



Case No. SCSL-2004-15-T  
THE PROSECUTOR OF  
THE SPECIAL COURT  
V.  
ISSA SESAY  
MORRIS KALLON  
AUGUSTINE GBAO

WEDNESDAY, 09 MAY 2007  
9.30 A.M  
TRIAL

TRIAL CHAMBER I

Before the Judges:

**Bankole Thompson, Presiding**  
**Pierre Boutet**  
**Benjamin Mutanga Itoe**

For Chambers:

**Mr Matteo Crippa**  
**Ms Erica Bussey**

For the Registry:

**Mr Thomas George**

For the Prosecution:

**Mr Peter Harrison**  
**Ms Penelope-Ann Mamattah**  
**Ms Shyamala Alagendra**

For the accused Issa Sesay:

**Mr Wayne Jordash**  
**Ms Sareta Ashraph**  
**Ms Martha Sesay**

For the accused Morris Kallon:

**Mr Melron Nicol-Wilson**

For the accused Augustine Gbao:

**Mr John Cammegh**

1 [RUF09MAY07A - MC]  
2 Wednesday, 9 May 2007  
3 [Open session]  
4 [The accused present]  
5 [The witness entered court]  
6 [Upon commencing at 9.45 a.m.]  
7 WITNESS: ISSA HASSAN SESAY [Continued]

8 PRESIDING JUDGE: The trial is resumed. We need to  
9 address, quickly, the issue brought up by Mr Cammegh before we  
10 adjourned last evening. After that, we'll proceed with the  
11 presentation of the case for the first accused.

12 The Bench has received a memorandum from the chief of the  
13 language unit to this effect:

14 "By the direction of the Trial Chamber to listen to the  
15 audio recording of the proceedings of the 4 May 2007, and  
16 having listened to same, I can authoritatively confirm that  
17 there was a mistake. The witness said 'not,' which was  
18 rightly interpreted by the interpreter, but which was not  
19 clear to the stenographer; hence the mistake.

20 "The relevant portion of the said transcript, page 43, line  
21 2, 'No. And I -- it was brought to my knowledge that Gbao  
22 had been forcing civilians,' should read, 'No. And I -- it  
23 was not my knowledge that Gbao had been forcing civilians.'

24 "An errata is being filed accordingly to correct the  
25 mistake. "

26 Based on the findings contained in this memorandum, the  
27 Bench accordingly orders and directs that the relevant portion of  
28 the transcript be corrected to reflect accurately the answer  
29 given by the witness. Anything else?

1 MR CAMMEGH: Well, I'm most grateful to everyone concerned.  
2 Thank you.

3 PRESIDING JUDGE: Thanks.

4 JUDGE ITOE: My Lord, president, presiding judge, may I  
5 confirm that that finding is corroborated by my own record of  
6 this issue.

7 PRESIDING JUDGE: That is very refreshing.

8 JUDGE ITOE: Thank you.

9 PRESIDING JUDGE: Learned counsel for the first accused,  
10 you will proceed with the presentation of your case.

11 MR JORDASH: Thank you.

12 EXAMINED BY MR JORDASH: [Continued]

13 [Witness answered through interpreter]

14 Q. Good morning, Mr Sesay.

15 A. Yes. Good morning, Mr Jordash.

16 Q. You had just arrived in Masiaka at 6.30, or thereabouts, in  
17 the evening; what happened when you arrived in Masiaka?

18 A. I said, when we arrived at Masiaka, we didn't find anybody.  
19 Only the RUF and the AFRC had gone to Makeni.

20 Q. What was the condition of the town?

21 A. Well, the town was empty. We saw the doors of houses open.  
22 Only the Guinean contingent who had been there were there at the  
23 time.

24 Q. And what did you do?

25 A. So, I did not stop. We continued the journey until we  
26 reached Gberey Junction, towards Lunsar.

27 Q. Then what did you do?

28 A. When we arrived at Lunsar, we stopped there, because we saw  
29 some AFRC and RUF there, and we saw the High Clinic Hospital had

1       been looted. And I understood that I, as --

2               THE INTERPRETER: Your Honours, Your Honours, can the  
3 witness kindly repeat the names he has just mentioned.

4               PRESIDING JUDGE: Mr Sesay, will you please go over that  
5 again, slowly.

6               THE WITNESS: Yes, My Lord. I said, it was at Lunsar that  
7 I knew that, whilst we were leaving Masiaka for Bo, I, Boysie  
8 Palmer, AF Kamara and Peter Vandi, the other group that had been  
9 in Masiaka, both AFRC and RUF, they, too, were going towards  
10 Makeni whilst we were going to Bo.

11              JUDGE ITOE: Mr Sesay, slowly, slowly. You are going too  
12 fast. I was following your pace.

13              THE WITNESS: Okay.

14              JUDGE ITOE: You are okay. You're all right, you're on  
15 record, but you are still fast. It's in your interest to go  
16 slowly with your narration. I suppose you appreciate that.

17              THE WITNESS: Yes, My Lord, sir.

18              MR JORDASH:

19       Q.       Let's just go over that, because it is not very clear,  
20 Mr Sesay. You understood what about the boys of AF Kamara and  
21 Boysie Palmer? What did you understand about those boys?

22       A.       I said, when we arrived in Lunsar, it was there that I  
23 understood that, while we were leaving for Masiaka to go and  
24 attack Bo, the AFRC and RUF group that were at Masiaka, they too  
25 were moving towards Lunsar and Makeni.

26       Q.       So how did you come to understand that?

27       A.       Well, I met some RUF and AFRC there, at Lunsar. That was  
28 where I understood this. At that time, they had vehicles. They  
29 had been taking civilians' vehicles, they had looted High Clinic;

1 because I saw things strewn all over the place in front of the  
2 hospital.

3 Q. Did you have a radio operator with you or a radio set with  
4 you?

5 A. Yes. My operator was with me. He was with me but, as we  
6 were moving, he wouldn't switch on the set; except if we stopped  
7 at some place, he would switch on the set. But, when we were  
8 moving, the set would not be switched on.

9 Q. Well, from Bo to Lunsar, had you been --

10 JUDGE ITOE: Let me get this clear: Your operator, is it  
11 Elevation? Is it Elevation, your operator?

12 THE WITNESS: Yes, My Lord, Elevation.

13 JUDGE ITOE: Thank you.

14 MR JORDASH:

15 Q. And from Bo to Lunsar, had you been in communication with  
16 anyone, by radio?

17 A. No. I was not in communication because, at that time, I  
18 was in pain. When we arrived in 91, we did not switch on the  
19 set.

20 Q. When you arrived in Lunsar, how was your injury?

21 A. Well, that one, I had not slept yet. It was on the same  
22 day and I was still in pain.

23 Q. And can you remember who you saw in Lunsar?

24 A. Well, junior RUF, whose names I cannot recall now. I saw  
25 one SLA lieutenant with the speaker. But I tried to call him but  
26 he did not respond to my call, so we continued to Makeni.

27 Q. And did you go to Makeni?

28 A. Yes, I went to Makeni. I arrived in Makeni at night.

29 Q. And how long did it take you to get from Bo to Makeni --

1 sorry, not from Bo to Makeni; from Masiaka to Makeni?

2 A. Well, I used to make stops because, after Lunsar, I met the  
3 deputy defence minister, Avivavo, coming from Makeni. I made a  
4 stop between Lunsar and Feredugu Mende.

5 Q. Right. Let's just go over that. You met Avivo [sic]  
6 where?

7 A. I said, I -- I -- Avivavo was coming from Makeni in his  
8 pick-up with his boys and we met between Lunsar and Feredugu.

9 Q. How do you spell Feredugu?

10 A. I think it is F-E-R -- F-E-R-E-D-U-G-U.

11 Q. Which direction was he going in?

12 A. He was coming from Makeni. When we met, he told me he was  
13 going to Port Loko.

14 Q. Did he say why he was going to Port Loko?

15 A. Well, what he told me was that he -- he was going for his  
16 family, who were in Port Loko, because he said he didn't want to  
17 leave them in Port Loko. He was going there and returned to  
18 Makeni.

19 Q. Did he give you any news about anything?

20 A. Well, I asked him about my colleagues, my RUF commanders.  
21 He said, they were all in Makeni, and I asked him about the  
22 chairman, JPK, and he said he was in his village, he said, and  
23 things were upside down in Makeni.

24 Q. Well, what did you understand upside down to mean?

25 A. Well, he was trying to tell me that there was no control;  
26 some looting had taken place in Makeni. People, both RUF and  
27 AFRC, had taken vehicles and even he, himself, because the  
28 vehicle he had, he had not brought from Freetown. So, it's just  
29 the same thing.

1 Q. Did you arrive in Makeni?

2 A. Yes. After we had spoken, they continued and we, too,  
3 continued to Makeni. Then between Makoth and Makeni, I met with  
4 the PL0-1, Abu Zagalo, in his pick-up, with some of his boys.

5 Q. So Makoth --

6 A. Yes, I said, between Makoth and Makeni. Makoth to Makeni,  
7 it's 12 miles. It is in between that we met.

8 Q. Did you speak to PL0-1?

9 A. Yes, we spoke. He stopped and I, too, stopped. Then he  
10 asked me what had happened.

11 THE INTERPRETER: Your Honours, can the witness kindly  
12 repeat his last answer?

13 MR JORDASH:

14 Q. Repeat what you just said, please, Mr Sesay?

15 A. He asked me how the mission was in Bo, and I said I got  
16 wounded and he, too, saw the spot. He sympathised with me and he  
17 told me he was going to Port Loko, to return to Makeni, but I saw  
18 some zinc that had been loaded in the pick-up. So we stood there  
19 and spoke for a while, and he went and I, too, continued.

20 Q. And what happened then?

21 A. Then I continued by journey to Makeni and arrived in Makeni  
22 around 8.00, or some minutes just after 8.00 at night.

23 Q. And where did you go?

24 A. Well, when I arrived in Makeni, at the Azzonlini Highway,  
25 where I met Mohamed Kangoma, who is CO Mohamed's bodyguard, he  
26 told me that Pa Rogers, Mohamed Tarawallie's wife, Dr Fabai, all  
27 of them were at St Francis school; that is where they were. Then  
28 I, too, drove into the campus of the school. So, that night, I  
29 slept with them there.

1 Q. CO Mohamed that you've just referred to, who was that?

2 A. I mean Mohamed Tarawallie's wife.

3 THE INTERPRETER: Your Honours, can the witness be a little  
4 audible?

5 MR JORDASH:

6 Q. Can you raise your voice a little bit please, Mr Sesay?

7 A. I said Mohamed Tarawallie's wife, former field commander's  
8 wife, that he married.

9 THE INTERPRETER: Correction, interpreter: Not his wife  
10 that he married. His wife, named Marie.

11 MR JORDASH:

12 Q. So Mohamed Kangoma was bodyguard to who?

13 A. I said, Mohamed Kangoma was a former bodyguard to Mohamed  
14 Tarawallie; he was the one I met at the junction at St Francis.  
15 He gave me the information and I, too, drove into the school  
16 campus.

17 Q. And what did you find there?

18 A. Well, I said, I met some RUF people, some RUF civilians  
19 there, like -- because Mr Rogers was a civilian. Vandi, who was  
20 the deputy minister, was a civilian. I met all of them there,  
21 together with Dr Fabai. And Dr Fabai treated me that night, gave  
22 me some pain killers and an injection. So I slept at the school  
23 campus.

24 Q. And did you communicate with anyone else?

25 A. No. That night, I did not talk to anybody.

26 Q. And, in the morning, what happened?

27 A. Well, in the morning, a friend of mine, called Mohamed  
28 Conteh, his father has a big hospital in the compound, close  
29 to -- opposite St Francis school, I can say. So he came there at



1 the school and greeted me and he told me to go -- instead of  
2 staying at the school, let me go to the compound, because he had  
3 been my friend for a long time, even before the war. So I and my  
4 people went to the compound; that is where we stayed.

5 Q. Well, who went to the compound?

6 A. I said, I, my bodyguards and my family, who were with me at  
7 the time.

8 Q. And what happened at the compound?

9 A. Well, I was at the compound. Dr Fabai would come and treat  
10 me but, at that time, I saw RUF and AFRC in vehicles that did not  
11 belong to them. They had looted Makeni, even before I arrived;  
12 they had looted some Lebanese shops.

13 Q. The location of this compound, where, in relation to the  
14 centre of Makeni, is it?

15 A. Well, it is part of Makeni because the compound is at  
16 Lunsar Road.

17 Q. Which road? Repeat please.

18 A. I said, Lunsar Road.

19 Q. So when you went to the compound or, the next morning, when  
20 you were able to see, could you see the state of Makeni?

21 A. Well, that night when I arrived, up to the morning when I  
22 went to the compound, I did not go to the centre of Makeni but I  
23 had received information. I heard people saying, talking about  
24 Operation Pay Yourself, you know, and I saw fighters in vehicles,  
25 both AFRC and RUF, including officers, commanders.

26 Q. What do you mean some people were talking about Operation  
27 Pay Yourself? What does that mean?

28 A. Well, when I was leaving for Masiaka to Bo, I did not hear  
29 about Operation Pay Yourself but, upon my arrival in Makeni, that

1 night to the next morning, I heard about this word, Operation Pay  
2 Yourself.

3 Q. Well, who from?

4 A. Well, even the boy who took me to his house, he, himself,  
5 said, "Eh, these people have looted Makeni and they're talking  
6 about Operation Pay Yourself, Operation Pay Yourself." He said,  
7 they were a retreating group from Freetown which arrived in  
8 Makeni yesterday.

9 Q. TF1-334, I don't know if you recall the evidence, said that  
10 Johnny Paul Koroma announced over the international media,  
11 Operation Pay Yourself. Were you aware of that or did you become  
12 aware of that message?

13 A. Well, I was not aware because, when I left Masiaka, I did  
14 not hear that. And when we were going to Bo from Masiaka, we  
15 arrived at Mile 91. We did not enter anybody's house; we did not  
16 take anybody's property; the civilians were intact in their  
17 houses at Mile 91. So we passed through. And we came and passed  
18 through, it was the same thing.

19 Q. Did you come to learn, at any time after this period, that  
20 anyone had given an order for Operation Pay Yourself?

21 A. Well, once I was made to understand later, this is just the  
22 retreating soldiers from Freetown, the RUF had come up with the  
23 word Operation Pay Yourself. But I did not understand from any  
24 commander that it was this commander that gave the name, "This is  
25 the Operation Pay Yourself."

26 Q. Did you learn, at any stage, when this term began to be  
27 used during the intervention?

28 A. Well, I believe that this -- they started using this term  
29 from the time the troops were moving from Masiaka to Lunsar and

1 Makeni. That was where they started using this term

2 Q. How did you come to that conclusion?

3 A. Well, while I was leaving Makeni, I did not hear this. It  
4 was only upon my arrival in Makeni that I heard this word. So I  
5 concluded that it was during the move, and the attitude that I,  
6 myself, saw in Lunsar and Makeni on their way to Masiaka and  
7 Makeni, it was there that they came up with this word, pay  
8 yourself.

9 Q. Okay. So what happened that day, after you had slept the  
10 night in Makeni?

11 A. Well, when I slept, I went to that house; the doctor came  
12 and treated me. Then, later, Mike Lamin had heard that I had  
13 come to Makeni, and he came and greeted me and sympathised with  
14 me. I did not go anywhere that day. I was just in the compound.  
15 I slept there.

16 Q. How did Mike Lamin know you were in that place?

17 A. Well, Mohamed Tarawallie's bodyguards were the same  
18 bodyguards to Mike Lamin. When Mike Lamin came to Freetown, all  
19 Mohamed Tarawallie's bodyguards were with him. So when I went  
20 and slept in that school compound, some of them were there. It  
21 was true that Mike Lamin heard, because some of them were with  
22 his wife.

23 Q. When did Mike Lamin come; at what stage in the day?

24 A. Well, it was around 11 to 12 midday that he came there.  
25 And, when he came there, we sat together for some time and he  
26 returned.

27 Q. He returned to where?

28 A. Well, he returned to where he was lodged, where he stayed.

29 Q. Which was where?

1 A. Well, he was at a motel opposite Flamingo, lady smile.

2 They call it Buya's Motel.

3 Q. Do you know how to spell Buya?

4 A. I think it is B-U-Y-A.

5 Q. What was discussed between you and Mr Lamin?

6 A. Well, Mr Lamin, when he came, first, he sympathised with me  
7 because I was injured. Then he told me about the movement from  
8 Masiaka to Makeni, saying that men were looting people's houses;  
9 opening Lebanese people's stores in Makeni. And all the senior  
10 commanders of AFRC were there and they, too, from the RUF were  
11 there. But, as I was saying yesterday --

12 Q. Were any decisions made about --

13 A. I have not completed my sentence yet. I said, as I was  
14 saying yesterday, the whole thing showed that there was no  
15 command and control. The whole thing was disorganised at this  
16 time. But all senior commanders were there when the exercise was  
17 taking place in Makeni, when they looted there.

18 Q. So, were any decisions made? Did you make any decisions at  
19 this time?

20 A. Well, that day when Mike met me, I was in pain. And, from  
21 Masiaka, we did not make any decision up to this time. There was  
22 no decision. The only decision that we made in Masiaka, on the  
23 instruction given by Bockarie to me, and the support that SFY and  
24 SO Williams gave me to go and attack Bo; that was the decision  
25 from Masiaka.

26 Q. Well, did you communicate with Bockarie whilst in Makeni?

27 A. Yes. That day, when I transferred into that house before  
28 Mike Lamin came, yes, I spoke with Bockarie, and I told him that  
29 I had been wounded from Bo and I had retreated to Makeni.

1 Q. And his response to that was?

2 A. Well, he said that I should not allow Dr Fabai to go far  
3 away from me so that I could receive effective treatment, and he  
4 said he and Johnny Paul had spoken.

5 Q. And did he say what they had spoken about?

6 A. Well, he told me that we should find a route to Kailahun  
7 and that was the purpose why we attacked Bo, so that we could  
8 find a way to go to Kailahun. When I came, that was the same  
9 thing he told me in Makeni.

10 Q. Did he say that any decisions had been made concerning how  
11 that was to be achieved?

12 A. He said he and Johnny Paul had been talking to one another  
13 and they have agreed that they will make a way so that we can  
14 retreat to Kailahun. Because he said that was the only safe  
15 place. And I, too, at that time, just wanted to go to Kailahun.

16 Q. So how was the conversation left between you and Bockarie?  
17 What was it you were to do?

18 A. Well, had I not been wounded, I would have put pressure so  
19 that we could take Kono and continue our movement to Kailahun.  
20 But since I had been wounded, and was not physically fit and I  
21 was in pain, he told me that he and Johnny Paul had discussed and  
22 Superman -- he had spoken with Superman and they were organising  
23 the movement so that we can take Kono and go to Kailahun.  
24 Because, at that time, it was the CDF that were in control of  
25 Kono. They had driven the AFRC, who were in Kono.

26 Q. So did you communicate with Superman, at this time?

27 A. At that time, for the rest of the day, I did not see  
28 Superman. I was at the house. I did not communicate with him.

29 Q. Did you communicate with him by radio?

1 A. No, no. I said, it was only Mike Lamin that I spoke to  
2 that day.

3 Q. So apart from speaking to Mike Lamin that day, did you go  
4 anywhere or do anything else?

5 A. Well, that day, I did not go anywhere. It was on the next  
6 day that Mike Lamin and Eldred Collins came to me. So, when they  
7 came, I asked Mike, "So, is JPK still in his village?" And he  
8 said, "Yes." And I, too, said that I want to go there to greet  
9 him. So we all drove from the house to the village where JPK  
10 was. That was 10 miles from Makeni, just after Binkolo.

11 Q. Can I just ask this question: Why is it, as a senior  
12 commander, you didn't, on the day you met Lamin, do anything  
13 else?

14 A. Well, I said, I was in pain. I was in pain. I had just  
15 been wounded one day, to that day that I met with Mike in Makeni.  
16 And Mike Lamin was the most senior officer in the RUF because he  
17 trained us; he taught us the rules.

18 Q. Did Mike Lamin tell you what he was doing, if anything, in  
19 relation to RUF command and control?

20 A. Well, he did not tell me anything pertaining to control.  
21 But, I have been saying in this Court, at this time, I did not  
22 see -- when I arrived in Makeni, there was no control.

23 Q. Now, the next day, then --

24 A. I said, the other day we went to Mabonkani, Johnny Paul's  
25 village.

26 Q. Can you spell that, please?

27 A. I think it is M-A-B-O-N-K-E-N-I [sic].

28 Q. Before going to see Johnny Paul Koroma, did you see anyone  
29 else?

1 A. Yes. When we left the house, I met Isaac and Superman --  
2 Superman, at the roundabout in Makeni. Then we greeted one  
3 another.

4 Q. Well, what conversation was had, if any?

5 A. Yes. I said, we stopped and we greeted. Then Isaac said,  
6 "Mike Lamin told me yesterday that you were wounded from Bo."  
7 They asked me how I was feeling, and I said, "I thank God". And  
8 Superman sympathised with me. And I asked Superman, "I and  
9 Bockarie spoke yesterday and he told me that he was going to talk  
10 to you." And he said, yes, he and Bockarie spoke. And Bockarie  
11 said we should try to go to Kono, so that we'll find a way of  
12 reaching Kailahun. But he said, he, too, went to JPK yesterday  
13 and arrangement was made.

14 Q. Well, what did he say the arrangement was, that had been  
15 made?

16 A. Well, he said Mosquito spoke to him and JPK. So he, too,  
17 went and met JP, and JP too accepted to go to Kailahun. He said,  
18 he, too, wanted to go to Kailahun. That was where he would feel  
19 safe. That was the discussion they told me about.

20 Q. Well, was there a set plan? Was there a time, for example,  
21 when it was supposed to happen? What were the details that you  
22 learnt, if any?

23 A. Well, at that time, he did not tell me whether it was  
24 tomorrow or today that we'll be going. He did not tell me that.  
25 He just told me that the discussion was on floor for them to be  
26 able to arrange for troops to leave Makeni to go and drive the  
27 CDF from Kono, so that we'd get our way to Kailahun.

28 Q. What happened when you visited JPK?

29 A. Well, when I went, I met FSY Koroma there; I met SO

1 Williams; I met Jas Conteh; I met Brigadier Mani, with other  
2 officers whose names I am unable to call. But SAJ Musa was not  
3 there.

4 Q. And what happened when you were there?

5 A. Well, when I went, I greeted them. I greeted Johnny Paul,  
6 and Johnny Paul asked me where I had been wounded. And I raised  
7 my T-shirt and showed them the place, and they sympathised with  
8 me, together with the other officers.

9 Q. What discussion was had?

10 A. Then Johnny Paul told me that Mosquito had told him that he  
11 had been unable to recapture Kenema, so he had retreated to  
12 Kailahun. So him, Mosquito, has been talking for us to be able  
13 to move from Makeni to Kono, and then Kailahun. So, that is the  
14 communication that had been between him and Mosquito.

15 Q. Were any decisions made during this meeting with JPK,  
16 concerning yourself?

17 A. Well, the discussion that I met was the way -- how the  
18 officers could go to Kono and to Kailahun. That was the  
19 discussion I met them on.

20 Q. Well, can you give us the details, please?

21 A. Well, I met the discussion almost at the end. The only  
22 thing Johnny Paul told me was that he and Bockarie were in  
23 constant communication, so that we would leave Makeni for Kono,  
24 and then to Kailahun. That was what he told me.

25 Q. And, after the meeting, where did you go?

26 A. Well, I returned to the house where I had lodged in Makeni.  
27 That was where I, Mike and Collins, returned to Makeni. And I  
28 went to my own house and they, too, went to where they were  
29 staying.



1 Q. And what happened next?

2 A. Well, on that very day, we slept in Makeni. And, the next  
3 day, Superman and other commanders assembled troops, and they  
4 said they were advancing on Kono. But soldiers had come to  
5 Makeni, who had retreated from Kono, those who had been pushed  
6 out of Kono. There was a lot of information about how the CDF --

7 THE INTERPRETER: Your Honours, can he repeat that last  
8 bit?

9 PRESIDING JUDGE: Mr Sesay, please repeat the last portion  
10 of your testimony.

11 THE WITNESS: My Lord, I said, they had driven out the AFRC  
12 and the RUF who were in Kono during this time. And the AFRC and  
13 the SLA had a battalion that was in Kono. They were based in  
14 Gayia. But when the CDF and the youths attacked them, they, too,  
15 dispersed. They were divided. One group went from Kono towards  
16 Kabala, through Yamandu. And the other group came from Kono,  
17 through Masingbi, to Magburaka, to Makeni. And the other group  
18 left from --

19 PRESIDING JUDGE: Pause a bit. Right. Right, take it from  
20 there.

21 THE WITNESS: I said, the other group left from Kono and  
22 they went by Gandorhun to Kailahun. So that was how they  
23 withdrew from Kono, three groups: One went Kono, through  
24 Yamandu, to Kabala; Kono, through Masingbi, to Makeni; Kono,  
25 through Gandorhun, to Kailahun. And those who arrived in Makeni,  
26 they brought an information that they had arrested some soldiers  
27 and burnt them alive in Koidu Town.

28 MR JORDASH:

29 Q. Who'd arrested some soldiers?

1 A. Well, they said it was the CDF and the youths who attacked  
2 the AFRC and RUF in Kono. So they had carried out this burning,  
3 when they burnt soldiers alive.

4 Q. Was there any news, at this time, about what the CDF had --  
5 what else the CDF had done, when entering Kono?

6 A. Well, this was up on the entry of the CDF in Kono, after  
7 they had driven out these men. So the soldiers and their family  
8 members, because they were not able to pull out, when they  
9 captured them, they were the ones whom they burnt. This was the  
10 information that met us in Makeni.

11 Q. Well, was there any information about civilians in Kono, at  
12 this time?

13 A. Yes. There were civilians there. There were civilians  
14 there, but those who had links with the AFRC and RUF, some of  
15 them ran away from Kono. And some of them, who were unfortunate,  
16 who were captured, were killed; some of them were burnt alive.

17 Q. And who did you hear this information from?

18 A. Well, I said, it was the soldiers who had retreated from  
19 Kono to Makeni, they brought this information. For instance, one  
20 honourable called Honourable Cobra, who had left Kono and came to  
21 Makeni, they were the ones who brought that information.

22 Q. Now, at what stage was there -- at what stage did the  
23 advance to Kono take place or begin?

24 A. Well, I believe it was on the fourth day, when I was in  
25 Makeni.

26 Q. When you say you believe, what do you mean; where did you  
27 get the information from?

28 A. Information about what? What information?

29 Q. When the advance began.

1 A. Well, that was not -- it was not a hidden information.

2 Q. Well, were you in communication with Bockarie?

3 A. Yes. Bockarie used to send messages to me.

4 Q. Well, what messages was he sending to you?

5 A. Well, it was just -- because, I said, the first day that I  
6 arrived, we spoke on the next day. So, from that day, after one  
7 day, and the other day the advance group left from Makeni to  
8 Kono. So Bockarie was just saying, "My man, you should talk to  
9 Johnny Paul and Superman, so that this movement could be made  
10 faster for you to leave Makeni". And, at this time, too, the air  
11 raid had started in Makeni, just had started raiding Makeni. So  
12 that was what Bockarie -- Bockarie was just pressurising us to  
13 leave Makeni.

14 Q. Were you in communication with Superman?

15 A. Well, Superman was in Makeni. So, when he was ready for  
16 them to leave Makeni, he came and he told me that he and Isaac,  
17 and other commanders, were leaving for Kono, including some AFRC  
18 commanders.

19 Q. Sorry, Mr Sesay, could you just repeat that last sentence?

20 A. I said, on the fourth day, when Superman and some of the  
21 commanders were getting ready to leave Makeni, to go and capture  
22 Kono, Superman and Mike came to the house, to me, and Superman  
23 told me that they were going ahead, to go and capture Kono.

24 Q. Did you give him any orders?

25 A. Well, the orders -- they had been giving him orders  
26 already. Bockarie had given him orders, Johnny Paul had given  
27 him orders to go to Kono. I did not give him orders.

28 Q. Do you know what had been going on in those four days you  
29 were there in Makeni, in terms of the RUF troops?

1 A. Well, as I had said -- I said, before I arrived in Makeni,  
2 they had looted Makeni. So, the four days that I spent in  
3 Makeni, the people, the civilians, most of them had left Makeni.  
4 So the town was full of AFRC/RUF, and sympathisers who had  
5 retreated from Freetown, and some family members. Although, yes,  
6 some civilians of Makeni were there, but the town did not look  
7 normal, like, how it was before the intervention. Because,  
8 during this time, no shops were selling anything; they had looted  
9 the shops.

10 Q. Did you take any steps to stop this?

11 A. Well, the acts has already happened before I arrived at  
12 Makeni. How would I stop it?

13 JUDGE ITOE: He has said he was in pain.

14 MR JORDASH: But I wanted to hear him explain, just a bit  
15 more directly, but --

16 JUDGE ITOE: [Overlapping speakers] Mike Lamin was there.  
17 That is what is on record, as having come from him.

18 MR JORDASH: Your Honour, yes. I will move on.

19 Q. There is a witness, TF1-360, described a meeting at the  
20 Flamingo Nightclub, in Makeni. And that witness said you were  
21 there; Morris Kallon was there; Isaac was there; Superman was  
22 there. And, on the AFRC side: Five-Five; Bazzy; and JPK. Do  
23 you recall a meeting such as that?

24 A. Well, I'm not disputing the fact that Superman and other  
25 people did not have any meeting before leaving. They must have  
26 discussed. But I did not attend any meeting at Flamingo, that is  
27 one point. Two, Johnny Paul, from the time he went to his  
28 village, he only left there when they captured Kono. He left to  
29 go to Kono. Three, Morris Kallon, he did not come to Makeni.

1 Q. Where was Morris Kallon?

2 A. Mr Lawyer, I have told you that Morris Kallon came to  
3 accompany me at Mile 91, and he went back to Bo. The four days  
4 he spent, Morris Kallon did not come to Makeni. He came --  
5 Kallon came and the group retreated from --

6 THE INTERPRETER: My Honours, the witness is a bit fast.

7 PRESIDING JUDGE: Mr Sesay, again, make an effort to speak  
8 a little more slowly, so that the entire testimony can be  
9 recorded, faithfully and accurately.

10 THE WITNESS: Yes, My Lord.

11 PRESIDING JUDGE: Just go over that again.

12 THE WITNESS: I had said in this Court yesterday, that when  
13 I got wounded from Bo, Kallon and Peter Vandi brought me to  
14 Mile 91. Kallon returned back to Bo. So, Peter Vandi and I  
15 continued through Masiaka to Makeni. I was in Makeni for four  
16 days. Kallon did not return from Bo yet.

17 MR JORDASH:

18 Q. Okay.

19 A. So, upon Superman capturing Kono, he came and gave the  
20 message to Makeni, that they have captured Kono, and he went to  
21 collect JPK. So, me and Mike Lamin and Eldred Collins, we left  
22 from Makeni. Then we came and met Morris Kallon at Magburaka,  
23 because Kallon used the road from Mile 91 to Magburaka; he did  
24 not use Makeni. So, if the witness said I had a meeting with  
25 these people, it was not true; that is a big lie.

26 PRESIDING JUDGE: That was very helpful. Carry on,  
27 Mr Jordash.

28 MR JORDASH: I would like to apply to go into a closed  
29 session just for, I think, probably 30 minutes. I would just

CLOSED SESSION

1 like to put to Mr Sesay various, specific accounts, then ask him  
2 to give his responses. It is probably best.

3 PRESIDING JUDGE: Right. Consistent with our tradition to  
4 hear applications for closed session in closed session, we'll ask  
5 the members of the gallery to retire for about 40 minutes.  
6 Mr Courtroom Officer, please see that we are switched on to  
7 closed session.

8 MR GEORGE: Yes, sir.

9 THE WITNESS: Yes, My Lord.

10 PRESIDING JUDGE: Yes, Mr Sesay.

11 THE WITNESS: I want to use the restroom for two minutes.

12 PRESIDING JUDGE: Okay. We'll stand down the trial for  
13 about five minutes. Leave is granted.

14 THE WITNESS: Thanks, My Lord.

15 [Break taken at 10.35 a.m.]

16 [At this point in the proceedings, a portion of the  
17 transcript, pages 23 to 35, was extracted and sealed under  
18 separate cover, as the proceeding was heard in a closed session]

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OPEN SESSION

1 [Open session]

2 PRESIDING JUDGE: The trial resumes in open session.

3 Continue, Mr Jordash.

4 MR JORDASH: Thank you.

5 Q. So the beginning of the advance to Kono took place, you  
6 tell us, four days after you had been to Makeni. Can you  
7 describe what happened, please?

8 A. Well, I was -- I just know that there was a meeting at Teko  
9 Barracks. He said, at that meeting, they left for Kono.

10 Q. Who left for Kono?

11 A. Superman; Isaac; from the RUF, a senior commander; and  
12 other commanders; and the AFRC.

13 Q. But how many men set off with these commanders you've just  
14 named?

15 A. Well, My Lord, I was not there when they organised the men.  
16 It was from the meeting that this movement took place. I was at  
17 my house where I was staying, so I cannot tell exactly the figure  
18 that left. But I know there was a large group of men with plenty  
19 of vehicles.

20 Q. Well, do you know what happened along the way?

21 A. Well, that time, I was not able to know. It was when I  
22 left, myself, on the way to Kono that I knew.

23 Q. And how did you know, at that stage?

24 A. Well, the group from the RUF was led by Superman from  
25 Makeni. From the AFRC, it was Honourable Papa, while we were  
26 advancing to Kono. The following day, Superman returned to  
27 Makeni, and said, they've captured Kono. And he has come back to  
28 collect Johnny Paul from his village.

29 Q. Did you see Superman when he returned?

OPEN SESSION

1 A. Yes, yes. He went to the compound where I was staying,  
2 because he was boasting that the Kamajors were not able to stand  
3 us, so we've pushed them out of Koidu.

4 Q. But did he say what the situation was in Kono, at that  
5 time?

6 A. Well, he did not tell me any other thing. But he just told  
7 me that he has come to collect Johnny Paul, and Koidu Town is  
8 under their control. That was what he told me and he left.

9 Q. Did he say anything about any fighting or events along the  
10 way to Kono?

11 A. Superman did not tell me anything but I came to know about  
12 it later.

13 Q. Well, after Superman came to see you, where did he go?

14 A. As for me, I have just said it. As for me, he left to  
15 collect JPK from his village. That was what he told me.

16 Q. What happened after he left you? What did you do?

17 A. Well, I was eager too to go to Kono, so I made my way to  
18 Kailahun. When he left, I and my bodyguards, my wife, then we  
19 drove to Mike Lamin. Then Mike Lamin said, "I was on my way to  
20 you, for us to go." There, I met Eldred Collins with his wife.  
21 In fact, Eldred Collins drove the vehicle that I was in. So when  
22 we reached Magburaka, at the junction, we met Kallon. So we all  
23 drove to Kono. So the only site I saw destructions, it was  
24 between Masingbi and Sewafe. The only place I saw destruction  
25 was between Masingbi and Sewafe, that some villages were burnt  
26 down.

27 Q. Was that Sewafe or Sewafe Junction, Mr Sesay?

28 A. I said, where I saw villages burnt down, it was between  
29 Masingbi and Sewafe Junction, on the main road to Kono. Sewafe



OPEN SESSION

1 Town is out of the main road. We have to take a drive before  
2 entering into the town, but we passed through the junction to  
3 Koi du Town.

4 Q. And did you know what had had happened in those villages?

5 A. Yes. When I got to Koi du Town, one of the junior  
6 commanders told me -- he was called Korankay -- he said, "There,  
7 we fought on the way. We met some Kamajors who had blocked  
8 between Masingbi and Sewafe Bridge." Then I asked him, "So you  
9 were the ones who burnt down the villages?" He said, "Well, we  
10 met the Kamajors occupying the villages and they stopped us. It  
11 was there the fighting took place."

12 And when I entered Koi du Town, I saw two houses burnt down  
13 at Tankoro Junction, and two cars. And when I asked the boys I  
14 met at the junction, they said, it was during the fight that the  
15 CDF lighted the houses and vehicles. That was all they told me,  
16 because I was querying them, why did they burn down the houses.  
17 Then they said it was not they who did it; it was during the  
18 fighting that the houses were burnt. Then I drove -- I went on  
19 the way to Gandorhun to a place called Kimberlite. There was a  
20 civilian house where no one was occupying; that was the house I  
21 lived in.

22 Q. Before we get there, a witness -- it doesn't matter who, at  
23 the moment -- said that he saw a couple of bodies, not more than  
24 five, on the outskirts of Kono township when he travelled from  
25 Makeni to Kono. Did you observe any such bodies?

26 A. Yes. I saw a few dead bodies around Mortema, where he said  
27 CDF and Kamajors fought. I saw the two wearing ronkos, which  
28 they wear.

29 Q. Now, before we arrive in Kono, which we'll do very shortly,

1 describe what is happening when you drive to Kono, in terms of  
2 people on the road, whether civilians or fighters. What are the  
3 circumstances of your journey to Kono?

4 A. Well, like, when I go to Magburaka, civilians were  
5 occupying the town. Then we were on the way -- on the way, the  
6 villages and the road, there were civilians, and the same at  
7 Masingbi. So where there were no CDF on the roads, there was no  
8 problem, there was no fighting. It was only where they met CDF  
9 that fighting took place and they burnt down the villages.

10 Q. Now, when you travelled, were there any other AFRC  
11 travelling at the same time, or did you travel with just the  
12 convoy that you've described?

13 A. Mr Lawyer, from the time Superman brought the information  
14 to Makeni, they were controlling Kono. That was just the  
15 routine. Vehicles were travelling from -- both AFRC and RUF just  
16 were intending to go to Kono. So it was not just one group  
17 plying the roads.

18 Q. So was it a busy route or not busy? Try and give us a  
19 picture of when you travelled.

20 A. Yes, yes. The road was busy, as RUF/AFRC were trying to go  
21 to Kono, when they heard that Kono has been captured with their  
22 family members and civilians. It was just like that, but they  
23 are not walking, as all the vehicles in Makeni, Lunsar, Port  
24 Loko, they were looted. So they were using these vehicles to  
25 board people to go to Kono.

26 Q. Did you do any fighting on the way, you, personally, or the  
27 group you were with?

28 A. Well, that time I was wounded, I couldn't fight, and when  
29 the men have captured Koidu Town, there was no fighting going on.

OPEN SESSION

1 Q. You remember a witness -- again, it doesn't matter who, at  
2 the moment -- do you remember a witness saying that something  
3 happened at Bumpeh, and you shot somebody?

4 A. That is not true. I did not fight anybody at Bumpeh. I  
5 did not shoot anybody at Bumpeh.

6 PRESIDING JUDGE: We will take the morning break at this  
7 point.

8 [Break taken at 11.30 p.m.]

9 [RUF09MAY07C - MC]

10 [Upon resuming at 12.05 p.m.]

11 PRESIDING JUDGE: Counsel, let's proceed.

12 MR JORDASH: Thank you.

13 Q. What happened after Superman had stated his intention to  
14 fetch JPK? Did that happen or not?

15 A. Well, it happened. Superman went to the village to collect  
16 JPK, while we were leaving from Makeni to Kono.

17 Q. And how do you know this?

18 A. Well, because, late in the evening, I heard that JPK, when  
19 I arrived in Kono, it was then I understood that JPK has arrived,  
20 too, because they passed through the house where I was living.  
21 Then JPK lived in another house on the way to Gandorhun at  
22 Kimberlite, in Koidu Town.

23 JUDGE ITOE: So JPK's village was Mabonkani, or so, is it?

24 THE WITNESS: Yes, My Lord.

25 MR JORDASH:

26 Q. So let's go to your arrival in Kono. You arrive in Koidu  
27 Town, and what's the first thing you do?

28 A. Well, I said, "When I got to Koidu Town, I met two houses  
29 burned down at Opera." So that was a concern to me, about who

1 did the burning of houses and the two vehicles.

2 Q. So what happened; what did you do?

3 A. Well, I asked. When I asked, then they told me that it was  
4 during the fight, when they were fighting the CDF, when they were  
5 leaving the town, then they lighted the two houses. That was  
6 what they told me.

7 Q. Well, did you find out which specific people had done that?

8 A. Well, I had nobody else to find that from, except the  
9 groups who went to attack the CDF at Kono. They were the ones  
10 who told me that it was the CDF who lighted the houses. So I  
11 relied on the people who I met there.

12 Q. After that inquiry, what did you do?

13 A. I lived at the house at Kimberlite on the way to Gandorhun.

14 Q. Were you in touch with Mr Bockarie?

15 A. Well, yes. The very day when I arrived in Kono, I told  
16 him. And he had got the report from Superman that they have  
17 captured Kono, since Superman had related to the message to him.  
18 So I just told Bockarie that I've arrived at Koidu Town.

19 Q. Can you try to remember what the details of the  
20 communication were?

21 A. Well, I sent a message that they -- I sent a message that I  
22 and Mike Lamin, Kallon, we've all reached Koidu Town. And the  
23 operator just told me that Bockarie says he has received the  
24 message. And he has earlier on received a message from Superman  
25 when they've captured Koidu Town.

26 Q. But what was the plan, if any, at this stage?

27 A. Well, as I told you earlier on, before I left Bo, when I  
28 got home to Makeni, when I was wounded, there had already been  
29 discussions between Superman and JPK to get Kono, so that JPK and

1 others would be able go to Kailahun. That was the plan.

2 Q. Well, when you arrived in Kono, what was your intention?

3 A. Well, my plan was to go to Kailahun. That was my  
4 intention. That was why I went to Bo. And that was the  
5 instruction, again, from Bockarie.

6 Q. So what happened?

7 A. Well, when I got to Kono, Koidu Town, the whole -- the  
8 thousands of civilian who were in Kono, nobody was in Kono at  
9 that time because of the fight between the RUF/AFRC from Makeni,  
10 when they attacked the CDF at Kono. And that was why all the  
11 civilians had moved out of Kono to the surrounding villages and  
12 the bushes, and thousands went to Guinea.

13 Q. So what happened after you had found this house?

14 A. Well, nothing has happened, really. I was in the house  
15 and, the next morning, I went to greet JPK, and JPK told me Mike  
16 Lamin, Collins --

17 Q. Well, let's break this down. You're in the house.

18 A. Yes.

19 Q. JPK is with Mr Bockarie.

20 A. Yes.

21 Q. Talk us through what happened.

22 A. Well, when I communicated with Bockarie, late in the  
23 evening when JPK arrived, nothing had happened that day. I slept  
24 in the house where I was living.

25 Q. What, did you not go outside that day?

26 A. Well, that day when I reached Kono, I communicated with  
27 Bockarie, I did not go anywhere. It was the other day that I  
28 went around Koidu Town.

29 Q. Well, was there any reason why you didn't go out around

1 Koi du Town that day?

2 A. Well, Mr Lawyer, at that time I reached Koi du Town, it was  
3 going on to 4.00, after 4.00. The operator lighted the set, you  
4 know. I hadn't much time to pass all around Koi du Town because I  
5 felt that the day has almost ended, and my sore has not healed up  
6 yet. So I just decided to stay home where I lived.

7 Q. The next day, you woke up; what happened then?

8 A. Well, when I woke up, I had my breakfast. From then, I was  
9 on the road where Mike Lamin was --

10 Q. Well, talk us through this, what you do; what happened?

11 A. Well, I said, in the morning, I had my breakfast. Then the  
12 doctor came to change my dressing at the sore. After that, Mike  
13 Lamin and Collins came, and we went all to JPK to greet him, that  
14 morning. We were there for over an hour, about an hour.

15 Q. How did you know where JPK was?

16 A. But I had said earlier on that JPK arrived late in the  
17 evening, and the house where I was living, he passed through that  
18 house to his own place at Kimberlite. That was what I just said.  
19 So I had no reason to know when he came or how he came.

20 Q. What do you mean he passed through?

21 A. Well, the man had series of vehicles. He had security  
22 vehicle, family members, and he was collected by Superman. It  
23 was on the road there, at Kimberlite. He passed through where  
24 they went to find a house for him at the edge of Kimberlite,  
25 where JPK was living.

26 Q. But what does "passed through" mean; he came into your  
27 house or not?

28 A. Oh, Mr Lawyer, passed through means, in Krio -- means, in  
29 Krio, I was in my house, sitting on the veranda; the vehicles

1 passed through the house. The road and veranda, it was just a  
2 distance, like, from here I am sitting, to this table in front of  
3 me.

4 Q. Okay. Thank you. Sorry, my Krio, lets me down. So the  
5 next day you then go to see him. What happened?

6 A. We went to greet him, and he spoke to us that, the next  
7 day, he would want to talk to all commanders, both AFRC and RUF,  
8 at his house. So it was like a meeting, he called for.

9 Q. And what happened then?

10 A. Well, we spent some time there, after having a talk with  
11 him. We left; Mike and I drove from Koidu Town. We went to Yadu  
12 Road and came back to Tankoro. And then I went back to Mike  
13 Lamin's place at Dabundeh Street, where he was putting up. From  
14 Mike Lamin's house, I went to my own place.

15 Q. Well, what happened when you met JPK and there was a  
16 meeting?

17 A. It was the next morning when we had the meeting, around  
18 10.00.

19 Q. What happened?

20 A. Well, there were certain things here that happened at the  
21 meeting. I do want the judges to grant me -- to ask me -- to  
22 allow me to write down these things. I have certain names I  
23 would want to write down.

24 PRESIDING JUDGE: Leave is granted.

25 THE WITNESS: Thank you, sir.

26 PRESIDING JUDGE: Mr Jordash, do you wish to exhibit that?

27 MR JORDASH: I'm not sure yet.

28 PRESIDING JUDGE: Right, let's proceed then.

29 MR JORDASH:

1 Q. Can you explain --

2 A. So the next morning, at 10.00, all the AFRC commanders and  
3 RUF commanders assembled at Johnny Paul's house. So Johnny Paul  
4 chaired the meeting, and he spoke to us, and he addressed the  
5 meeting. He told all the commanders that, now, we have got Koidu  
6 Town. And he, himself, and other people are going to Kailahun.  
7 But he's going to appoint commanders to take over Kono, and what  
8 he's interested in is that he wants unity amongst the two groups,  
9 the RUF and the AFRC. He said, they won't continue to run from  
10 ECOMOG, so the war should stop at Kono. So that they'd be able  
11 -- we would be able to defend ourselves. We will not continue to  
12 be on the run.

13 And when he gets to Kailahun, he is going to arrange with  
14 Mosquito, for them to make sure that they maintain the welfare of  
15 the men in Kono, and to maintain a fighting force against ECOMOG.  
16 And discipline should exist between the rank and file. And he  
17 appointed the first team that I called as the overall commander  
18 of Kono on the list, and the second man was the deputy in Kono.

19 So, from then, the meeting was closed, and he said we  
20 should move. And then he said, "Since Issa is not too well, his  
21 sore is not yet healed, Isaac should lead to open the way to  
22 Gandorhun."

23 Q. Just pause there. I'm not altogether sure why you've  
24 written those names on the piece of paper, Mr Sesay?

25 A. Well, I'm facing a trial, and we all have people out there  
26 who are sympathisers and family members, so that is my reason. I  
27 don't want to go too far.

28 Q. Okay. I understand.

29 MR JORDASH: Can I ask, please, that those two names be



1 exhibited, please?

2 PRESIDING JUDGE: Right. Mr Courtroom Officer.

3 MR GEORGE: 194, Your Honour.

4 PRESIDING JUDGE: Right, but let me -- before we -- counsel  
5 for the second accused, any objection?

6 MR NICOL-WILSON: None, Your Honour.

7 PRESIDING JUDGE: Counsel for the third, any objection?

8 MR CAMMEGH: No.

9 PRESIDING JUDGE: Prosecution, any objection?

10 MR HARRISON: No.

11 PRESIDING JUDGE: We'll receive it in evidence and mark it  
12 Exhibit 194.

13 [Exhibit No. 194 was admitted]

14 PRESIDING JUDGE: Let's proceed, counsel.

15 MR JORDASH:

16 Q. What happened after?

17 A. After what?

18 Q. What happened after the meeting?

19 A. I said, before the meeting ended, Johnny Paul said Colonel  
20 Isaac Mongor should open the road to lead men from Koidu Town  
21 towards Kailahun. Then Isaac Mongor moved with the advance team  
22 to Gandorhun. Then, that was the end of the meeting. I went to  
23 my house, got my bodyguards to get ready for us to move. So I,  
24 Peter Vandi, Kallon -- Morris Kallon -- we all left from Koidu  
25 Town to Gandorhun, where we met Isaac and others. But fighting  
26 took place in Gandorhun between the CDF and advance troop before  
27 we got there, when they pushed the CDF out of Gandorhun. So,  
28 they went and built up themselves at a junction called Koindu  
29 Gieya, just three miles from Gandorhun.

1           So when I, Peter Vandi, Kallon arrived at Gandorhun, these  
2 men were already at Koindu Gieya. So Isaac explained to me, and  
3 said, "The CDF has retreated from Koindu to Gieya." So I, Isaac  
4 and Kallon arranged that, the next morning, we should attack them  
5 back at Koindu Gieya, so we have routes to Gandorhun -- to  
6 Kailahun.

7           Then, in the evening, on that same day that I reached  
8 Gandorhun, I received a radio message from Bockarie that he had  
9 dispersed a group from Kailahun, about 60 men, to come and  
10 receive us, because he had understood that the CDF had occupied  
11 Bunumbu and Bandajuma Yawei.

12           So, upon receiving this information from Bockarie, I, too,  
13 suggested to Isaac and others that the attack that we should have  
14 launched in the morning, we should hang on, so that we could  
15 discuss with the group. Because that group from Kailahun, the  
16 receiving team, had a set. So that we would be able to contact  
17 them through their set, and so that we could -- we would be able  
18 to carry out a joint attack from Gandorhun on the CDF at Koindu  
19 Gieya. And, luckily, we were able to get the men on the air, the  
20 receiving team. And they told us that they were at Boama  
21 [indiscernible], five miles to Koindu Gieya.

22           Then I, too, gave the information to my operators, which he  
23 communicated to the receiving team, that those of us coming from  
24 Gandorhun, so that those could go up to Koindu Gieya to wait.  
25 And those coming from Kailahun, through Boama [indiscernible]  
26 would be the first to attack, and the group from Gandorhun would  
27 respond. So they were to pursue the men to the junction. But  
28 the attack went on and we were not able to empower -- overpower  
29 the men at Koindu Gieya. They wounded and killed some people

OPEN SESSION

1 from Kailahun and those of us who came from Gandorhun also lost  
2 some men. So, the group from Gandorhun retreated to Koindu  
3 Giema, just one and a half mile from Gandorhun. Then the group  
4 from Kailahun, the receiving team, bypassed Koindu Giema and  
5 surfaced at -- between Koindu Buma and Gandorhun.

6 So, when they arrived, I communicated to Bockarie what the  
7 situation was. So, Bockarie said, "Well, if we cannot open the  
8 road, we should use a bush path." Then I said, but Mike Lamin  
9 and JPK were all in Koindu. So, he said he was going to  
10 communicate to Kono, in order to communicate with JPK. And he  
11 said we should stay in Gandorhun. Upon the arrival of Mike Lamin  
12 and JPK, we would use the bush path.

13 So, around -- between 6.00 and 7.00, JPK and Mike Lamin  
14 arrived in Gandorhun from Koindu Town. So, when they arrived, we  
15 all slept at Gandorhun. And Bockarie told me, on the radio, that  
16 he doesn't want the CDF or the government troops to know that  
17 Johnny Paul was retreating to Kailahun. So that we cannot take a  
18 long -- a large troop. We should only take JPK's family, Mike's  
19 family, my own family and our bodyguards, he said, because he had  
20 sent a receiving team to receive us. So there was no need for  
21 armed men from Kono to join us to go to Kailahun.

22 So, the next morning, we prepared ourselves to leave  
23 Gandorhun around 8.00 in the morning, when we set out on the bush  
24 road, right from Gandorhun. And even some officers, like Eldred  
25 Collins, Peter Vandi, all wanted to go. But I said, no, Mosquito  
26 had said these are the people that he had named that should go.  
27 So I don't want to go with anybody that would offend him

28 So the only civilians who were in this group that left  
29 Gandorhun for Kailahun, were only Johnny Paul's family, my own

1 family and Mike Lamin's. But all the other people were  
2 bodyguards and the receiving team that had come to collect us.

3 Q. Just a couple of questions. Was Johnny Paul Koroma  
4 disguised in any way?

5 A. Johnny Paul had on a jeans suit. It was not like he was  
6 disguised into another person. He had on an ordinary jeans suit,  
7 and jean trousers and a jacket.

8 Q. Now, before we enter Kailahun, I want to go back to a few  
9 things in Kono. A witness said that, on the retreat from Makeni  
10 to Kono, Sam Bockarie gave an order to Superman, Operation No  
11 Living Thing; is that something you heard?

12 A. No. I heard Operation No Living Thing, but not at this  
13 time.

14 Q. At what time did you hear that?

15 A. Well, I heard Eldred Collins, when I was in Pendembu in  
16 September '98 while Collins and Bockarie were in Buedu, when  
17 Collins spoke over the BBC about Operation No Living Thing, that  
18 was my first time of hearing of that operation.

19 Q. The first time you'd ever heard of it?

20 A. Yes, September '98.

21 Q. And what was it in reference to, do you know?

22 A. Well, at that time --

23 Q. Sorry. What I mean is: In what context did Collins use  
24 it?

25 A. Well, when I met with Collins later, he told me that he had  
26 used that purely for the mercenaries who was fighting against us  
27 and ECOMOG. Because even the journalist on that day, who was  
28 interviewing him, asked him what he knows about Operation No  
29 Living Thing? Does that mean you are going to kill all the

1 civilians in Sierra Leone? Then Collins responded, saying, no.  
2 He was referring to the mercenaries who had come to fight the RUF  
3 in Sierra Leone. He was referring to them in terms of Operation  
4 No Living Thing. That is what I heard when they spoke over the  
5 BBC.

6 Q. Why was Collins making that announcement? Do you know?

7 A. Well, he was with the boss in Buedu. What I understood  
8 from Collins, was that it was Bockarie who gave him the  
9 instruction to say that. Because Collins hadn't a satellite  
10 phone on his own. It was Bockarie who had the sat phone.

11 Q. Well, was that an order given over the radio or a threat?  
12 I am trying to understand how it was used; why it was said?

13 A. Well, I personally did not receive it on a radio set, that  
14 Mosquito ordered me for Operation No Living Thing. I did not  
15 receive that on a radio.

16 Q. But what was Collins saying about Operation No Living  
17 Thing, as far as you were aware?

18 A. Well, the man was referring to the ECOMOG and the CDF,  
19 ECOMOG especially, who was fighting against the RUF. They were  
20 not citizens of Sierra Leone. They were the ones he was classing  
21 as mercenaries, and we also had the Sandline.

22 Q. Sandline. Now, I understand what you are saying as to what  
23 it referred to, but I don't understand the context in which it  
24 was used?

25 A. Well, what I assessed of all the interview on that day, it  
26 was like a threat to the government and the troops who were  
27 fighting for the government. That was what I understood.

28 Q. Thank you. Another witness said that he had been told, by  
29 a man called Wallace, that you ordered Operation No Living Thing.

OPEN SESSION

1 A. No, no. That's what I told you, that this Operation No  
2 Living Thing, the first time I heard about it was in September  
3 '98. This witness who said that -- you said -- what was his  
4 name, that witness who said that? I was in Court. I know the  
5 witness --

6 Q. But --

7 A. But --

8 Q. Sorry, go on. I interrupted you.

9 A. I know that witness. He was in Buedu, as an MP, but when  
10 he was in Kailahun --

11 Q. Careful about identity.

12 A. Yes, My Lord, but the MP in Buedu were many, so you  
13 wouldn't just say MP and you would know that person. There are  
14 many MPs.

15 Q. Okay. Go ahead.

16 A. That man was in Buedu as an MP. But that man, everybody  
17 who was in Buedu knew that he was mad. He looked -- he looked  
18 like a madman.

19 JUDGE ITOE: Which man looked like a madman?

20 THE WITNESS: Well, My Lord, the man who said Issa and  
21 other people, Mike Lamin and others, that we were living like  
22 Gods in Buedu, that is the witness I am referring to. That  
23 witness, his brain is not quite -- he hasn't got a good brain.  
24 And people in Buedu knew that he was a madman. He was not a  
25 sober man.

26 MR JORDASH: Can I just have a moment, please?

27 PRESIDING JUDGE: Leave granted.

28 MR JORDASH: Thank you.

29 Q. Let me ask you this, Mr Sesay: At the time you arrived at

OPEN SESSION

1 Koidu Town, did you observe crimes being committed during your  
2 stay there?

3 A. My Lord, what I saw, yes, they burst into some shops before  
4 I arrived there. They looted some shops. And that situation  
5 continued until the time I left Kono, because they were entering  
6 into houses that did not belong to us, the RUF and the AFRC. But  
7 civilians were not there for those three days that I was in  
8 Koidu, for them to commit crimes against civilians. But looting  
9 was going on.

10 Q. Well, was there anybody in your control who was looting?

11 A. Well, I hadn't people under my own perfect control. Those  
12 I had under me were my bodyguards. We left Makeni and came  
13 together. And those who were carrying on the looting were not  
14 under me.

15 Q. Well, who were they under?

16 A. Well, My Lord, they were senior commanders, many of them,  
17 who were in Kono. Even the AFRC were not under my control.

18 Q. Well, did you identify any of these people who were  
19 looting?

20 A. Well, because they captured Kono before I arrived there,  
21 but if I went and saw shops opened, and I know that the owner of  
22 the shop was not there, I would know that it is the men who  
23 captured Kono that had looted the shop.

24 Q. While the RUF were there, what kind of authority did you  
25 have over the RUF men who were there? Can you try and describe  
26 it?

27 A. Well, yes. We had senior commanders, even some middle  
28 Vanguards, who were majors. I hadn't control over them. And the  
29 commanders, like Superman, I had no control over him. I had no

OPEN SESSION

1 control over Mike. I had no control over Isaac.

2 Q. Well, what was your relationship with Superman at this  
3 time?

4 A. Well, our relationship was not good, but we were on talking  
5 terms. But the way I had a relationship with Kallon, it was not  
6 the same like with Superman. Or the way I had a relationship  
7 with Vandi, was not the same like that of Superman.

8 Q. Well, how were the RUF organised, if at all, in Koindu,  
9 when you were there? Try and give us a picture of the varying  
10 commands.

11 A. Well, at this time, there was no command structure in Kono.  
12 As I had said, I said, the groups from Makeni did not leave in  
13 one day from Makeni to Kono; it was a continuous process. They  
14 would come all by themselves. The three days that I was there,  
15 it was not all RUF that left Makeni to come to Kono. It was not  
16 all AFRC that left Makeni to Kono. It was after we had left that  
17 everybody reached Kono. But, indeed, some Lebanese shops were  
18 burst open before I arrived Kono.

19 Q. We were not there, so we rely upon you to try to describe  
20 it. How was Superman's men arranged in Kono; did you notice?

21 A. Well, those who captured Koindu Town, after they had  
22 captured the town and the CDF had retreated out of the town with  
23 the civilian population, there was no command to say this is  
24 where RUF is, this is where AFRC is. No. The entire place was  
25 all mixed up. Everybody went there to stay. That was the  
26 situation that we left in Kono. I and Johnny Paul left in Kono  
27 for Kailahun. And even one witness, who had said in this Court,  
28 that I gave instruction to Kallon to burn down Kono, it was not  
29 Kallon that Johnny Paul appointed as commander at the meeting.



OPEN SESSION

1 He was not the commander. How would I give -- I wouldn't give  
2 instruction to Kallon.

3 Q. Well, who was the top man in Buedu, at the time you were  
4 there, from what you observed?

5 A. Well, the top man was JPK. After JPK, you had Mike. Then  
6 you had the rank: Superman; you had Isaac; and I, lieutenant  
7 colonel; then Peter Vandi, lieutenant-colonel. That is on the  
8 side of the RUF. But on the side of the AFRC, they, too, had  
9 their own commanders. But the most senior man at that time was  
10 JPK.

11 Q. So, who was reporting to you at that time?

12 A. Well, at this time, to report what? The problem is, the  
13 CDF was in Kono, and they have pushed the CDF out of Kono and  
14 Superman had reported to Bockarie. He had gone and taken Johnny  
15 Paul. There was nothing to report to Issa. And, at that time,  
16 those two days, two and a half days that I spent in Kono,  
17 civilians had left Kono. And, burning, there was no burning  
18 going on, minus the two houses that were burned during the  
19 fighting. So -- so, I do not see what they should have reported  
20 to me at that moment.

21 MR JORDASH: Your Honours, could I respectfully invite Your  
22 Honours to rise just 15 minutes early? It would assist me. I  
23 have moved a bit quicker than I anticipated. And it will help me  
24 if I just stop now and I organise myself this afternoon to start  
25 off tomorrow morning.

26 PRESIDING JUDGE: Right. Any objection, counsel?

27 MR NICOL-WILSON: None, Your Honour.

28 MR CAMMEGH: No.

29 PRESIDING JUDGE: Prosecution?

OPEN SESSION

1 MR HARRISON: No, Your Honour.

2 PRESIDING JUDGE: The trial is adjourned to tomorrow,  
3 Thursday, 10 May 2007, at 9.30 a.m

4 MR JORDASH: Thank you.

5 [Whereupon the hearing adjourned at 12.45 p.m.,  
6 to be reconvened on Thursday, the 10th day of May  
7 2007, at 9.30 a.m.]

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**EXHIBITS:**

**Exhibit No. 194**

**46**

**WITNESSES FOR THE DEFENCE:**

**WITNESS: ISSA HASSAN SESAY**

**2**

**EXAMINED BY MR JORDASH:**

**3**