

1 MR JORDASH:

2 Q. Okay. Let me read on through your statement. Let me just
3 re-read what I have just read to you so you get the context.

4 "Johnny Paul then asked us to support their government, that
5 Alhaji Tejan Kabbah was a foreigner. He said anyone who did not
6 support them should go to Guinea. After that he ordered Gullit,
7 Savage, Komba Gbundema, to hold and bring some people to him."

8 Did you tell the Prosecution Johnny Paul had ordered
9 Gullit, Savage, Komba Gbundema to hold and bring some people to
10 him?

11 A. After they found those ID cards on those people, that was
12 the time they decided that they should search everybody with ID
13 cards and we who had our own ID cards we started throwing them
14 away.

15 Q. Not an answer to the question, Mr Witness. Did you tell
16 the Prosecution that Johnny Paul Koroma had ordered Gullit,
17 Savage, Komba Gbundema to hold and bring some people to him? Did
18 you tell the Prosecution that?

19 A. I said this over and over and over. Do you want me to say
20 that which I don't know of? The man have said he is the
21 president; what could he say and not be done?

22 Q. The question remains: Did you tell the Prosecution,
23 Gullit, Savage, Komba Gbundema to hold and bring some people to
24 him? Did you tell the Prosecution that?

25 A. I told them.

26 Q. Is it true?

27 A. Do I have to lie on them?

28 Q. Just tell the truth, witness. Is it true?

29 A. It is true.

1 Q. Are you sure?

2 A. I'm sure.

3 Q. Let me read on. "When these people were brought, Johnny
4 Paul ordered them to be killed." Did Johnny Paul order these men
5 to be killed?

6 A. He said so. He said, because those men voted for Tejan
7 Kabbah and therefore he should kill them.

8 Q. And you heard Johnny Paul Koroma say that?

9 A. I was standing very close to them when they brought those
10 ID cards, which they took from the six people. Having shown it
11 to Johnny Paul, he said, "Let them be killed." Then Staff Alhaji
12 said the order have come, that they should kill them. Why I was
13 there now, I was crying from that of my friend. Then a soldier
14 came and asked me, why am I crying.

15 Q. Well, that is right, so this incident must be an incident
16 you remember very well, given that your friend was killed because
17 of Johnny Paul Koroma's order; is that right?

18 A. Yes, he gave the order. I know Staff Alhaji
19 [indiscernible] but if he had ordered their release, then they
20 would have released them, without killing them. But he said they
21 should die and they killed them.

22 Q. Did Johnny Paul Koroma give that order; not so?

23 A. Yes. I was standing very close to his vehicle.

24 Q. Let's have a look at what you -- some notes from 14 days
25 ago, same notes we referred to, paragraph 3, "Johnny Paul Koroma
26 did not actually give the order for six civilians, including the
27 witnesses to be killed -- the witness's friend to be killed. The
28 order was given by Gullit, Superman and Savage, and the witness
29 had heard it came from Johnny Paul Koroma." 14 days ago, do you

1 recall telling the Prosecution that the order came from Gullit
2 Superman and Savage?

3 A. What I'm telling you, at that time, they were all in that
4 convoy; Gullit, Superman were in the same convoy. If anybody
5 should have died at that time, if he were to talk for you, you
6 can be released, but he said nothing.

7 Q. Well, he did say something, according to you. According to
8 you, he said that the people should be killed. Isn't that what
9 you told us five minutes ago?

10 A. If they would have given them mercy, they would have
11 released them, but they didn't give them that mercy, so the
12 people have to die.

13 Q. Well, let's try to see through these different
14 descriptions. Just pausing there, Mr Witness, who gave the order
15 for these six to be killed?

16 A. I have told you this, that when they brought those six men
17 with those ID cards, they showed it to Staff Alhaji and he passed
18 it to Johnny Paul, then he told that Johnny Paul had given the
19 order that they should be killed.

20 Q. So do you know why these notes from 14 days ago say, "The
21 order was given by Gullit, Superman and Savage." Do you know why
22 these notes say that?

23 A. The time when the order came, through Staff Alhaji, by
24 then, a lot of executions have taken place in Tombodu, maybe that
25 is what you are referring to. Because Superman came and said,
26 "There is an order." I don't know.

27 Q. Do you know why these notes from 14 days ago suggest that
28 the order for the killing of the six civilians was given by
29 Gullit, Superman and Savage?

1 A. You know what, this man wants to confuse me. They killed
2 some people in Pa Fania's house. That is one area. When
3 Mosquito sent the order that they should kill civilians, that was
4 the time that Gullit, Superman and Savage began killing people.

5 JUDGE ITOE: Mr Jordash, it is just about three minutes to.

6 MR JORDASH: Your Honour, that is a convenient point to --

7 JUDGE ITOE: You may just be winding up. Maybe ask him the
8 last question or so before we go for break.

9 JUDGE BOUTET: But, Mr Jordash, I am looking at that
10 statement you are looking at and, in fairness to the witness, you
11 should carry on and read the remainder of that sentence.

12 MR JORDASH: Certainly, Your Honour. The sentence
13 beginning with "the order was given," Your Honour? Is that the
14 one Your Honour is referring to, or the one after that?

15 JUDGE BOUTET: Yes, that sentence, the order was given, up
16 to Koroma. Up to and including Koroma.

17 MR JORDASH:

18 Q. This is what the notes say, Mr Witness: "The order was
19 given by Gullit, Superman and Savage and the witness had heard it
20 came from Johnny Paul Koroma." Is that what you told the
21 Prosecution 14 days ago, Mr Witness?

22 A. For the six people who were killed in Fania's compound?

23 Q. That is what we're talking about.

24 A. Apart from the six people, that is far different from
25 Superman's and Savage's order. We will come to that. That is a
26 different issue.

27 Q. You are right, but I want to stick with this for one minute
28 before we break for lunch. Let me read it again. "Johnny Paul
29 Koroma did not actually give the order for six civilians,

1 including the witness's brother to be killed" --

2 MR HARRISON: That's what we're concerned about.

3 Mr Jordash had it right the first time, with respect to the
4 witness protection measure.

5 MR JORDASH: I beg your pardon. That's my fault. I'm very
6 sorry. Actually I don't think this witness -- the name, which
7 hasn't been mentioned, of the alleged victim is, in fact, this
8 witness's relation. I think it is simply an expression of
9 speech. That is how I read it, but I take the point. We can
10 deal with that in closed session.

11 JUDGE BOUTET: I think we should expand on that in a closed
12 session. It would be easier.

13 MR JORDASH: Indeed. Yes, I am very sorry. It was a
14 complete accident.

15 Q. One more question, witness. Just try to concentrate on it.
16 Six civilians were killed. You say you knew one of them. The
17 notes taken from a meeting with you 14 days ago say this:
18 "Johnny Paul Koroma did not actually give the order for six
19 civilians, including the witness's brother to be killed. The
20 order was given by Gullit, Superman and Savage, and the witness
21 had heard it came from Johnny Paul Koroma."

22 Is that what you told the Prosecution 14 days ago?

23 A. Those six people that were killed, is a different issue,
24 and you are telling me that among the six I have no blood
25 relations there. I have a blood relation. I don't just want to
26 give the name.

27 JUDGE BOUTET: Mr Witness, we don't want to speak about
28 this issue now. The question is not whether you knew that person
29 or not. The question has to do with who said that they should be

1 killed. Who gave the orders. That is the question that the
2 lawyer is trying to ask you.

3 JUDGE ITOE: I'm not trying to say that you should not go
4 to the statements, but the testimony of this witness, so far, has
5 been consistent. I think it is a matter of addresses, you know,
6 learned counsel, because he is saying that he was present in --
7 notwithstanding what was said there, which you are reading from,
8 the statement you are reading from, but he was in a car, he was
9 close and the order was given to Staff Alhaji by JPK for them to
10 be killed. For all its worth, that is the state of the oral
11 testimony, but when you look at this against the statements, that
12 becomes a matter, you know, for us to address, you know, later
13 on, in terms of submissions as to his credibility on this
14 particular issue.

15 MR JORDASH: But unless he answers the question as to
16 whether he did or did not tell the Prosecution that, then it is
17 left unanswered. That is the problem. I don't want to spend a
18 long time on this, but I've asked the question a number of times.
19 The question is a straightforward one; the witness hasn't
20 answered it. I'm sorry, but that is something out of my control.

21 JUDGE ITOE: Can you put the question to him again, please,
22 whether he told the Prosecution.

23 MR JORDASH:

24 Q. Did you tell the Prosecution, Mr Witness, that Johnny Paul
25 Koroma --

26 JUDGE BOUTET: Mr Jordash, remind him, again, that you're
27 reading now on the statement he would have given at so-and-so and
28 it says whatever.

29 MR JORDASH: I will, yes, Your Honour. Thank you.

1 MR HARRISON: If I could just invite Mr Jordash to change
2 that one word, as he had done the first time.

3 MR JORDASH: Of course.

4 Q. Fourteen days ago you were seen by the Prosecution. I'm
5 reading from notes which came from that meeting, notes which are
6 said to be things you said. You follow me.

7 A. I'm listening, just say it. Say it.

8 Q. Did you, as the notes say, tell the Prosecution that Johnny
9 Paul Koroma did not actually give the order for six civilians,
10 including the witness's friend to be killed? "The order was
11 given by Gullit, Superman and Savage and the witness had heard it
12 came from Johnny Paul Koroma." Did you tell the Prosecution
13 those things?

14 A. I didn't say so. What I said was that he gave the order.

15 Q. Who is he?

16 A. Johnny Paul.

17 Q. So it is Johnny Paul you heard give the order?

18 A. Yes.

19 Q. So what you said to us - that seems like a lifetime ago -
20 that Johnny Paul Koroma did not speak, but for a sentence. That
21 is not true then. He did speak, quite a lot.

22 MR HARRISON: Well, with respect, there is a difference
23 between -- you can utter the words, "Did you hear Harrison say
24 something yesterday?" With the reference, "Did you actually hear
25 Harrison utter the word," it can also mean: "Did Harrison say
26 that?" "Was something out there that was uttered by Harrison?"

27 JUDGE BOUTET: In my view, the question was quite clear and
28 it did not lead to what you are trying to suggest.

29 MR JORDASH:

1 Q. It was closed to this section by asking you a simplified
2 version of what I just said, Mr Witness. You told us earlier
3 today that Johnny Paul Koroma had said nothing, except that
4 people should leave to go to Guinea and that they, the rebels,
5 own the government. You now say that he ordered the killing of
6 the six civilians. Yes; is that right?

7 A. What you want me to say. I won't call it a long talk.
8 Like a big man seated, they came and showed him the thing, then
9 he said "kill them." Is that a long statement?

10 Q. Quite a significant one.

11 MR. JORDASH: Thank you.

12 JUDGE ITOE: Mr Jordash, when we resume at 2.30, are we
13 resuming in an open or closed session?

14 MR JORDASH: Open, please.

15 JUDGE ITOE: Open.

16 MR JORDASH: I don't envisage any --

17 JUDGE ITOE: Because we want to advise the galley, if it
18 became necessary.

19 MR JORDASH: The closed session, I would envisage for about
20 20 minutes at the end of the cross-examination, Your Honour.

21 JUDGE ITOE: I see.

22 MR JORDASH: If it assists, I imagine I will be another
23 couple of hours, or so, two to three hours, to be on the safe
24 side.

25 JUDGE ITOE: All right. We would rise and resume at 2.30.
26 Court will rise, please.

27 [Luncheon recess taken at 1.05 p.m.]

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