made a
 2 stopover at Masingbi and when the commander who surrendered
 with
 3 the CDF told me that Pa Roke, who was the chief, and other old
 4 men were here, I said, "Okay, let me go there and talk to
 them."
 - 16:11:16 5 I drove to the house and talked to them.

- 6 Q. Was anything else said by you?
- 7 A. Well, I -- it was just what I had been telling them was
- $\,$ $\,$ $\,$ just to guarantee their security and their safety. That if they
 - 9 told their people, to return to town nothing would happen to
- 16:11:37 10 them, nobody would disturb them. That was what I told them, that
 - 11 we were not there to disturb the peace of the civilians.
- $\ensuremath{\mbox{\sc loss}}$ Q. Do you know what happened as a result of that conversation,
 - if anything?
- $\,$ 14 $\,$ A. Yes. The talk that I gave them, the outcome of it was that
- 16:11:57 15 -- the civilians came out of the bushes, and stayed in Masingbi,
 - 16 up to disarmament in 2001.
 - 17 Q. How do you know the civilians came?
 - 18 A. Well, I used to see, because, when I was in Makeni,
 - 19 from January to March, at times I would pass through and go to
- 16:12:22 20 Kono. At times, I would come and make a stopover at Masingbi and
- 21 go back. Then there was a radio set in Masingbi, even when they
 - 22 attacked me at Makeni, when I came and passed through --
 - 23 PRESIDING JUDGE: Slow down. Okay. Continue.
 - 24 THE WITNESS: I said, even when Superman attacked me in
- 16:12:40 25 Makeni, when I passed through Masingbi, I went to Buedu, October,
- 26 in '99. When I came again, I met the civilians, a lot of them,
- 27 in Masingbi. And they lived there throughout the conflict, up to
 - 28 the time of the disarmament. They had their wares, they had
 - 29 their drug stores.

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	1	MR JORDASH:			
	2	Q. You mentioned a name which hasn't been translated, Amidu			
	3	Conteh. Did you mention that name?			
CDF,	4	A. Yes, I said Amidu Conteh, he was the commander for the			
16:13:16	5	who surrendered. And, later, I myself I, myself, told			
him	6	Kallon we made him RUF commander at Masingbi, and I told			
	7	that the reason I'm making you a commander was that you should			
	8	not allow other RUF fighters to come to this town to come and			
CDFs,	9	disturb your people. So, it was like, we would capture the			
16:13:39	10	and we would turn around and make them commanders in their			
	11	various towns, so that			
with	12	Q. All right. I want to deal with facts. I want to deal			
	13	the towns like you've dealt with Masingbi. Now, tell us the			
is	14	other towns and what happened in the towns, and what you do,			
16:14:01	15	what I'm interested in. So we've dealt with Masingbi. What			
	16	about other towns?			

17 A. I made a stopover at Makoni Line junction where I talked

- 18 to --
- 19 Q. Right. What's the place again?
- 16:14:22 20 A. Makoni, M-A-K-O-N-I-E [sic] Junction.
 - 21 Q. Junction. Did you stop there after Masingbi?
 - 22 A. Yes.
 - Q. What did you do? You, personally?
 - 24 A. Well, when I arrived there, I met about five RUF whom
- 16:14:47 25 Kallon had deployed there, then I made a stopover. They came
- $\,$ 26 $\,$ around my vehicle. They came with the Kamajor commander, whom,
- 27 they said, this was the man, and his brothers. "We were all left
- $\,$ 28 $\,$ here by Kallon." Then I talked to the Kamajor and his men, and
 - the CDF man's name is John Conteh.

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- 1 Q. What did you say to them?
- 2 A. Well, I told John Conteh, I said, "Have you seen Morris
- 3 Kallon? Has he spoken to you?" He said, "Yes." He said he had
- 4 left and had gone towards Magburaka. I said, well -- I said, $\ensuremath{\mathsf{T}}$
- 16:15:28 5 was Colonel Issa. I said, the same thing that that man had told

- 6 you, I said -- had given orders that nobody would disturb you,
- 7 since you had decided not to fight against us anymore -- you

and

- 8 us have become one, I said, so we'll not fight each other any
- 9 more.
- 16:15:52 10 JUDGE BOUTET: What's the name of that person you're
 - 11 talking to? You had mentioned before --
 - 12 THE WITNESS: John Conteh, My Lord.
 - 13 JUDGE BOUTET: But the previous village it was Amidu
 - 14 Conteh, now it's John Conteh.
- 16:16:08 15 THE WITNESS: Yes, My Lord. Amidu Conteh was at Masingbi.
 - John Conteh was at Makoni Line Junction, sir.
- JUDGE BOUTET: Both are Conteh, but two different villages?
 - 18 THE WITNESS: Yes, sir, about a distance of seven miles.
 - 19 JUDGE BOUTET: Now you're talking about a Kamajor
 - 16:16:27 20 commander, and before you were talking of the CDF commander.
 - 21 What's the difference, if any, for you?
- $\ \ \,$ THE WITNESS: Well, My Lord, it was a CDF. They were the
 - 23 Kamajors, as far as I understand. Although they have their
 - 24 different sections, they have the Kapras, they have the

Donsos.

- 16:16:51 25 JUDGE BOUTET: I was asking you, because you have used the
- 26 term, the previous village, CDF Kamajor was Amidu Conteh. Now,
- 27 at this village, you say he was a Kamajor commander, so obviously
 - 28 you're using different terms for different people. I'm just
 - 29 asking you to assist me in understanding what you're saying,

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- 1 that's all.
- 2 THE WITNESS: Well, My Lord, the CDFs were the Kamajors.
- $\,$ 3 $\,$ That was the general name, the Kamajors, but they were the CDFs.
 - 4 MR JORDASH:
 - 16:17:25 5 Q. Why do you use the two? Do you see a difference between
 - 6 the two or not?
- $7\,$ A. Well, when we were fighting against them, that was what we
- $\,$ $\,$ had been using. It was later that we came to hear about Donsos.
 - 9 We started hearing about Kapras, Gbethis, and all of them were
 - 16:17:46 10 under the CDF, the Kamajors.
 - 11 Q. Okay. How long did you stay in Makoni Line Junction.
 - 12 A. Makoni Junction.
 - 13 Q. How long did you stay there?
 - 14 A. Well, when I have spoken to John and his men, and I told
 - - 16 villages, so that the people could come back to their villages
 - 17 and stay. I said, "And you are the individuals that will be
 - 18 commanders in your towns, so that your people will not be
 - 19 afraid." Then I continued my movement to Makali.

16:18:33 20 Before we get to Makali, do you know what, if any, was Q. the 21 effect of your meeting with the Conteh -- with John Conteh? 22 Yes, My Lord. John Conteh, from Makoni Line Junction, all 23 the villages that were in that surrounding village up to, because 24 there was a branch road that went to -- I've forgotten the name 16:19:11 25 of the town. There was a branch from Makoni Line junction on the 26 left going to a fairly big town. All the people in that area, 27 they stayed there, at Makoni Line Junction from 1998, December, up to the end of the conflict, 2001. There were civilians 28 living 29 there in that Makoni Line Junction and the surrounding

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villages.

- 1 Q. Well, do you know, if they came, when they came into the
- 2 Makoni Line Junction?
- $\ensuremath{\mathtt{3}}$ A. Well, that I can say, from late December to early January,
 - 4 the people had started coming out.
 - 16:19:53 5 Q. Were there RUF left, deployed there?
 - 6 A. I said, it was just around five RUF fighters that were

- 7 there, with John Conteh's men.
- $\ensuremath{\mathtt{g}}$ Q. When you left to go to Makali, who did those men report to?
 - 9 A. When I left to go to Makali.
- 16:20:25 10 Q. Yes, the RUF deployed in Makoni Line Junction, who did they
 - 11 report to?
- 12 A. Well, at this time, we had not yet made any command post,
- 13 but, later, Makoni Line Junction fell under Masingbi. But, this
 - 14 time, it was just a new deployment, initially.
 - 16:20:48 15 Q. Who did the new deployment report to?
- ${\tt 16}$ A. They were under me and Kallon. They had been reporting to
 - 17 me. I and Kallon.
 - 18 Q. Right. You went to Makali; what happened in Makali?
 - 19 A. I went to Makali. I met a few RUFs again, who were in
- $16:21:22\ 20$ Makali, with the CDFs and about ten to 15 civilians. Among them
- 21 were the chiefdom speaker and the paramount chief. The chiefdom
 - 22 speaker was Pa Santigie Turay.
 - 23 Q. Can you spell that, please?
 - 24 A. P-A S-A-N-T-I-G-I-E. Santigie. T-U-R-A-Y. He was the
- 16:22:03 25 chiefdom speaker, and up to this time, he is the chiefdom speaker
 - in Makali. Even as I'm talking, he is the chiefdom speaker.
 - Q. And you mentioned paramount chief; who was that?
 - 28 A. That was the late Paramount Chief Alimamy Kanu. He died
 - 29 last year, he too was there and I feel that --

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	1	THE INTERPRETER: Your Honours, would the witness be			
	2	instructed to speak a little bit loud.			
	3	MR JORDASH:			
what	4	Q. Could you raise your voice a little? Could you repeat			
16:22:39	9 5 you've just said.				
	6	A. No, I said, among the ten people whom I met in Masingbi,			
	7	the chiefdom speaker was there, who was the chiefdom speaker			
up was	8	to this time in Makali. The paramount chief was there, who			
	9	the late Alimamy Kanu. I said he had given a statement in my			
16:22:56	10	defence. I said, but he had died last year. Then you had the			
who	11	town head man, the Imam and other people, including two women			
	12	were among them. I met them and talked to them.			
	13	Q. He made a statement for your defence and died last year.			
	14	What interaction did you have with him?			
16:23:18	15	A. Well, I told him that I said that he was a paramount			
come	16	chief, and I said our presence in his chiefdom, we did not			

to change a paramount chief. We did not come to change any

administration. I said, so, now that he was in his chiefdom

17

18

civil

and

we've	19	that he had accepted us, and we too, on behalf of the RUF,
16:23:43 said,	20	recognised him as the paramount chief of his chiefdom. I
I	21	so I said, the CDF, in his chiefdom, had surrendered to us.
	22	said, so now, his CDF and us had become one. Let him call his
	23	people so that we would make sure that we give him maximum
their	24	security for him and his people, so that they could live in
16:24:04	25	town. That's what I told the late paramount chief.
	26	Q. How long did you stay there?
the	27	A. Well, I did not stay there long. When I had spoken to
who	28	chief, I talked to the few RUF that were there and the CDF,
	29	had surrendered. And he too, the CDF commander, he also was
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	1	and a Bridge Court by Mineral and Court by all along the analy			
	1	called Foday Conteh. There was Contehs all along the road,			
	2 Masingbi, Makali, Makoni Line Junction.				
happen	3	Q. Do you know if there was any effect, or did anything			

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 $\ensuremath{4}$ \ensuremath{a} as a result of your meeting with him and the paramount chief and

16:24:59 5 the chiefdom speaker?

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- $\ensuremath{\mathsf{6}}$ A. Yes. Because, later, I came to understand that the chief
 - 7 himself had had to send to other CDFs that had not come out so
 - 8 that they could all come out, you know, and the people, the
- 9 civilians, they remained in their town in Makali, and they were
 - 16:25:21 10 doing their farming, up to 2001, disarmament. They lived in
- 11 Makali. The paramount chief, he lived there, and he had control
 - over his chiefdom, up to the time of disarmament.
 - 13 Q. Do you know --
 - 14 A. No, go ahead.
- 16:25:44 15 Q. Do you know when civilians started to come back to Makali?
- 16 A. Well, it was from late December, people started coming to
 - 17 Makali. Early January, the townspeople were there, '99.
 - 18 Q. After Makali, where did you go?
- 19 A. Well, after Makali, I made a stop over at Matotoka because
- 16:26:13 20 I met RUFs there, who were deployed at Matotoka Junction. Well,
- $\,$ 21 $\,$ I met the RUF with few civilians with whom there was one Fullah
 - 22 Pa, but he said that he was born at Matotoka.
 - Q. Sorry, the name you called?
 - 24 A. No, I do not know his name. I do not know his name. I
- $16:26:39\ 25$ only know that he was a Fullah man. He was a Fullah man. He was
- $\,$ 26 $\,$ a Fullah Pa, an old man. But he was still strong, but he was old $\,$
 - 27 by then. He and few civilians were the ones that I met at
- $\,$ 28 $\,$ Matotoka with the RUF. I made a stopover there and I talked to

29 him, the old man, and the few civilians who were there.

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Dama 100	SESAY ET AL				
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1	Q. Did this Fullah Pa have any official title or function?				
2	A. Well, later, he was the one who served as the caretaker				
3	chief. He was there up to the time of the completion of the				
4 interpreted].	disarmament and the paramount chief later went [as				
16:27:24 5	Q. What do you mean the paramount chief later went?				
6	A. Yes, because the paramount chief at Matotoka was PC				
7	Baikafari. He was in Freetown. During this time, he was not				
8 Fullah	there. So, the people, in January, it was that Pa, that				
9	who was made as the caretaker chief. He was there as head for				
16:27:47 10	them. He was there up to 2001, when we disarmed and the				
11	paramount returned. It was that Fullah that was there as a				
12	chief. But he was a native of Matotoka.				
13 there?	Q. And what was it that you said to them when you went				
14 to	A. Well, I told them the same thing, that they should come				
16:28:11 15	their towns, they should come and stay in their towns. They				

16 should come from the bushes. Because I said we were not there

to

- 17 harm them. We were not there to impose anything they did not
- \$18\$ want, or to do anything they did not want. I said, no. I said
 - 19 they were to come to their town.
- 16:28:28 20 Q. Did anything happen as a result of you speaking to this Pa?
 - 21 A. Yes. It looked like there was a problem there, because
 - 22 from early January to February, the CDF from Yele had been
 - 23 attacking the place frequently, so civilians were not able to
 - 24 base there. So, the civilians, they went and lived close to
 - 16:28:53 25 Magburaka, the village close to Magburaka, because of the
 - frequent attacks from the CDF, sir, at Matotoka.
 - 27 Q. What happened after Makali? Did you go anywhere else?
 - 28 A. I said, I passed through Matotoka.
 - 29 Q. What happened after Matotoka?

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- 1 A. Well, after Matotoka -- this was late in the evening, so
- 2 Magburaka was -- I made a stopover on the main road and I
- 3 continued to Makeni. Magburaka, the town was quiet.
- 4 Q. Did you speak to anyone in Magburaka?
- 16:29:39 5 A. No, that was on the following day. When I came from
- 6 Makeni, I came to Magburaka and talked to the people. It was not

- 7 the very day.
- 8 Q. Well, since we are in Magburaka, after you returned from
- 9 Makeni to Magburaka, did you meet anyone in Magburaka the next
- 16:30:00 10 day?
- 11 A. Yes, I met a few people. That was the next day. I met a
- $\ \,$ 12 $\ \,$ few people. I gave them the same message, because all the houses
 - in Magburaka were locked. They were locked. The people, they
- \$14\$ $\,$ ran and went to the surrounding villages, and they came back and
 - 16:30:21 15 they found their houses the same way they had left them.
 - 16 Q. Who did you meet in Magburaka the next day?
- 17 A. During that day, I met one Mustapha, who was a young man,
 - 18 who was a mature man at Makali -- sorry, Magburaka. Later, he
- 19 became part of the G5, and I met other civilians. But the chief,
- $16:30:50\ 20$ that very day, I was not able to see him. But I, myself, I asked
- 21 for the chief, and they told me the chief was around, but he was
- $\,$ 22 $\,$ not in town. So I too said that wherever he was, my message was
- 23 to let him come back. Let him come to his town and live with his
 - 24 people. And that was what happened. The paramount chief in
- 16:31:11 25 Magburaka, he, himself, came back to the town, from January '99
- $\,$ 26 $\,$ up to 2001. He had been controlling his chiefdom, as a paramount
 - 27 chief and all civil administration in his chiefdom, he had
 - 28 authority over that.

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- 1 needs a break at this time. We will take the usual afternoon
- 2 break now.
- 3 MR JORDASH: Thank you.
- 4 [Break taken at 4.30 p.m.]
- 17:00:03 5 [Upon resuming at 5.05 p.m.]
 - 6 PRESIDING JUDGE: We'll proceed, Mr Jordash.
 - 7 MR JORDASH: I'm sorry to say, but I have to apply to go
 - 8 into closed session.
- 9 PRESIDING JUDGE: Right, and that will be for the rest of
- 17:07:12 10 the afternoon?
 - 11 MR JORDASH: Yes.
- 12 PRESIDING JUDGE: Members of the public, we kindly ask you
 - 13 to retire. This chamber is about to go into closed session.
 - 14 We'll welcome you tomorrow morning, 9.30 a.m..
 - 17:07:36 15 JUDGE ITOE: This has come just at the wrong time for a
 - 16 visiting audience.
 - 17 JUDGE BOUTET: Very bad timing.
 - JUDGE ITOE: Bad timing, indeed.

the	19	JUDGE BOUTET: I'm not sure for whom, but certainly for					
17:07:54	20	members of the public.					
the	21	PRESIDING JUDGE: Madam Courtroom Officer, please take					
	22	necessary action.					
	23	[At this point in the proceedings, a portion of the					
	24	transcript, pages 112 to 120, was extracted and sealed under					
17:08:06 session]	25	separate cover, as the proceeding was heard in a closed					
	26						
	27						
	28						
	29						
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	1	[open session]					
and	1 2	[open session] PRESIDING JUDGE: The trial is resumed in open session,					
and							
and	2	PRESIDING JUDGE: The trial is resumed in open session,					
and 17:31:15 p.m.,	2	PRESIDING JUDGE: The trial is resumed in open session, the hearing is adjourned to tomorrow, Friday, 18 May 2007 at					

7	2007,	at	9.30	a.m.]
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WITNESSES FOR THE DEFENCE:

WITNESS: ISSA HASSAN SESAY

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