



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 12 MARCH 2008
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Simon Meisenberg
Ms Sidney Thompson
Ms Doreen Kiggundu

For the Registry:

Ms Rosette Muzigo-Morrison
Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Nicholas Koumjian
Mr Alain Werner
Ms Leigh Lawrie

**For the accused Charles Ghankay
Taylor:**

Mr Courtenay Griffiths QC
Mr Terry Munday
Mr Morris Anyah

1 Wednesday, 12 March 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:30:00 5 MS IRURA: The Special Court for Sierra Leone is sitting in
6 an open session in the case of the Prosecutor versus Charles
7 Ghankay Taylor, Justice Teresa Doherty presiding.

8 PRESIDING JUDGE: Good morning. I note some changes of
9 appearances. Ms Hollis?

09:30:22 10 MS HOLLIS: Good morning, Madam President, your Honours.
11 Brenda J Hollis, Nicholas Koumjian, Alain Werner and Leigh Lawrie
12 appear today for the Prosecution.

13 PRESIDING JUDGE: Thank you. Mr Griffiths?

14 MR GRIFFITHS: Good morning, Madam President, your Honours.
09:30:41 15 Courtenay Griffiths, Terry Munyard and Morris Anyah appear for
16 the Defence today.

17 PRESIDING JUDGE: Thank you, Mr Griffiths, and welcome
18 back.

19 Ms Hollis, I note there is no witness in the witness box.

09:31:00 20 MS HOLLIS: Yes, Madam President. With leave of the Court,
21 I will make the application concerning the testimony of this
22 witness. It has been alluded to and discussed previously. The
23 application is quite simply that, in order to finish the witness
24 this week, limits be placed by the Trial Chamber on the
09:31:23 25 examination of the witness.

26 And just to recap the situation that brings us to that
27 request, after the decision was made that closed session would
28 not be allowed for this witness we did discuss that decision and
29 possibilities for testifying with the witness. He indicated that

1 he required certain security measures in place for his family
2 before he would be willing to risk coming into open court and
3 testifying in open court. We notified the Prosecutor of this
4 request by the witness and the Prosecutor worked diligently to
09:32:03 5 put such measures in place. These measures are carried out by
6 individuals not under our control, and our understanding today is
7 that these measures are for a limited period of time only. The
8 agreement that is currently in place would cover these measures
9 for this week and for a certain short period of time upon the
09:32:26 10 witness's return to his home.

11 It is in light of these circumstances that the Prosecution
12 request that this Trial Chamber exercise its sound discretion and
13 order that examination - the examination be limited in the
14 following manner. That the Prosecution conduct the direct
09:32:48 15 examination of the witness today (Wednesday) and that the Defence
16 conduct cross-examination tomorrow (Thursday) and Friday. Should
17 the Chamber elect to sit for a full day Friday, that would allow
18 the Defence two full days for cross-examination. Under the
19 current schedule, that would allow the Defence one and one-half
09:33:10 20 days for cross-examination.

21 In terms of the Trial Chamber's ability and discretion to
22 limit examination of witnesses the Prosecution's position is the
23 same as it was when we filed our motion for guidelines for
24 conduct of the trial on 22 May 2007, and in that, a request
09:33:35 25 regarding length of cross-examination, we requested a guideline
26 that absent a showing of good cause cross-examination would not
27 exceed the time allotted for examination-in-chief and pointed to
28 jurisprudence from the ICTY that in large part limited
29 cross-examination to 60 per cent of the time allotted for the

1 examination-in-chief.

2 Yesterday to assist the Trial Chamber with this issue, the
3 Prosecution reminded them of this pleading simply so that they
4 could look at the authorities which were cited. Now we do have
09:34:15 5 today for the assistance of the Chamber copies of the authorities
6 that were cited and, in addition, a case of Delic which is a 2007
7 ICTY case as well. So, if it would be of assistance, I do have
8 copies if the Court Manager could assist us.

9 PRESIDING JUDGE: I would be most grateful for that.

09:35:10 10 MS HOLLIS: We have also included the original motion and
11 this Trial Chamber's decision. There is a copy for the Defence
12 as well of all of this and perhaps I could proceed. I don't
13 intend to cite extensively from them.

14 PRESIDING JUDGE: Yes, please continue.

09:37:21 15 MS HOLLIS: When we did refer the Trial Chamber to the
16 motion yesterday, Defence counsel reminded the Court that it did
17 render a decision on that motion and perhaps it is helpful to
18 look again at that decision. And on the second page of that
19 decision the Court stated:

09:37:43 20 "Considering that the proposed guidelines reflect
21 well-established principles already laid down in the Statute,
22 Rules and case-law of the international criminal tribunals and
23 that the Rules are intended to be flexible in order to enable the
24 Trial Chambers to interpret them in the fairest manner in the
09:38:03 25 specific circumstances at issue ...", the Trial Chamber holds the
26 proposed guidelines are unnecessary (not that they were
27 incorrect, but unnecessary) and that they could fetter the Trial
28 Chamber's discretionary powers.

29 The Prosecution refers to that decision and the other

1 authority for a very simple premise, and that is when we realise
2 that the rights afforded the accused are the same in the Special
3 Court and the ad hoc tribunals the jurisprudence makes clear that
4 the right of cross-examination is not an unlimited right. It
09:38:46 5 also makes clear that limitations may be placed on
6 cross-examination and those limitations applied to the accused
7 and that does not deprive the accused of a fair trial. Obviously
8 discretion lies with the Trial Chamber to determine what is
9 required in fairness, but it cannot be said as an absolute that
09:39:06 10 there cannot be limitations on cross-examination.

11 Now very simply with that in mind what we suggest is that
12 we have a situation where the witness may not be available after
13 this week through a confluence of circumstances, that the
14 proposal of the Prosecution would allow the Defence twice the
09:39:32 15 time, or one-and-a-half times the time, for their
16 cross-examination that we take for direct, that the jurisprudence
17 and guidelines developed at the ICTY in general limit the Defence
18 to no more than the same time for direct examination and in many
19 instances only 60 per cent of that time.

09:39:56 20 Now, we realise that of course there can be a showing of
21 good cause to allow for additional time. We believe in the
22 circumstances that it would be fair and that it would not violate
23 the rights of this accused if the Trial Chamber were to limit the
24 examination in the way that the Prosecution has proposed and that
09:40:18 25 is what we request.

26 PRESIDING JUDGE: Thank you, Ms Hollis. Mr Griffiths, your
27 response.

28 MR GRIFFITHS: Your Honour, yes. Your Honour, can I begin
29 by making two general observations. The first is that in all

1 courtroom situations it is presumed that the tribunal and not the
2 parties have control over the conduct of the proceedings, and in
3 our submission the Prosecution cannot dictate to either the
4 tribunal or the opposing party how the proceedings should be run.

09:40:59 5 The second general observation I would make is this. I
6 have as lead counsel for this defendant a duty - a professional
7 duty - towards him, and in our submission I would be in breach of
8 that professional duty to my lay client if I were in advance of
9 hearing the evidence of the witness to impose a constraint, or
09:41:30 10 have a constraint put upon me, as to what issues and for what
11 length of time I can pursue issues which I consider relevant to
12 the proper defence of this accused man.

13 Now bearing those two principles in mind, your Honours, in
14 our submission the following statutory provisions and rules of
09:41:57 15 procedure of the Special Court for Sierra Leone impinge upon this
16 particular decision.

17 Firstly Article 7, which as a minimum guarantee establishes
18 that the accused is entitled to examine or have examined the
19 witnesses against him.

09:42:28 20 Secondly, your Honours, you should bear in mind the
21 provisions of Rule 27 bis which where relevant provides:

22 "The Trial Chamber ... shall ensure that a trial is fair
23 and expeditious and that proceedings before the Special Court are
24 conducted in accordance with the Agreement, the Statute and the
09:43:00 25 Rules ..." (then with this important caveat) "... with full
26 respect for the rights of the ..." --

27 PRESIDING JUDGE: Just pause please, Mr Griffiths. I think
28 you were referring to Article 17.

29 MR GRIFFITHS: 17, yes.

1 PRESIDING JUDGE: Ah. I heard "7" and so did the record,
2 but in any event please continue.

3 MR GRIFFITHS: [Microphone not activated] on, your Honour,
4 to refer to Rule 92 bis.

09:43:22 5 PRESIDING JUDGE: Rule 26.

6 MR GRIFFITHS: Rule 26. 26, I am sorry, it is my fault.

7 JUDGE SEBUTINDE: [Microphone not activated].

8 MR GRIFFITHS: Your Honour, yes.

9 JUDGE SEBUTINDE: [Microphone not activated].

09:43:41 10 MR GRIFFITHS: It is 26 bis, your Honours, which where
11 relevant provides that:

12 "The Trial Chamber ... shall ensure that a trial is fair
13 and expeditious and that proceedings before the Special Court are
14 conducted in accordance with the Agreement, the Statute and the
09:43:56 15 Rules, with full respect for the rights of the accused and due
16 regard for the protection of victims and witnesses".

17 We are equally aware of the provisions, your Honour, of
18 Rule 54, which does provide this tribunal with a power to issue
19 orders as may be necessary for the conduct of the trial. We
09:44:20 20 appreciate that such a discretion exists.

21 But equally - and equally we bear in mind the provisions of
22 Rule 75(A) which again where relevant provides that a Chamber
23 may:

24 "... order appropriate measures to safeguard the privacy
09:44:44 25 and security of victims and witnesses, provided that the measures
26 are consistent with the rights of the accused."

27 Furthermore, rule 85(B) where relevant provides that."

28 "Examination-in-chief, cross-examination and re-examination
29 shall be allowed in each case".

1 We note in passing the absence of any reference in that
2 provision to the imposition of limitations on the time or scope
3 of cross-examination.

4 We bear in mind further rule 89(B), which again where
09:45:35 5 relevant provides:

6 "In cases not otherwise provided for in this Section, a
7 Chamber shall apply rules of evidence which will best favour a
8 fair determination of the matter before it and are consonant with
9 the spirit of the Statute and the general principles of law."

09:45:57 10 And the final provision to which I refer your Honours is
11 rule 90(F), which again where relevant provides that:

12 "The Trial Chamber shall exercise control over the mode and
13 order of interrogating witnesses and presenting evidence so as
14 to:

09:46:15 15 (i) Make the interrogation and presentation effective for
16 the ascertainment of the truth; and.

17 (ii) Avoid the wasting of time".

18 Again, we note the absence of any reference in that
19 provision to the imposition of limitations on time or scope of
09:46:34 20 cross-examination.

21 Now bearing in mind those provisions, your Honour, we
22 submit that the following arguments are important. On 21
23 February of this year you, Madam President, stated during the
24 course of the proceedings that, "The first interest of this Court
09:47:00 25 is in proper justice and a fair trial. Efficiency comes after
26 that", and so we would submit that in the context of the
27 Prosecution's application for time limits on cross-examination
28 the Chamber's focus should remain on concepts of justice and
29 fairness, rather than expediency or efficiency.

1 PRESIDING JUDGE: I will just remark, without resiling from
2 what I said, that that was an extemporary remark in the light of
3 something that had been said.

4 MR GRIFFITHS: Madam President, we appreciate that.

09:47:42 5 Furthermore, your Honours, this Chamber has previously
6 considered this issue, and indeed the Prosecution have reminded
7 us of the decision made by this Chamber on their motion dated 22
8 May 2007, and we would submit that it would be quite wrong for
9 this Chamber to go behind the reasoning which led to the decision
09:48:18 10 on that motion back in the summer of 2007.

11 Now when saying all of that, your Honours, we understand on
12 this side of the courtroom the Prosecution's concern for witness
13 safety and protection. However we note that neither rule 34 nor
14 rule 75(A) allows a concern for witness protection to infringe on
09:48:51 15 the accused's right to a fair trial, which necessarily we submit
16 includes the right to full cross-examination of any witness
17 brought to testify against him.

18 Because we submit that the right to examine witnesses
19 includes the right to put the accused's case to a witness for
09:49:15 20 comment, because we submit that the rights of the accused are
21 paramount and indeed should take precedence over those of
22 witnesses or victims.

23 We refer, for example, as legal support for that
24 proposition, to a decision made in the ICTY Prosecutor v
09:49:59 25 Brdjanin, dated 8 November 2000, in which it was said that:

26 "The Tribunal's Statute makes the rights of the accused the
27 first consideration and the need to protect victims and witnesses
28 the secondary consideration."

29 We submit, your Honours, that following rule 90(F) the only

1 instances where time limits should be imposed on
2 cross-examination are where a party is wasting the Court's time
3 by for example the asking of irrelevant or intimidating or
4 harassing questions, but I would assume given this Court's
09:50:52 5 experience that this Court would not allow such behaviour in any
6 event. Indeed, we accept our professional responsibilities in
7 that regard and I hope it cannot be said that hitherto we have
8 engaged in any form of time wasting by asking irrelevant or
9 unnecessary questions.

09:51:34 10 Your Honour, I don't think I can assist your Honours any
11 further unless there is a particular matter upon which you would
12 like my assistance.

13 PRESIDING JUDGE: Thank you, Mr Griffiths.

14 JUDGE LUSSICK: Mr Griffiths --

09:51:44 15 MR GRIFFITHS: I am sorry, your Honour.

16 JUDGE LUSSICK: -- just to cap off what you have said, I am
17 taking it then that it is the Defence position that the
18 Prosecution can limit its examination-in-chief to one day if it
19 sees fit to do so, but you are making no application in that
09:52:07 20 regard. You are leaving that entirely to the Prosecution. But
21 what you are saying is, while the Defence might be able to finish
22 by Friday, you object to any limitation that you must do so. Is
23 that correct?

24 MR GRIFFITHS: I could not have articulated it any better,
09:52:34 25 your Honour.

26 JUDGE LUSSICK: Thank you.

27 PRESIDING JUDGE: [Microphone not activated].

28 JUDGE SEBUTINDE: My question goes to Ms Hollis.

29 Ms Hollis, why do you find it necessary - if the Prosecution has

1 the discretion to cut down on its own exam-in-chief, why do you
2 find it necessary to apply to the Court for us to limit your
3 exam-in-chief? That is the first question. The other question
4 relates to the estimated time of Witness 399, I think? 339?

09:53:15 5 MS HOLLIS: 399.

6 JUDGE SEBUTINDE: 399. The time limit that you filed a few
7 days ago indicating that the testimony would last - the testimony
8 in-chief I think would last 16 hours and you are now suggesting
9 to limit that to five hours.

09:53:31 10 MS HOLLIS: Five-and-a-half hours.

11 JUDGE SEBUTINDE: Five-and-a-half, which you are entitled
12 to do, I am sure, and for which in my estimation you don't need a
13 Court Order to tell you to do that.

14 MS HOLLIS: No.

09:53:41 15 JUDGE SEBUTINDE: But perhaps you could respond to --

16 MS HOLLIS: Yes.

17 JUDGE SEBUTINDE: You could respond to the Defence.

18 MS HOLLIS: Yes, thank you. First of all, of course if we
19 choose to have a witness testify three hours, or two hours, we
09:53:58 20 don't need to request that. We ask for limits on the overall
21 examination to ensure that the Prosecution would not take
22 advantage of a situation, so in fairness we said if you order one
23 day for us then the rest of the time is for the Defence. That
24 would be one-and-a-half days, or two days depending on how long
09:54:18 25 we sat on Friday. That is the only reason we included our
26 examination. Of course, we can limit it as we choose.

27 In terms of the Defence argument we would point out that in
28 the Brdjanin case cited by the Defence the Trial Chamber did
29 state that the balancing exercise required was between the rights

1 of the accused and the rights of victims and witnesses, and as we
2 pointed out earlier the limitations that were imposed in the ICTY
3 have been found not to be a violation of the accused's rights in
4 any way and those are the same rights he has in this Court.

09:54:50 5 The Prosecution would never dictate the proceedings to the
6 Judges, that is why this is an application and so of course we
7 are not trying to control the proceedings, but any party may
8 request relief it believes appropriate for its case.

9 In terms of the rules cited by the Defence as not making
09:55:09 10 reference to limitations on cross-examination, if you look at
11 those rules they don't make any reference that there may not be
12 such a limitation either.

13 We certainly endorse that the first and foremost obligation
14 of a Trial Chamber is to ensure proper justice and a fair trial
09:55:28 15 and that efficiency is secondary. We are not asking this relief
16 for purposes of efficiency. This witness may not return because
17 of security issues. Our indication at this point is that it
18 would be likely he would not return. So, we are not talking
19 about efficiency. We are talking about fairness and justice.
09:55:47 20 And fairness and justice have a home on both sides of this
21 courtroom, not just one, and the Prosecution has a right to
22 present its case.

23 Your decision about our protective measures, the reason
24 that - excuse me, our motion on guidelines, the reason that we
09:56:09 25 read it to you is that should you impose limitations today you
26 would not be going behind your decision, because your decision
27 was in part:

28 "Considering that ... the Rules are intended to be flexible
29 in order to enable the Trial Chambers to interpret them in the

1 fairest manner in the specific circumstances at issue".

2 It is the specific circumstances at issue today that brings
3 us to this application. We believe that it is within your
4 Honour's sound discretion to make the decision we have asked you
09:56:40 5 to make and, of course, we rely upon your sound discretion in
6 deciding our application. Thank you.

7 PRESIDING JUDGE: Thank you, Ms Hollis. I have no
8 questions of either party. We will retire to consider the
9 submissions and review the rules, etc. put before us and we will
10 reconvene at 10-past-10. Please adjourn the Court temporarily.

11 [Break taken at 10.00 a.m.]

12 [Upon resuming at 10.28 a.m.]

13 PRESIDING JUDGE: Our apologies. It took us a little
14 longer than we anticipated.

10:28:27 15 This is a ruling on an application. We have considered the
16 submissions of the parties. We bear in mind the rules and
17 precedents cited, although we note that some rules relied upon in
18 those precedents are not on all fours with our rules. We bear in
19 mind the fundamental obligation is a fair trial, and we bear in
10:28:58 20 mind the provisions of Rule 17(e) of the Statute which provide
21 the right of the accused to:

22 "... examine, or have examined, the witnesses against him
23 or her and to the obtain the attendance and examination of
24 witnesses on his or her behalf under the same conditions as
10:29:17 25 witnesses against him or her.

26 The accused has not heard the evidence of the prospective
27 witness and we consider that and hold that in this particular
28 application it is not in the interests of justice to limit
29 cross-examination in the way the Prosecution has applied for.

1 The Prosecution is at liberty to limit its examination-in-chief
2 as it sees fit, but we refuse the application to limit the time
3 for cross-examination. That is the ruling.

4 Ms Hollis - oh, Mr Koumjian, please proceed.

10:30:07 5 MR KOUMJIAN: Your Honour, we call Witness 399.

6 PRESIDING JUDGE: Thank you. Madam Court Attendant, please
7 assist and bring in the witness.

8 Mr Koumjian, I forgot to ask the language of the witness.

9 MR KOUMJIAN: Your Honour, the language is Liberian
10 English.

11 PRESIDING JUDGE: Thank you.

12 MR KOUMJIAN: Your Honour, there are some protective
13 measures in place and we move at this time to rescind those on
14 the basis, as we have explained to the Court, that the witness is
10:30:56 15 satisfied with current security measures and is willing to
16 testify openly at this time.

17 PRESIDING JUDGE: Mr Griffiths, you have heard the
18 application to rescind.

19 MR GRIFFITHS: We agree, your Honour.

10:31:07 20 PRESIDING JUDGE: Very well, that will be implemented.

21 Mr Interpreter, do we have the proper relevant interpreter
22 in place, please?

23 THE INTERPRETER: Sure, your Honour.

24 PRESIDING JUDGE: Mr Interpreter, have we got a Liberian
10:31:30 25 English interpreter in place?

26 THE INTERPRETER: Yes, your Honour.

27 PRESIDING JUDGE: Please proceed.

28 JUDGE SEBUTINDE: Mr Koumjian, perhaps for the record you
29 could state the pseudonym of this witness. Nowhere have we

1 stated the pseudonym yet for the record.

2 MR KOUMJIAN: Your Honour, I thought I did indicate that we
3 called Witness 399. TF1-399. I am sorry, I didn't use the TF.
4 TF1-399.

10:32:17 5 WITNESS: TF1-399 [Sworn]

6 PRESIDING JUDGE: Please proceed.

7 MR KOUMJIAN: I did not get the interpretation. I heard
8 the witness. Is the interpretation in place?

9 PRESIDING JUDGE: Mr Interpreter, has the - we did not hear
10:33:03 10 the interpretation of the witness's swearing of the oath. Was
11 that interpreted?

12 THE INTERPRETER: Your Honours, the witness almost started
13 swearing in English.

14 PRESIDING JUDGE: You have heard, Mr Koumjian, the reply.

10:33:20 15 MR KOUMJIAN: I am satisfied that the witness did give the
16 oath in English as long as all other parties are, thank you.

17 EXAMINATION-IN-CHIEF BY MR KOUMJIAN:

18 Q. Sir, Mr Witness, can you tell the Court what your name is?

19 A. Yes, my name is Joseph D Marzah, commonly known as Zigzag
10:33:45 20 Marzah.

21 Q. Sir, can you please spell Marzah for the Court?

22 A. Yes, capital M-a-r-z-a-h.

23 Q. Thank you. Can you tell us when you were born?

24 A. Yes, I was born since 1958, 7th June.

10:34:09 25 Q. Thank you. Where were you born?

26 A. In Nimba.

27 Q. Is that Nimba County, Liberia?

28 A. Yes.

29 Q. What languages do you speak?

1 A. Gi o.

2 Q. And do you speak English, or Liberian English?

3 A. I speak Liberian English.

4 Q. Thank you. What tribe do you consider yourself a member
10:34:47 5 of?

6 A. Which tribe?

7 Q. Yes, sir.

8 A. Gi o.

9 Q. Thank you. Sir, have you ever performed any military
10:34:57 10 service?

11 A. Yes.

12 Q. Can you tell us how your military service began?

13 A. Yes, I joined the army in 1978.

14 Q. Thank you. Which army was that that you joined in 1978?

10:35:27 15 A. Infantry at Camp Schefflein.

16 Q. Okay, because was that at that time the Armed Forces of
17 Liberia? The AFL?

18 A. Yes.

19 Q. How long were you in the AFL?

10:35:52 20 A. Since 1978 up to 1985. I left the AFL in '85 and went to
21 exile and that was during the Doe regime. At the time he was
22 carrying out atrocities against the people from Nimba, so some of
23 us were targeted by him so I decided to run to go to Ivory Coast.

24 Q. Thank you. When you were in the Ivory Coast, did you join
10:36:37 25 any other military organisation?

26 A. No, I was in a displaced camp in Ivory Coast in zone -
27 around the Zongway [phon] villages.

28 Q. Okay. And how long did you stay in the Ivory Coast?

29 A. From '85 I was there up to - let us say I spent few times

1 there, I cannot recall that time, until I returned back to
2 Liberia during the civil crisis.

3 Q. Okay, thank you. Now when you returned back to Liberia,
4 were you alone, or with a group?

10:37:32 5 A. Yes, I came back along with Prince Johnson's group, who
6 were about 17, and I was recruited by him in Ivory Coast. He
7 told me that we had a leader by the name of Charles Taylor who
8 was there to redeem us, the people from Nimba, so we should be
9 prepared to join him for us to come and redeem our country on
10:38:03 10 December, 24th 1989.

11 Q. Thank you, sir, for that explanation. Now, while you were
12 in the Ivory Coast you said you met Prince Johnson. Had you met
13 him before?

14 A. Yes, I met Prince Johnson at Camp Schefflein before from
10:38:26 15 the time he was first lieutenant. And then at that time, when
16 Doe was carrying on atrocities against the people from Nimba
17 County when I left, the second time I met him was in Ivory Coast
18 when he brought the message to us that there was a leader who was
19 there to support us.

10:38:48 20 Q. Thank you. You have told us that he introduced - that he
21 told you the name of the leader was Charles Taylor. Did you meet
22 Charles Taylor?

23 A. Yes, yes.

24 Q. Just one moment. Did you meet Charles Taylor while you
10:39:02 25 were in the Ivory Coast?

26 A. No. He told me that Charles Taylor was in Burkina Faso and
27 he had the full support for us, so if there was anything that we
28 required to enter he will come after we enter and when we
29 captured a ground he will come and meet us there. We entered on

1 24 December and at that time we were at [indiscernible] enter
2 place and each time Prince Johnson used to send --

3 THE INTERPRETER: Your Honours, the witness is running too
4 fast.

10:39:51 5 PRESIDING JUDGE: Please pause, Mr Witness. You are going
6 too fast for the interpreter. Please slow down a little so he
7 can interpret what you are saying.

8 MR GRIFFITHS: Your Honour, I hesitate to interrupt, but I
9 think we failed to get on the record a place name given by this
10 witness.

11 PRESIDING JUDGE: Mr Witness, please repeat your answer
12 starting from "We entered on 24 December and at that time we were
13 at ..." Tell us - continue from there and name the place.

14 THE WITNESS: Thank you. From Ivory Coast we entered in
10:40:38 15 Botou on 24 December 1989. From Botou, at that time I had not
16 yet seen Charles Taylor. Prince Johnson was the commander, but
17 he, Prince Johnson, he told us that there was one William Obie
18 who was going to be the battle group commander to lead us, but
19 later he was afraid and some of the Special Forces of Charles
10:41:12 20 Taylor were arrested in Ivory Coast. So Prince Johnson and us
21 passed through Botou as far as Blantou, so we came as far as
22 Tiaplay and that was where we were based and --

23 THE INTERPRETER: Your Honours, the witness is still
24 running too fast.

10:41:33 25 PRESIDING JUDGE: Please go a bit slower, Mr Witness,
26 please. The interpreter is not keeping up with you.

27 Mr Interpreter, we have got most of it down.

28 MR KOUMJIAN:

29 Q. Mr Witness, if you could pause after every few sentences it

1 will allow the interpreter --

2 THE INTERPRETER: Your Honours, there was a town that he
3 called after the town Botou, after the other town Botou. I did
4 not get that one clear.

10:41:57 5 PRESIDING JUDGE: Mr Witness, the interpreter requires you
6 to repeat the name of a town that you mentioned after you talked
7 of "Prince Johnson and us passed through Botou". What was that
8 town?

9 THE WITNESS: From Botou there were some small, small
10:42:17 10 villages on the way, but from Botou we based in Blantou where
11 Nathaniel Karper [phone] who was paid by our leader through
12 Prince Johnson. He paid him to undertake protection for us and
13 that was where we were based for the first/second times in
14 Blantou. The third base for us was in Tiaplay where we were and
10:42:55 15 we were practising in Kamplay against the AFL.

16 MR KOUMJIAN: Okay, thank you. Your Honours, a couple of
17 spellings. Botou B-O-T-O-U and Blantou B-L-A-N-T-O-U. I think
18 the witness said Kamplay was the final base:

19 Q. Is that right, Mr Witness? Where was --

10:43:30 20 A. No, the next place was Tiaplay. Tiaplay. We were based in
21 Tiaplay whilst we were practising against the AFL in Kamplay.

22 MR KOUMJIAN: Thank you. Tiaplay T-I-A-P-L-A-Y and Kamplay
23 - and the witness can correct me if I am wrong --

24 THE WITNESS: No, no, we did not base in Kamplay. We did
10:44:06 25 not base in Kamplay.

26 MR KOUMJIAN:

27 Q. Okay, I missed the next place. Mr Witness, after Tiaplay
28 where did you say you went?

29 A. After Tiaplay that was where we were and a conflict erupted

1 between - amongst the Special Forces, between the Special Forces
2 and Prince Johnson who was our commander, and at each time we
3 captured an area Prince Johnson will send a letter to our leader,
4 Mr Taylor, and the Special Forces will take the letters from the
10:44:51 5 envelope and then they will send a counter letter against Prince
6 Johnson. From there Prince Johnson deployed us to go as far as
7 Tapeta and on our way moving they, the Special Forces, against
8 him they had a conflict, so he went away and from there some of
9 the Special Forces came and arrested me. They took me to
10:45:26 10 Gborplay.

11 Q. Witness, thank you. Just the way we have to do it is I
12 have to ask you the questions and please give me a chance to ask
13 you another question after you give a short answer to what I have
14 asked. You indicated --

10:45:40 15 JUDGE SEBUTINDE: Mr Koumjian, there was a name of a person
16 - a person, William somebody - that was not spelt.

17 MR KOUMJIAN: Excuse me. I believe was that William
18 Gbol ey?

19 JUDGE SEBUTINDE: The problem is when we compound spellings
10:45:54 20 we get totally lost. William somebody.

21 THE WITNESS: I said William Obie, who was selected by
22 Mr Taylor to be the first battle group to enter with us in
23 Liberia. He was a coward, so Prince Johnson took that initiative
24 and we were able to join him to enter through Botou.

10:46:24 25 MR KOUMJIAN: Thank you. Okay, a couple of spellings.
26 Obie O-B-I-E and Gborplay G-B-O-R-P-L-A-Y:

27 Q. Mr Witness, you have indicated that on 24 December 1989 you
28 entered Liberia with 17 - in a group of 17. Was Charles Taylor
29 with you at that time?

1 A. No, no. The group was - they were 17. They were 16 in
2 number, so when I added to them we went to 17.

3 Q. Thank you.

10:47:12

4 A. So, we were 17 in number that we entered very early in the
5 morning between 3 and 4.

6 Q. Thank you. So can you tell us after you entered Liberia
7 what was the first time, if ever, that you saw Charles Taylor?

10:47:43

8 A. My very first time to meet our leader, Mr Taylor, was in
9 Gborplay at that time. The remaining Special Forces were there
10 and the remaining Special Forces arrested me and took me to
11 Gborplay. I was not alone. Myself and Prince Johnson they took
12 us there and they kept us in an old car box that appeared like a
13 container, and they were lighting fire - lighting fire on top of
14 the container and whilst it was burning we were shaking inside
15 the container and at that time some of our friends had already
16 died.

10:48:07

17 So, he asked them and they opened the container. They took
18 us out. I think at that time we were about 26 or 25, something
19 like that, but six of us were still alive and they took us in a
20 wheelbarrow. Then they took us to a place, Hacia [phon] in
21 Gborplay, and we slept there outside until the next morning I was
22 able to see him.

10:48:30

23 Q. Okay. Mr Witness, we are going to go a little bit more
24 slowly through that. Now, you have told us that you were
25 arrested by Special Forces. First, can you tell the Court what
26 you mean by Special Forces?

10:48:50

27 A. The Special Forces means those who were trained from Libya,
28 Burkina Faso, by Charles Taylor.

29 Q. Thank you. Now the organisation that you joined and you

1 said you then entered Liberia with Prince Johnson, did that
2 have a name? What was the name of the organisation?

3 A. At first we never had a name. We called ourselves freedom
4 fighters.

10:49:35 5 Q. Did you later get a name?

6 A. Yes, after the arrival of Mr Taylor in Gborplay that we had
7 the name the NPFL, the National Patriotic Front of Liberia.

8 Q. Thank you. Now, you have told us that you and others were
9 placed in a container. Who were the other people that were

10:50:01 10 placed in the container with you by the Special Forces?

11 A. Like Maduna Bwua. You know, I have not been expecting to
12 sit like this today to narrate a long story like this, but it was
13 not something to be kept in mind.

14 Q. Yes, and thank you. I don't need the names, but Maduna is

10:50:29 15 M-A-D-U-N-A?

16 A. Maduna Bwua.

17 Q. Can you spell the last name?

18 A. No.

19 MR KOUMJIAN: Okay, B-W-U-A:

10:50:46 20 Q. Mr Witness, the other people that were arrested with you,
21 what group did they belong to?

22 A. From the same junior commando group that was fighting under
23 Prince Johnson through the directive of Mr Taylor.

24 Q. Now, you say in the container some of your fellow soldiers
10:51:11 25 died. Can you just explain why they died?

26 A. Because of the heat and moreover the kind of way the fire
27 was on top of the container and it took place during the dry
28 season.

29 Q. Thank you. You indicated, I believe, that about six of you

1 survived. How many were in the container? How many died, do you
2 know?

3 A. We were above 20 plus. We were above 20, 25 or 26,
4 something like that, but I can't recall now. It is a long story,
10:51:59 5 but I am saying the truth and nothing but the truth.

6 Q. Thank you. Now, how was it that you were let out of the
7 container? Can you explain that?

8 A. Yes, it was through his excellency, Mr Taylor, as the NP
9 commander, Cooper Weah[sic] he asked - he said, "What is in this
10:52:34 10 container that you are setting fire over it?", and then later
11 they explained to him that, "These are the Prince Johnson boys",
12 and from there he said, "No, this is not the reason why you
13 people are here for. You are here to help. The problem between
14 Prince Johnson and myself is not the thing", and at that time we

10:52:59 15 were helpless and because of the heat most of our brothers had
16 already died.

17 Q. So when Charles Taylor ordered you out of the container,
18 how did you feel towards Charles Taylor?

19 A. Before God and man he was looking so great to me, and I was
10:53:30 20 grateful to him to do any kind of piece of job that he would want
21 me to do.

22 Q. Did you express your gratitude towards - to Charles Taylor?

23 A. Yes, I let him feel at all time that he saved my life and a
24 way that I would have proved that to him was to fight a physical
10:54:01 25 battle against any enemy that was fighting against him.

26 MR KOUMJIAN: Thank you. There was one spelling I am not
27 sure we have had before, a name Cooper Teah. Cooper C-0-0-P-E-R
28 and Teah T-E-A-H.

29 THE WITNESS: Cooper Teah.

1 MR KOUMJIAN:

2 Q. Thank you, Mr Witness. Let me ask the next question. Sir,
3 you indicated that in the container many of your fellow soldiers
4 died. Was anyone punished for killing your fellow soldiers by
10:54:35 5 setting the fires on the container?

6 A. No, no, I never experienced anything like that. The only
7 thing that Mr Taylor did in our presence was the time he was
8 re-ordering us and he said, "Next time you should treat those
9 boys nicely, the ones who have come to embrace you to fight the
10:55:05 10 battle against Doe", but after that he did not give any
11 punishment against any other person.

12 Q. So, sir, after that incident where you pledged loyalty to
13 Charles Taylor, what assignments did you get? What did you do?

14 A. After my release from the container by Charles Taylor, he
10:55:33 15 assigned me within the 1st Battalion under Edward Millen [phon].

16 Q. Did you see any action when you were with the 1st
17 Battalion? Any fighting?

18 A. Yes, we fought. We went as far as myself and our friend,
19 commonly known as Godfather, along with --

10:56:05 20 THE INTERPRETER: Your Honours, your Honours, could the
21 witness reduce his pace a little?

22 PRESIDING JUDGE: Again, Mr Witness, we ask that you speak
23 a little slower so the interpreter can keep up. Please continue
24 with your answer. You had said you were with a friend who you
10:56:22 25 named and said was also called Godfather. Please give the name
26 again.

27 MR KOUMJIAN: Perhaps I could spell the name before the
28 witness continues. He said Edward Mieh [sic], M-I-E-H.

29 THE WITNESS: I will repeat. I said after we were released

1 I was ordered by Charles Taylor along with a Special Force member
2 by the name of Godfather. His full name is Alfred Mieh. We took
3 the route and went to battle at Tapeta along with some Special
4 Forces under Edward Millen, who was the battalion commander.

10:57:17 5 JUDGE SEBUTINDE: Is this a different Edward? Edward
6 Millen?

7 MR KOUMJIAN: I think that is the name. Edward Mieh [sic]
8 was the battalion commander, but the witness indicated a Special
9 Forces member Alfred and I am sorry I didn't get the last name
10:57:30 10 that he was with.

11 THE WITNESS: Edward Millen was a Special Forces member who
12 was the battalion commander. Alfred Mieh, commonly known as
13 Godfather, was a Special Forces. John Gubay [phon] was a Special
14 Forces, Suleman Sewar [phon] was a Special Forces, Paul Weah
10:57:55 15 [phon], who was the battalion SO, was the Special Forces, but I
16 was the most senior junior commando amongst them.

17 MR KOUMJIAN:

18 Q. Okay, thank you. Just to clarify one thing, Mr Witness.
19 When you mentioned Edward Mieh [sic] and Alfred Mieh, is that the
10:58:15 20 same last name, or is it a different last name?

21 A. No, Edward Millen is different. Alfred Mieh is different.
22 Millen is different. Mieh is different. It was Mieh that was
23 called Godfather. Edward Millen is different. The difference is
24 - there is a big demarcation. Edward Millen is from Berika
10:58:49 25 [phon]. Alfred Mieh is from [indiscernible] District.

26 MR KOUMJIAN: Thank you. We will attempt to get spellings.

27 JUDGE SEBUTINDE: I think we have a problem here of
28 spellings. We are totally lost. We can't even keep up with the
29 record.

1 MR KOUMJIAN:

2 Q. Okay, sir, we will continue. When you say a name if you
3 could just pause so we can check whether we need to spell it,
4 that would be helpful to us.

10:59:14 5 A. Okay.

6 Q. Wait for the questions. So, where did you see fighting?
7 Where did you fight with the NPFL after being released from the
8 container?

9 A. When I was removed from the container, the first place I
10:59:37 10 started fighting was Grey, Lower Nimba.

11 Q. Okay, thank you. Did you see fighting in other areas also
12 later?

13 A. Yes, after Grey I went as far as - and we captured Tapeta.
14 That is the Lower Nimba capital city.

11:00:04 15 Q. Okay. Sir, can you just tell us now how long were you with
16 the NPFL? From the time that you said you joined Prince Johnson
17 before it had that name in 1989 when you entered Liberia, until
18 when were you a member of the NPFL, or its successor
19 organisations?

11:00:30 20 A. I will say the truth and nothing but the truth. I have
21 been with the NPFL from the start to the end up to 2003.

22 Q. Have you seen many battles with the NPFL and its successor
23 organisations?

24 A. Come again, please.

11:00:57 25 Q. During those years that you were with the NPFL and its
26 successor organisations, did you see much fighting, or did you
27 participate in much fighting?

28 A. Yes, I fought in so many areas. I don't think there was
29 any county in Liberia where I did not battle.

1 Q. Mr Witness, you have told us that you fought before being
2 placed in the container with Prince Johnson forces and you told
3 us you remained with the NPFL and its successors up to 2003. Can
4 you compare how the Prince Johnson forces treated civilians with
11:01:40 5 how the NPFL forces treated civilians?

6 A. Yes, I will say the truth and nothing but the truth. Even
7 though Prince Johnson is not here, but during his administration
8 the hard --

9 THE INTERPRETER: Your Honours, your Honours, the witness
11:02:10 10 said a word that was not clear to me. Is it hardship, or - was
11 it hardship?

12 PRESIDING JUDGE: Mr Witness, you said "during the
13 administration" and what was the next word you used?

14 THE WITNESS: I said during Prince Johnson's administration
11:02:36 15 there was no authority to go and harass civilians, or even to
16 rape, or to loot, during Prince Johnson's administration. When
17 you joined Prince Johnson, the cloth that you had on you you
18 would battle with it until you return. At any time he saw
19 something strange with you, you would either be executed, or you
11:03:05 20 will go through military discipline, so there was no way you
21 could play around civilians during Prince Johnson's
22 administration. What he told us was to battle against soldiers
23 and to ensure that we overthrow Doe from the directive from
24 Charles Taylor to him.

11:03:28 25 MR KOUMJIAN:

26 Q. And how did that compare with your time with the NPFL? How
27 were civilians treated with the NPFL?

28 A. I will say the truth and nothing but the truth. When our
29 leader himself was present in Liberia, there were more

1 opportunities for us. We had a chance to do anything, like to
2 loot, to rape. At the same time what you got was for you to be
3 courageous and battle for him.

11:04:17 4 Q. When you are talking about battling for "him", who are you
5 talking about?

6 A. Charles Taylor.

7 Q. And in your answer when you said, "When our leader himself
8 was present in Liberia", who were you referring to when you said
9 "our leader himself"?

11:04:33 10 A. I am talking about Mr Taylor.

11 Q. Thank you. Now, Mr Witness, before the election of Charles
12 Taylor as President, were the NPFL soldiers paid any salary?

13 A. Before election, or after elections?

14 Q. Before the election.

11:05:03 15 A. No, we had go ahead that what - wheresoever we captured,
16 what we got there was for us. So, we were encouraged to battle.
17 We were not physically paid, no.

18 Q. Sir, when you were with the NPFL, were there any tactics
19 that were used to create fear in your opponents and those around
11:05:28 20 you, those civilians around the area?

21 A. Yes. When I was with NPFL to fight from Tapeta to go to
22 Grand Bassa, the tactics that we used sometimes we set ambushes,
23 but before setting any ambush anywhere, anywhere we are going to
24 capture, the battle that we do there there is no rescue for any
11:06:02 25 civilian. From there you take the human head and you would place
26 it over your car bumper and when people see it they become afraid
27 and when the enemy hears that news they will say the people who
28 are coming, the men who are coming, do not forgive any person.
29 So, for that reason they too would vanish.

1 Q. Was there any practice that you used at check points with
2 the NPFL to create fear?

3 A. Yes, after we left Nimba to go as far as Kamutes Town
4 [phon], as far as Monrovia, any check point we use human
11:06:59 5 intestine, sometimes we put the head on a stick for people to be
6 afraid.

7 Q. How would you use the human intestines at the check point?

8 A. When the person is executed, when he is executed his
9 stomach is slit and you take the intestine and you use it as a
11:07:27 10 rope and you take the head and place it on a stick and you put it
11 aside the check point.

12 Q. And what is the intestine used for? Just to wrap around
13 the head, or did you --

14 A. I told you we would take the intestine. It doesn't have
11:07:52 15 the guts, but it is long like from here to the end of that office
16 there [indicated]. You hold it and draw it and tie it to the
17 other side, across the road and tie it where the MPs would be
18 sitting down. You tie it there and you take the head and place
19 it over the stick facing the area where you were going for
11:08:25 20 battle.

21 Q. You pointed to something. Are you pointing to the corner
22 of this room when you said the distance?

23 A. From this desk - okay, from this desk as far as to where I
24 am sitting here [indicated]. Sometimes you would use intestines
11:08:45 25 of two human beings. You remove the shit from it and you tie it,
26 you knot it and you tie it across the road.

27 MR KOUMJIAN: The witness pointed to a desk that appears to
28 me to be about 10 or 12 - 10 metres from the witness.

29 PRESIDING JUDGE: Yes, is that estimate agreed by Defence

1 counsel ?

2 MR GRIFFITHS: I am unaware as to which particular desk.

3 PRESIDING JUDGE: For the purposes of record, the witness
4 appeared to me to be pointing to the desk where the legal
11:09:18 5 officers are sitting and estimating from there to where he is
6 sitting.

7 MR KOUMJIAN:

8 Q. This one?

9 A. Yes.

11:09:28 10 MR GRIFFITHS: Yes.

11 PRESIDING JUDGE: [Microphone not activated].

12 MR KOUMJIAN:

13 Q. Mr Witness, do you know if Charles Taylor ever passed these
14 check points that had the displays that you are talking about of
11:09:41 15 human heads and intestines?

16 A. Yes, he was aware. He made us understand that as guerillas
17 you have to play with human blood so that the enemy forces would
18 be afraid of you. He checked at some of the check points in so
19 many areas.

11:10:08 20 Q. Were you present with Charles Taylor at some of these check
21 points when he was there?

22 A. I told you that I was one of the most senior junior
23 commandos and each time we battle, when he comes to come and
24 visit us we had to go and welcome him and take him to our CP and
11:10:31 25 he will see our various check points like Buchanan highway. When
26 we were moving there he saw more than eight check points
27 decorated with human intestines and human heads. There is he,
28 you can ask him.

29 Q. Thank you. Mr Witness, do you know a person by the name of

1 Foday Sankoh?

2 A. Yes.

3 Q. Tell us where you first met, or got to know of Foday
4 Sankoh?

11:11:07 5 A. Yes. I saw Foday Sankoh after Charles Taylor released us
6 from the container. I think about two to three days, let us say
7 about five days before he gave us instructions to go and battle
8 he introduced Foday Sankoh to us as his colleague Foday Sankoh
9 and some Gambian forces like Domingo, Dr Manneh. There were so
11:11:45 10 many I can't recall them all, yes.

11 Q. What did Charles Taylor say to you when he introduced Foday
12 Sankoh?

13 A. He said he was one of the senior men assigned with him.
14 All of them were there to help us to go and overthrow Doe at the
11:12:11 15 time in Gborplay.

16 Q. Now, Mr Witness, did you ever receive any assignment from
17 Charles Taylor related to Foday Sankoh?

18 A. Yes, at that time we had battled from Nimba County, Grand
19 Bassa, and we were at Margibi, when the Sierra Leone forces used
11:12:42 20 to join the AFL to fight against us, when the heard that Foday
21 Sankoh was about to go to Sierra Leone to become a leader, so the
22 forces that --

23 THE INTERPRETER: Your Honours, can the witness kindly
24 repeat the last bit.

11:13:02 25 PRESIDING JUDGE: Mr Witness, again the interpreter finds
26 you a bit fast. Would you please repeat your answer from the
27 point where you say, "Foday Sankoh was about to go to Sierra
28 Leone to become a leader". Continue from there, please.

29 THE WITNESS: Thank you. I said Foday Sankoh, at the time

1 he had the forces from Monrovia in Schefflein. They were mixed
2 with Sierra Leonean soldiers. So, they had the forum by the
3 Special Forces, including my own immediate commander, the late
4 Paul Wai [phon], for Foday Sankoh to go to Freetown to take over
11:14:00 5 the government that was there. It was at that time that they
6 went and later I was released, relieved from my post and sent
7 there to see Foday Sankoh at a place commonly called Combat Camp.

8 Q. Okay, thank you. First, Mr Witness, I want to clarify
9 something. In Liberian English do you sometimes refer to Sierra
11:14:27 10 Leone as Freetown? Do you refer to the country?

11 A. Yes, the whole of Sierra Leone we consider to be Freetown,
12 yes.

13 Q. Thank you. Now, you said you were relieved of your post
14 and sent there to see Foday Sankoh. Who relieved you of your
11:14:59 15 post and sent you to see Foday Sankoh?

16 A. Basically from the beginning, from taking me from my post,
17 that was directed by Charles Taylor after the Special Forces had
18 gone with the first phase to Freetown and had failed. The
19 Freetown forces pushed them back to Foya. It was at that time
11:15:37 20 that he sent for me at Harbel Hill and another man to Visalah and
21 be there until I received the last instruction to go to Freetown.
22 I mean Sierra Leone.

23 MR KOUMJIAN: Your Honours, I believe the witness said
24 Visalah, V-I-S-A-L-A-H.

11:16:03 25 THE WITNESS: Commonly known as Combat Camp.

26 MR KOUMJIAN: And Harbel Hill, H-A-R-B-E-L:

27 Q. Now, Mr Witness, you said Charles Taylor gave you that
28 assignment. Can you tell us how well Charles Taylor knew you at
29 that time?

1 A. Your Honour, let me tell you one thing. I am the single
2 Zigzag Mazhar. There is no second one. I am competent indeed
3 and I used to battle indeed to the best of his expectation and he
4 had a trust in me. So, for this reason, wherever the target was
11:16:55 5 heard, at times he will send for me to deploy me there, yes.
6 That was how he sent for me from Camp Schefflein highway to send
7 me to Lofa and Visalah to meet with Sankoh to go into Sierra
8 Leone.

9 Q. Thank you. Now, when you went to Visalah, what happened?

11:17:25 10 A. You know, when I went to Visalah, at the time most Special
11 Forces were there like Anthony Menquenagbeh and some others.
12 Most of them were dead when I went. At that time Sam Bockarie
13 was a small boy.

14 MR KOUMJIAN: I believe the interpretation missed something
11:17:56 15 and I don't believe the witness said most of them were dead. The
16 transcript has "dead".

17 THE WITNESS: I said most of them present now were there.
18 Some of them died during the war.

19 MR KOUMJIAN:

11:18:15 20 Q. Mr Witness, when you went to Visalah and you met some of
21 these people there, to your knowledge had a group already entered
22 Sierra Leone?

23 A. They entered, but they couldn't make it. The force
24 couldn't make it to maintain the ground. For this reason I was
11:18:42 25 ordered, along with some other men, to go and march with the
26 remaining men in Visalah to go back to Sierra Leone. That is
27 what I said.

28 Q. Thank you. Did you enter Sierra Leone?

29 A. Yes.

1 Q. When you were in Sierra Leone, Mr Witness, did you ever see
2 Foday Sankoh?

3 A. Yes.

11:19:20

4 Q. Tell us about the first time you saw Foday Sankoh in Sierra
5 Leone?

6 A. Yes. You know, when we went back and recaptured Koindu as
7 far as to Buedu, when Foday Sankoh went there I saw him again
8 when he went to visit us where we had captured and where we were
9 maintaining.

11:19:51

10 Q. So, at that time you said you had captured Koindu, correct?

11 A. Koindu, including Buedu.

12 Q. What did you observe Foday Sankoh to do when he arrived?

11:20:29

13 A. You know, Foday Sankoh at that time, at the time that he
14 was alive, he was a woman man. When he saw the action, when he
15 saw where the action had taken place, where the destruction had
16 taken place, he started crying, he started putting things
17 together. When he saw the other body there, he would put his
18 hand on his head and he [sic] immediately went to the radio room
19 and called my leader, Charles Taylor, and said, "Oh, old man
20 Charles Taylor, the man that is here is beginning to cry about
21 what was happening here." That is Sankoh. Later he told me --

11:20:50

22 Q. What I understood from the interpretation is that "he" went
23 to the radio room. Who went to the radio room?

11:21:22

24 A. I went to the radio room and lodged Sankoh's complaint for
25 him not to confuse the forces that were moving. He, as leader,
26 cannot see destruction and start crying. That was my reason for
27 lodging his complaint with Charles Taylor.

28 Q. And when you say destruction, what was it that Foday Sankoh
29 saw there in Sierra Leone?

1 A. He saw some of the corpses of soldiers, some corpses of
2 civilians, some houses burned down. Many things had happened.
3 We are talking about war.

4 Q. When you say you called - you "lodged Sankoh's complaint
11:22:04 5 for him not to confuse the forces", first of all when you went to
6 the radio room - and please try to speak slowly, Mr Witness.

7 When you went to the radio room, who did you call on the radio?

8 A. I called our leader, Charles Taylor. I told him about
9 Sankoh's behaviour. He is considered as our leader to fight
11:22:36 10 under him. He should not look at the first operation and start
11 crying. That was my reason I went into the radio room and called
12 Charles Taylor to lodge Sankoh's complaint and I did that.

13 Q. Thank you. Now, when you complained about Foday Sankoh's
14 behaviour to Charles Taylor, how did he respond?

11:23:04 15 A. Over the radio at that time, I think some of the Sierra
16 Leonean boys called Sankoh and told him that, "Zigzag is making a
17 complaint about you to Charles Taylor." Charles Taylor told me
18 to continue the operation and that he will get used to it, Sankoh
19 will get used to it, but continue the operation.

11:23:30 20 Q. Okay, thank you. How long were you in Sierra Leone for?

21 A. At that time I think I spent three or four months,
22 something like that, yes.

23 MR GRIFFITHS: I am sorry to interrupt, your Honour, but I
24 wonder if we could know what time that was.

11:23:57 25 MR KOUMJIAN: Your Honour, in fact that was my next
26 question, but I would appreciate, as a matter of procedure, that
27 we don't - that each party does not suggest questions to the
28 other:

29 Q. Sir, do you recall what year it was that you went into

1 Sierra Leone?

2 A. Don't rush it. I am answering every question. In 1991 I
3 can't recall the days that we entered in Sierra Leone. I spent a
4 few months before they sent for me to go to the Schefflein

11:24:43 5 highway.

6 Q. Thank you. Is Schefflein highway in Liberia?

7 A. Yes.

8 Q. What were your assignments after you returned to Liberia?

9 A. My assignment was with the 1st Battalion, but served so
10 many units. Within the 1st Battalion we established combat units
11 which Augustine Weah, who was a Special Forces commander, was to
12 go as far as Bannerville Estate in Monrovia.

13 Q. Can you tell us what other assignments you had in the NPFL
14 and its successors? You said you were with the 1st Battalion.

11:25:46 15 Did you have any other assignments?

16 A. Yes, I can say I served nearly all the units within the
17 NPFL. I served the 1st Battalion, then I served the EMPG in
18 Gbarnga, from there I served the death squad, from there I served
19 jungle fire unit, from there I served the combat unit. So, you
20 know, I was just an operational man for Charles Taylor.

11:26:14 21 Q. Thank you. Now, you have mentioned the death squad. Can
22 you tell us what was the death squad?

23 A. Yes, the death squad was purposely there for execution. It
24 could be a soldier - in case you were a soldier and did not go by
25 Charles Taylor's instruction. When he tells you to halt and you
26 did not halt and others need to execute you, I will execute you,
27 and I did that twice.

28 Q. I am sorry, can you explain. What did you do twice?

29 A. When I said twice I mean things that happened more than 50

1 times, more than 100 times. If you ask me to explain where and
2 how it happened, then of course I will explain it.

3 Q. Are you saying that you performed executions?

4 A. Yes.

11:27:34 5 Q. Did anyone order you to do these executions?

6 A. Yes, yes. I was ordered by Charles Taylor because the
7 government was a government - was a constitutional government
8 that was governing the State and people should not do things
9 without his order. That is Charles Taylor's order.

11:27:57 10 Q. Okay, thank you. We will come back to that issue shortly,
11 but first, Mr witness, I want to ask you, you have told us about
12 in 1991 spending some time, some months, in Sierra Leone. Did
13 you receive any other - did you perform any other missions to
14 Sierra Leone?

11:28:28 15 A. In Sierra Leone the instruction I get from Charles Taylor
16 before moving there to capture the ground, I will say the truth
17 and nothing but the truth, was that there should be no
18 consideration. The forces in Freetown are powerful, so there
19 should be no consideration for the forces there and you should
11:28:54 20 perform.

21 Q. Mr Witness, I am asking you now about times after 1991. In
22 particular, let me ask you first: Was there a time when ULIMO
23 forces occupied Lofa County in Liberia?

24 A. When the ULIMO forces occupied Lofa County at that time,
11:29:25 25 the Government of Sierra Leone opened the road from the capital
26 city as far as to Koindu, so there was no way to go through to
27 Sierra Leone.

28 PRESIDING JUDGE: [Microphone not activated] Mr Koumjian,
29 but I note the time and I think the time for the break has

1 arrived. We will therefore adjourn and take the mid-morning
2 break and resume Court at 12.00. Please adjourn Court.

3 THE WITNESS: Thank you.

4 [Break taken at 11.30 a.m.]

11:30:08 5 [Upon resuming at 12.00 p.m.]

6 PRESIDING JUDGE: Please proceed, Mr Koumjian.

7 MR KOUMJIAN: Thank you:

8 Q. Mr Witness, just to remind you because of the
9 interpretation if you could speak a little slower than normal and
11:59:22 10 pause for a second every few sentences. Sir, when we stopped you
11 mentioned that there was a time when it was impossible for you to
12 travel to Sierra Leone because ULIMO had blocked the road at Lofa
13 County and Sierra Leone government forces were on the road to
14 Koidu. During that time did you ever receive an order related to
11:59:51 15 Sierra Leone?

16 A. Yes.

17 Q. What were you asked to do?

18 A. At the time ULIMO was in Lofa we were still in Gbarnga,
19 that was the headquarters for Charles Taylor, and at that time
12:00:26 20 Charles Taylor instructed me because there was no-one to
21 penetrate through with ammunition or arms and I was asked by
22 Charles Taylor and I was ordered by him, he in fact issued me a
23 Nissan pick-up and he gave me 1,600 United States dollars in
24 order to buy kola nuts to establish relationship with the
12:01:07 25 borderline through Yekepa in Nimba County which I did.

26 I made two trips with kola nuts and I established
27 friendship with one Mandingo woman and that Mandingo woman's
28 husband was a customs officer for Guinea. Later when I crossed
29 for the first time I offered the man a balawala [phon] bag of

1 kola nuts. At that time a Special Forces was assigned in Guinea
2 as the Liberian ambassador. I made two trips and the woman's
3 husband by the name Bangura was free handed to me. He used to
4 help me to help me put my kola nuts in the car as far as

12:02:17 5 Kissidugu and that was where --

6 THE INTERPRETER: Your Honours, the witness used a name,
7 Tiagen or what. It's not clear to the interpreter.

8 PRESIDING JUDGE: Mr Witness, the interpreter did not hear
9 the name of the place that sounded like Tiagen. Could you please
10 repeat the name, please.

12:02:33

11 THE WITNESS: I said the Tiagen Wantee, Special Forces.

12 MR KOUMJIAN: Your Honour, Tiagen Wantee, the first name is
13 spelled T-I-A-G-E-N, second W-A-N-T-E-E:

14 Q. So, sir, you indicate that you made two trips after
15 establishing the relationship between this woman and her husband
16 who was with customs in Guinea. Did you ever bring anything then
17 through Guinea?

12:03:10

18 A. Yes, it was from that two trips that he was convinced and
19 each time I was ready to go at that time I would carry some
20 ammunition for Charles Taylor, like rockets. I used to put them
21 in small bags and I would put them inside the kola nuts that had
22 the balawala bags and each time I crossed I will offer Bangura
23 some kola nut bags. From there he would escort me as far as
24 Kissidugu. And at that time the late Musa Cisse had a Mandingo
25 friend that used to come with Tiagen Wantee who used to collect
26 these kola nuts and they would take it to the Liberian embassy,
27 yes.

12:03:43

12:04:18

28 Q. Okay. We understood that you said that the Mandingo friend
29 of Musa Cisse would collect the kola nuts and take it to the

1 embassy. Did they collect anything besides kola nuts from you?

2 A. Musa Cisse is not my friend. Musa Cisse is not my friend.

3 Q. You misunderstood me. I didn't say that. Let me try to
4 ask the question again. We understood you to say that the

12:05:05 5 Mandingo friend of Musa Cisse, the Mandingo was a friend of Musa
6 Cisse --

7 A. Okay.

8 Q. This person would collect the kola nuts and take them to
9 the Liberian embassy in Guinea?

12:05:18 10 A. Yes.

11 Q. Was it only kola nuts that you were giving to this person?

12 A. No, no. The first two trips were to establish relationship
13 with the securities for them to be convinced that I am a
14 businessman, but the rest of the other eight or 11 trips I had

12:05:48 15 some ammos with some rockets inclusive and when I carried it
16 sometimes I would give Bangura two bags of balawala kola nut bags
17 and he would be encouraged to escort me as far as Kissidugu and
18 then the Liberian ambassador. A Special Forces Tiagen Wantee
19 would come along with Musa Cisse's friend to receive these items,
12:06:23 20 which were kola nuts mixed up with these ammunitions, to receive
21 them from me and take them as far as Conakry to the - at the
22 Liberian embassy. That is what I said, here him sitting there.

23 Q. Thank you, Mr Witness. Can you tell us these nuts and
24 these weapons and the nuts, the weapons you said were taken to
12:06:47 25 the embassy in Conakry. Did you have any information about what
26 the ultimate destination of these weapons was, or ammunition?
27 Was it only to go to the embassy in Conakry?

28 A. No, no. It was something when Tiagen carrying it, the late
29 Jungle commonly known as Daniel Tamba, he knew the jungle between

1 Guinea and Sierra Leone and he would take it from the embassy and
2 he would carry it. So Jungle too was assigned with Tiagen Wantee
3 and that was his mission for which he was assigned there, and my
4 own mission was to take it from Gbarnga from Charles Taylor to
12:07:43 5 escort it as far as Kissidugu. That was what I said.

6 Q. Thank you. Now you've indicated you took the ammunition
7 and rockets from Gbarnga from Charles Taylor. Where exactly in
8 Gbarnga did you get the ammunition and rockets?

9 A. From the mansion. From Charles Taylor's mansion at Bofell
12:08:13 10 Hill [phon]. That was where the ammunitions were stored in his
11 warehouse.

12 Q. Thank you. Now you've indicated this happened when ULIMO
13 controlled Lofa County. After ULIMO disarmed, did you make any
14 trips to Sierra Leone?

12:08:39 15 A. Plenty times, plenty times, and at that time the road was
16 free to me. Many times. If you ask, I will name them.

17 Q. Can you just give us an estimate of how many trips you made
18 to Sierra Leone? Give us some idea.

19 A. I made trips to Sierra Leone at the time Mosquito was there
12:09:05 20 up to Issa Sesay's administration. So it was more than 20, 30 to
21 40 trips.

22 Q. Thank you. On those trips would you carry anything to or
23 from Sierra Leone?

24 A. Yes, I carried arms, ammos including some artillery pieces,
12:09:34 25 chasers. We had one of Charles Taylor's friends, a white guy
26 with a big stomach. He used to bring some artillery pieces. I
27 escorted it there so many times.

28 Q. Now, you mentioned chasers. Can you tell the Court what
29 chasers are?

1 A. At first when I saw it I thought it was RPG barrel, but it
2 is long like from here to here [indicated]. But the rocket's
3 mantle under it was very small. The rocket was very small. It
4 was like green. It had a cloth by the butt and a cloth by the
12:10:40 5 nozzle. That rocket, we used to get it from one of his friends,
6 a white guy who used to bring it there. That was the time I saw
7 that weapon.

8 MR KOUMJIAN: May the record reflect, your Honours, if
9 counsel agrees to the estimate, that when the witness was
12:10:57 10 describing the length of the chaser he held his arms apart
11 approximately one metre.

12 THE WITNESS: Yeah.

13 MR KOUMJIAN:

14 Q. Do you know what a chaser was for?

12:11:12 15 A. The chaser was purposefully for jet bombers. At that time
16 the ECOMOG troops were in Freetown. The chaser was for the jet
17 bombers because they were giving us hard time.

18 Q. Mr Witness, you've talked about these trips to Sierra
19 Leone. Were you doing these on your own, or were you doing them
12:11:37 20 pursuant to orders?

21 A. No. I will say the truth and nothing but the truth and at
22 this time I can't recall most of those things, but at this
23 present moment I will tell you Ecclesiastes chapter 3 says that
24 everything happens three times. It is now the time for me to
12:12:05 25 tell you the truth. I took direct instructions from
26 Charles Taylor, I have not said any other person, and it was a
27 government that had a constitution that governed the country led
28 by him, Charles Taylor. So, anything we did was by his orders.

29 Q. The ammunition and rockets and arms that you carried, where

1 did you get them from, these that you took to Sierra Leone?

2 A. Mostly some were kept in his house at White Flower and at
3 times when they rush us to take plane --

4 MR KOU MJIAN: Your Honour, I believe the witness said

12:13:01 5 "Russian".

6 THE WITNESS: When the Russian cargo goes, when the Russian
7 cargo plane, a big plane.

8 MR KOU MJIAN:

9 Q. Sorry, please continue. I asked you where you got the
10 ammunition from and you said "White Flower and at times when the
11 Russian plane ..."?

12 A. At times when the cargo plane came at a late hour sometimes
13 we will go to the airport, and then whilst I would be going to
14 White Flower I would take some to his house and by
15 Charles Taylor's directive I would take some straight to Sierra
16 Leone.

17 Q. Thank you. Mr Witness --

18 PRESIDING JUDGE: Mr Witness, I would remind you you should
19 be facing the judges. Try and avoid turning around and looking
20 elsewhere. Thank you.

21 MR KOU MJIAN:

22 Q. Mr Witness, when you were in Sierra Leone did you ever see
23 diamonds?

24 A. I saw diamonds many times. Many times I saw diamonds and I
25 escorted diamonds to Charles Taylor and that he himself can
26 attest to, if he can say the truth.

27 Q. When you took diamonds to Charles Taylor were you always
28 alone, or did you do that in the company of others?

29 A. Most of the staff would be present like Benjamin Yeaten,

1 Musa Cisse, Kai who was the houseboy to him, so many officials,
2 but mainly when I was ready to hand them over to him maybe two or
3 three people will be in his private office.

12:15:11 4 Q. Mr Witness, did you ever escort anyone else carrying
5 diamonds from Sierra Leone?

6 A. Yes, I escorted diamonds over 10/15 times, but the one that
7 was actually encouraging was the passport sized diamond in the
8 shape of a human being. That was the one that encouraged him and
9 I was not alone that carried it. I went along with Mosquito,
12:15:47 10 Benjamin Yeaten and Joe Tuah. We entered in the fence and it was
11 something heavy. It was a passport sized diamond. It was big.
12 It was actually big.

13 Q. Thank you. Now, Mr Witness, I want to ask you about this
14 occasion with what you called a passport sized diamond. You
12:16:08 15 mentioned Mosquito and can you make it clear which person you're
16 referring to on this occasion when you say "Mosquito"?

17 A. Sam Bockarie.

18 Q. Mr Witness, when you first saw this diamond were you in
19 Liberia, or were you in some other place?

12:16:29 20 A. In Sierra Leone. When I went to Sierra Leone with ammos
21 Mosquito showed me this diamond and a few other diamonds that
22 were around it, and from there we took the diamonds to Monrovia
23 at White Flower to Charles Taylor and again I saw the diamond,
24 yes.

12:16:53 25 Q. Now, this particular diamond you said was shaped like a
26 human head [sic]. Can you just show us with your hands or
27 fingers how big the stone was?

28 A. The diamond, you know, it was like a shoulder part diamond
29 that you can cut from here and it was like dressed up in a human

1 being form. A passport sized diamond, like a real human being.
2 It's just like when they carve something with their hand and it's
3 like - it looked like it had a hair plate, but it was big, a
4 passport sized diamond. Just like from here. I'm sorry, my
12:17:40 5 fingers are now ugly. Just like from here up. [Indicated]

6 MR KOUMJIAN: I'm better in inches than centimetres, but it
7 looked like about one inch. It would be about
8 two-and-a-half/three centimetres.

9 PRESIDING JUDGE: I just want to be clear. Mr Witness, are
12:17:59 10 you saying it was from here to here? [Indicated]

11 THE WITNESS: No. From where this of my second breaking
12 point is, like this. [Indicated] Bring it up.

13 MS IRURA: Your Honour, it's about five centimetres.

14 THE WITNESS: But it was wide. It was real passport like
12:18:32 15 something.

16 PRESIDING JUDGE: For the purpose of record, the witness
17 has indicated a size using the upper part of his fingers which
18 has been measured as five centimetres.

19 MR KOUMJIAN:

12:18:49 20 Q. Mr Witness, you've indicated that Bockarie showed you this
21 diamond in Sierra Leone. What did he do then with the diamond?

22 A. When I went and Sam Bockarie showed me the diamond I said,
23 "Oh, this particular one, if Charles Taylor see it he will be
24 very happy", because at that time we used to call him Father. If
12:19:14 25 he saw it he would be happy. And when we took it along
26 Charles Taylor was impressed and he even gave us some money and
27 we took enough ammo back to Sierra Leone, yes.

28 PRESIDING JUDGE: Just before we move off, Mr Koumjian, the
29 witness said something about shoulder and indicated a size on his

1 shoulders. That did not seem to follow through from the next
2 part.

3 MR KOUMJIAN: I think he was describing the width of the -
4 or the shape and width of the diamond.

12:19:49 5 THE WITNESS: That was the shape of the diamond. I said
6 pass - it looked like passport size. In the front it was like a
7 cut around here, but it was not as if it was a real human being
8 like I am seated here. But it was a cut from here going up and
9 the width of it was like this of my two fingers.

12:20:18 10 MR KOUMJIAN: Let me just ask the witness to draw the form
11 to size on a piece of paper.

12 MR GRIFFITHS: I have no objection to that.

13 MR KOUMJIAN:

14 Q. Mr Witness, draw the shape of the diamond in the same size
12:20:50 15 that the diamond was.

16 A. [Witness complied] In fact, if there was something to put
17 it on that paper it would have been more than what I have drawn
18 there. That's why I called it passport size.

19 Q. Mr Witness, when you say "passport size" are you talking
12:22:29 20 about the passport book, or part of the book?

21 A. No, when you sit down and they take your photograph they
22 will snap you and then they will take the picture and put it into
23 the book. It is not the book itself.

24 MR GRIFFITHS: Your Honour, I hesitate to interrupt, but I
12:22:54 25 wonder if for the assistance of everyone if the drawing that the
26 witness did could be displayed on the screen so that we can all
27 see it.

28 JUDGE SEBUTINDE: Also, Mr Koumjian, you did ask the
29 witness to draw according to size, the actual size. Is this now

1 according to the actual size? Should that be --

2 MR KOUMJIAN: Your Honour, I can ask that again. That is
3 what I asked.

4 MR GRIFFITHS: I wonder if while my learned friend is doing
12:23:23 5 that if he could explain what the square is at the bottom of the
6 diagram that he's drawn.

7 MR KOUMJIAN:

8 Q. Okay, Mr Witness, you can go and stand by the drawing that
9 you did for these questions. Now it appears to - I think
12:24:13 10 everyone would agree that you have drawn what looks like a head
11 and then a box below the head. Which is the diamond? Which is
12 the shape, or is all of it the shape of the diamond that you saw?

13 A. All of this. That's the diamond. All of this. This is
14 the diamond. [Indicated] It had the neck, the head and the
12:24:36 15 diamond itself, but it was a complete diamond, but not an
16 ordinary head, but it was diamond. Everything stuck together was
17 the diamond in the form of a picture of a human being.

18 Q. Thank you. And when you say photograph - you can sit back
19 at the other seat now. That's fine. When you say a photograph
12:25:15 20 of a human being, do I understand you to mean the shape of a
21 photograph that would be in a passport? That part of a human
22 being?

23 A. Yes, yes.

24 Q. Now, did you draw on that paper the size of the diamond
12:25:36 25 that you saw? Is that the size, the width and length
26 approximately equal to what you saw?

27 A. You know, actually the diamond, if it was something to be
28 presented here it would have been larger than this because the
29 diamond was big and it was just like a real human being, yes.

1 Q. Thank you. Now, were you actually present when Bockarie
2 gave the diamond to Taylor?

3 A. I told you that Bockarie and I took these diamonds from
4 Sierra Leone to Taylor and he hand delivered it in my presence
12:26:35 5 and after delivering it he offered an envelope to each and every
6 one of us.

7 Q. What was in - I'm sorry. May the drawing perhaps receive
8 an MFI number?

9 PRESIDING JUDGE: A hand drawing on a lined piece of paper
12:26:57 10 will become MFI-17, I think it is. MFI-17.

11 MR KOUMJIAN:

12 Q. Mr Witness, what was in the envelope that was handed to you
13 by Charles Taylor?

14 A. Money. United States dollars. US dollars. Mine roughly
12:27:23 15 was about 2,000 plus. Because it has taken a long time I can't
16 give you the accurate amount, but it was above - more than 2,000
17 United States dollars. But Sam Bockarie's own was a little
18 heavier, but he didn't open it in my presence.

19 Q. Now, Mr Witness, after this delivery of diamonds did Sam
12:27:50 20 Bockarie ever return to Liberia?

21 A. When we gave these diamonds Charles Taylor gave us some
22 money and the next day he called G4 Moses and Kai. Yes, he went
23 back to Liberia. Sam Bockarie went back to Liberia.

24 Q. And do you know - you mentioned that Charles Taylor called
12:28:24 25 the G4 Moses Ngai and I believe that's been spelled before --

26 A. The G4 Moses Duoh is different and Kai who was assigned
27 directly under Taylor is different, but it was Kai who had the
28 warehouse key. The two warehouses from where we used to get the
29 material from, the ammo warehouse that was attached to

1 Charles Taylor's house that had its - that faced the other side,
2 it was Kai that had the key, but before getting the ammos it was
3 G4 Moses who was in charge. Before you take the ammos and the
4 arms you will stand before him. He will take the papers and then
12:29:23 5 he will give it to Moses and Moses would take the papers to
6 Charles Taylor for him to sign them.

7 Q. So, Mr Witness, was it necessary in order to obtain
8 ammunition that you have a paper signed by Charles Taylor?

9 A. Most times yes, yes. Any ammo that we received, they bring
12:29:53 10 document, we sign, then Moses will take it to Kai and Kai will
11 take it to Charles Taylor, based upon the amounts that we were
12 receiving to carry, but he cannot sign it. We who would be
13 receiving it, we sign for it.

14 Q. I may have confused you with my question. After giving the
12:30:20 15 diamond to Taylor, where did Sam Bockarie go? That was my fault,
16 but can you please state that again?

17 A. After we had given the diamond to Charles Taylor, we spent
18 a day in Monrovia. The following day Sam Bockarie returned. I
19 escorted him to Buedu with enough ammos, rockets, GPMGs, about 15
12:30:53 20 new ones with belt felt.

21 MR KOUMJIAN: Sorry, I didn't get the last word the
22 interpreter used. Belt felt?

23 THE WITNESS: Belt felt for the GMG where they put the
24 rounds.

12:31:21 25 MR KOUMJIAN:

26 Q. Sir, did you ever see Sam Bockarie return with diamonds to
27 Liberia?

28 A. Yes. When we went with the material under the directives
29 of Charles Taylor, before we arrived Issa brought some diamonds

1 in a small jar, just like this glass here, but the mouth was
2 small, almost to the end of the jar, and we took it back to
3 Liberia.

4 MR KOUMJIAN: The witness was referring to the glass which
12:31:58 5 was described by the Court yesterday. The same glass:

6 Q. When you took this jar of diamonds back to Charles Taylor,
7 what happened then?

8 A. After we had taken this jar, that was the time that
9 Charles Taylor called Musa Cisse in my presence. I will say the
12:32:23 10 truth and nothing but the truth. In my presence Charles Taylor
11 told - he called Musa Cisse and said, "These boys were doing
12 extremely well. It will be better if I do a recommendation for
13 him and you to go to Burkina Faso to sign for ammunition for
14 himself", and that he did and later Mosquito, Eddie Kanneh, Mike
12:32:52 15 Lamin, Musa Cisse, they left and went.

16 Q. They went where, Mr Witness?

17 A. To Burkina.

18 Q. And do you recall if Sam Bockarie ever came back to
19 Monrovia after he left for that trip?

12:33:12 20 A. Yes, they returned. After a week and five days they
21 returned. When they returned even Eddie Kanneh brought some
22 pictures for me from where they went on a step. After they had
23 returned at one time in the night we were sitting in a club on a
24 drinking table, then Sam Bockarie received a call from his phone.

12:33:45 25 THE INTERPRETER: Your Honours, can he repeat the name of
26 the phone?

27 PRESIDING JUDGE: Just pause, Mr Witness. Sorry,
28 Mr Interpreter, please repeat that.

29 THE INTERPRETER: The name of the phone. He referred to a

1 phone.

2 PRESIDING JUDGE: Please repeat the name of the phone,
3 Mr Witness. It wasn't heard clearly.

4 THE WITNESS: I said after they left when they went to
12:34:08 5 Burkina they spent a week and five days and they returned; they
6 and Eddie Kanneh - Eddie Kanneh, Mike Lamin with Sam Bockarie and
7 Musa Cisse. Musa Cisse came along with them.

8 MR KOUMJIAN:

9 Q. Mr Witness, you were saying that you were at a club
12:34:32 10 drinking at a table and Sam Bockarie received a call on his
11 phone. What kind of phone was that? Can you give us the name of
12 the type of phone?

13 A. It was Thuraya satellite phone. I was in possession of
14 one.

12:34:52 15 MR KOUMJIAN: Your Honours, the spelling is T-H-U-R-I-Y-A:

16 Q. After Sam Bockarie received a call on this phone, what did
17 he do?

18 A. He rushed in to where I was sitting down and he said, "Top
19 Bra, let's go", and I said, "All the drinks we have here?", and
12:35:17 20 he said, "Let's go". So, we left and went to White Flower. At
21 the time we went, Benjamin Yeaten, Joe Tuah, Peter Saikpedeh,
22 they were all at the White Flower's front door and they said,
23 "Your materials have arrived. Your ammos have come". Then we
24 left and went to the airport.

12:35:39 25 When we went I saw the Russian cargo plane. It came with
26 enough ammos and arms which we were not able to offload. We were
27 not able to haul everything to Monrovia that night. We left some
28 there at the cargo warehouse at Roberts International Airport.
29 Then we took some - in two days we took some, Mosquito and I,

1 Eddie Kanneh, Mike Lamin, FOC, the late FOC, Victor Kallon -
2 Victor Kallon. Morie Kallon is different. Victor Kallon. We
3 left them there and we got into the car, two trucks, a pick-up
4 and a jeep. We escorted the first trip, yeah.

12:36:38 5 Q. Mr Witness, I'm going to go over that a little bit slowly
6 and again ask you to speak slowly for the interpreter. Now you
7 said when Sam Bockarie came back from receiving the phone call he
8 said "Top Brass". What does the word "Top Brass" or name mean?
9 Who is that?

12:37:02 10 A. I was the one they called Top Bra. Over there they called
11 me so many names. They called me Zigzag, they called me Top Bra,
12 they called me [indiscernible], they called me Five-0-Five, they
13 called me Jungle Broom. Yes, these are my names.

14 MR KOUMJIAN: Your Honour, the spelling I believe that the
12:37:16 15 witness is pronouncing, Top Brass, T-O-P B-R-A-S-S:

16 Q. So you said that after the phone call you all rushed to the
17 Roberts International Airport. Is that correct?

18 A. We were not rushed directly. We rushed to White Flower to
19 Charles Taylor's house. It was there that we met Benjamin
12:37:49 20 Yeaten, Joe Tuah and Peter Saikpedeh there. Later Mosquito went
21 inside from there. Then they took us to the airport. We went
22 and I said at the time I saw a Russian cargo plane, a very big
23 plane loaded with ammos and ammunition - I mean ammunition and
24 arms.

12:38:14 25 MR KOUMJIAN: And the name Peter Saikpedeh, the last name
26 is spelled S-A-I-K-P-E-D-E-H.

27 THE WITNESS: He was one of the Special Forces.

28 MR KOUMJIAN:

29 Q. Now, you've described that the plane was full of

1 ammunition. Can you tell us what kind of ammunition was in the
2 plane?

3 A. Some were LAR rounds, AK rounds, GPMG, 32 PC, and some GPMG
4 barrels. Enough, yes. These were the materials that were in the
12:39:09 5 plane.

6 Q. For those of us not so familiar with weapons, GPMG barrels,
7 by barrels do you mean - is that a gun?

8 A. Yes.

9 Q. And you've mentioned LAR rounds. What is LAR?

12:39:27 10 A. It's a rifle. It's a rifle. The round - the rounds of
11 that rifle is what I'm talking about.

12 Q. Now, you mentioned you were not able to take all of the
13 ammunition to White Flower that night. What did you use to
14 transport the ammunition to White Flower?

12:39:53 15 A. In Monrovia Charles Taylor was having so many trucks and
16 these trucks, two were assigned directly to me to escort arms and
17 ammunition, but that night there were some trucks that were
18 headed by Joe Tuah, one of the Special Forces, some trucks headed
19 by Peter Saikpedeh there and some headed by Benjamin Yeaten. I
12:40:26 20 led the other two, but we were not able to overhaul everything at
21 night.

22 Q. Thank you.

23 A. The only thing we did was that we offloaded the plane,
24 because when the plane comes we don't want that plane - day to
12:40:47 25 break on that airplane. So, we offloaded the plane at all costs
26 and stored the materials in the cargo warehouse at the airport.

27 Q. So, how many trucks in total carried ammunition from the
28 airport that night?

29 A. If I'm not mistaken it's about - it's six or five, if I'm

1 not mistaken.

2 Q. Can you give us some idea of the size of these trucks, of
3 how much they could carry?

12:41:29

4 A. No, I can't give account of that, but the trucks were big,
5 the one I was using.

6 THE INTERPRETER: Your Honours, can he repeat the brand of
7 truck? It's not very clear.

8 PRESIDING JUDGE: Mr Witness, can you tell us the name of
9 the kind of truck again, please.

12:41:43

10 THE WITNESS: Mack truck. My own. The one that I was
11 using. My own Mack truck, a yellow truck.

12 MR KOUMJIAN: Thank you:

13 Q. Mr Witness, did this appear to be a lot of ammunition to
14 you?

12:42:14

15 A. Repeat.

16 Q. The ammunition that arrived that night, based on your prior
17 experience was that a lot of ammunition to arrive in Liberia?

12:42:43

18 A. Yes, yes. Like the chaser, the chaser that came with our
19 chief Charles Taylor's friend, the four white guys, they were
20 many. Many times. Even the other truck - the other plane that
21 came at the second to the last time that had the accident on the
22 runway with our ammos which he Charles Taylor - when
23 Charles Taylor had stopped all international security not to go
24 to the airport again, we were able to produce eight to nine
25 trucks.

12:43:17

26 Q. I want to concentrate now on this ammunition that arrived -
27 that came just after Sam Bockarie returned from Burkina Faso and
28 you said Sam Bockarie got the call about the arrival of the
29 plane. Was Sam Bockarie at the airport when the ammunition was

1 being unloaded?

2 A. Sam Bockarie and I rode in the same car. We rode the same
3 jeep. Then my driver who was assigned with me, [indiscernible]
4 and Benjamin Yeaten, they had their own truck. Yes, but he - he
12:44:05 5 was not on the field at the same time. We were in Monrovia city
6 in the nightclub when he received the call that the plane had
7 arrived with the ammo.

8 Q. Mr Witness, the next day after the plane had arrived and
9 the ammunition had been unloaded, what did you do?

12:44:26 10 A. We were happy. The following day we rested all day. I
11 think we spent two days in the city. It was the following night
12 that we took off, because we couldn't have left during the day.

13 Q. Mr Witness, when you say "We took off", first of all who
14 was travelling with you?

12:44:52 15 A. At the time that we took the first trip from White Flower
16 with the ammos I went along with Eddie Kanneh, Mosquito, Mike
17 Lamin, including their bodyguards. One was called FOC, Victor
18 Kallon, Yellow Man. I can't remember all those boys, yes.

19 Q. On that trip what vehicles did you take?

12:45:33 20 A. We used two Mack trucks, the trucks I was using. The two
21 yellow Mack trucks with the jeep and the pick-up.

22 Q. Where did you go?

23 A. To Sierra Leone. We passed through Bong County, we got to
24 Lofa, passed through Voinjama, Kolahun, Foya and entered through
12:46:01 25 Buedu.

26 Q. What were you carrying in those vehicles on this trip?

27 A. I told you the arms and the ammo that came, but the first
28 one that came were enough ammos that we carried. That was what
29 was in the car. But the jeep that we were in, there was no ammo

1 in there, but it was in front of me escorting those items. So
2 when they see me they will know straightaway that I was the one
3 travelling with those trucks and there would be no embarrassment
4 through Charles Taylor's directive.

12:46:51 5 Q. I just want to be clear about what was being carried. In
6 the trucks what were you carrying, if anything?

7 A. I said ammo. Ammo, ammo, ammo. I repeat, ammo, ammo, that
8 can be put in a gun to shoot. That's what I'm talking about.
9 It's not something different. We cannot carry an empty truck.

12:47:11 10 Q. Thank you. Now the ammunition that you were carrying, you
11 indicated that this plane had arrived, you called it the Russian
12 cargo plane at Roberts International Airport, and you had
13 unloaded the ammo from that plane. Did you take all of the ammo
14 from that plane on this trip to Sierra Leone?

12:47:36 15 A. No, we did not carry them on the same time. I said the
16 ammo was plenty. What we did was that we offloaded the truck - I
17 mean we offloaded the plane and stored these ammos and arms in at
18 IRIA cargo warehouse. The one we were able to haul that night,
19 we took them to Charles Taylor's residence at White Flower in
12:48:04 20 Monrovia. At the time they were hauling overnight we were
21 resting. We spent two days. The following night we took off
22 from Monrovia with the two yellow trucks and a pick-up, plus the
23 jeep. That's what I'm saying.

24 Anyway, I'm very sorry, you see my head, I've got a
12:48:25 25 problem, so you too should take your time to ask me. You see
26 this head? You see here? Through my ears, I can breathe through
27 my ears, do you see? You hear that? So you must take your time
28 too. The rocket burst this side.

29 Q. Okay, I'll take my time and, you're right, it will be

1 better if we all speak slowly and take our time.

2 A. Okay.

12:48:58

3 Q. So, Mr Witness, what happened to the ammunition that came
4 from that plane that you were not able to take to Sierra Leone on
5 this trip with Sam Bockarie and the two yellow trucks?

12:49:27

6 A. It was plenty. I told you that the cargo plane, it's a big
7 plane and the ammos that were inside were plenty to attempt
8 making two trips with it. So after we carried the first trip I
9 think I spent two or three weeks in Sierra Leone and I started
10 coming back with the yellow truck, with the pick-up and the jeep
11 and I started hauling it overnight. After the first trip, I
12 think I made about four or five trips before I finished those
13 items.

12:49:48

14 Q. Thank you. So if I understand you correctly after the
15 first trip with the trucks you made four or five additional trips
16 taking the rest of the ammunition to Sierra Leone. Is that
17 correct?

18 A. I said.

12:50:15

19 Q. Thank you. Now, Mr Witness, you've talked about Sam
20 Bockarie and you said at one time you were going to Sierra Leone
21 during the Sam Bockarie time and later during the Issa Sesay
22 time. Can you tell us what happened? Where did Sam Bockarie go
23 when he no longer was --

12:50:33

24 MR GRIFFITHS: Your Honours, it appears that my learned
25 friend is moving away from the topic of that arms shipment. It
26 might be helpful to all concerned if we were to be told when that
27 was supposed to have happened. It's very difficult to
28 cross-examine on a topic like that without that kind of
29 foundational detail.

1 MR KOUMJIAN: Your Honours, the Prosecution has its own
2 reasons for conducting examination in a certain way. Many
3 witnesses have talked about the trip to Burkina Faso and the
4 arrival of Sam Bockarie back from Burkina Faso. The time period,
12:51:14 5 we believe, is well established by other witnesses and we don't
6 believe it's productive at this point to go and ask this witness
7 to recollect the year 10 years later.

8 MR GRIFFITHS: Your Honours, this is completely ridiculous
9 because the Court will recall that when I cross-examined
12:51:35 10 [redacted] he denied that there was any such shipment from
11 Burkina Faso.

12 PRESIDING JUDGE: Just pause. Please be careful. A name
13 just mentioned will be redacted from the record. Continue.

14 MR GRIFFITHS: Your Honour, it's a name mentioned by the
12:51:53 15 witness himself during the course of the proceedings this
16 morning.

17 PRESIDING JUDGE: I've made an order. Please continue,
18 Mr Griffiths.

19 MR GRIFFITHS: Your Honour, it seems to me only fair that
12:52:07 20 if the Prosecution are putting a case then they should put it in
21 sufficient detail for us to be able to respond.

22 PRESIDING JUDGE: Thank you, Mr Griffiths. I'm clear on
23 the point.

24 THE WITNESS: Can I come in?

12:52:43 25 PRESIDING JUDGE: We are of the view that it is reasonable
26 to set a time frame and we uphold the objection.

27 MR KOUMJIAN: Is your Honour requiring the Prosecution to
28 do that, because the Defence of course has free rein in
29 cross-examination to ask that question?

1 PRESIDING JUDGE: Mr Koumjian, I'm sure you're not
2 intending to challenge what I've said. However, to circumvent
3 this I will ask the witness. Mr Witness, you have described a
4 plane coming, you've described the type of plane and you've
12:53:18 5 described what happened after it came. When did that happen?

6 THE WITNESS: Let me be bold to tell you I will say the
7 truth and nothing but the truth. By being chief of operation for
8 Charles Taylor I had so many occasions that I can't recall all
9 today. I had Sierra Leone problem on my hand, I had Guinea
12:53:45 10 problem on my hand, I had Ivory Coast problem on my hand, so I
11 cannot recall all of these dates to be exact, but I can remember
12 the happenings and tell you.

13 PRESIDING JUDGE: So. You don't recall the date. Thank
14 you, Mr Witness. We're clear now.

12:54:02 15 THE WITNESS: Okay, because I was the operation man for
16 Charles Taylor. You can ask him himself. He gave me three
17 countries to attend to. That was the problem.

18 PRESIDING JUDGE: Please, we're not criticising you in any
19 way, Mr Witness. Please do not think that.

12:54:18 20 THE WITNESS: Okay, okay. Thank you.

21 THE INTERPRETER: Your Honours, the interpreter would like
22 to make a correction. The witness used the word "haul" which I
23 inadvertently repeated after him. That could have been
24 interpreted to mean transporting.

12:54:42 25 PRESIDING JUDGE: I do recall you saying it and I
26 understand when you said "haul". Thank you.

27 MR KOUMJIAN:

28 Q. Mr Witness, you've mentioned Sam Bockarie being in Sierra
29 Leone. Do you know if Sam Bockarie stayed in Sierra Leone, or

1 did he ever leave the country?

12:55:29 2 A. Sam Bockarie, at last he and Issa had a conflict. Our
3 leader Charles Taylor sent me, Joe Tuah, Peter Saikpedeh and we
4 went and received Sam Bockarie, took him from Sierra Leone to
5 Monrovia. After we had arrived in Monrovia he was at my house.
6 Charles Taylor leased a house for him at 14 houses. That was
7 where he was and to go to Burkina Faso for him to prepare for
8 Ivory Coast war. He was not in Liberia.

12:55:56 9 Q. When Sam Bockarie left Sierra Leone and came to Monrovia,
10 did he come alone or did anyone - did he bring anyone with him?

11 A. He came with let's say they were many. Over three to five,
12 more than that. They were many. Because the truck in which we
13 carried - I didn't check it, but all these vehicles were full of
14 human beings when he arrived in Monrovia. During his departure
12:56:28 15 for Burkina some of these men were deployed in various units in
16 Liberia and some were taken away by Charles Taylor's friend, the
17 white man with a big belly, for them to go for in-service
18 training for Babylon to fall.

12:56:51 19 Q. Now you've indicated that the men that came with Bockarie,
20 some of them were put into various units. First of all, at that
21 time when Bockarie came back, came to Monrovia with these men,
22 what unit were you in?

12:57:11 23 A. At the time that Sam Bockarie went to Monrovia I was
24 working directly at the mansion, but you know I was chief of
25 operations, yes. I didn't have any special unit, but I received
26 salary under the SSS, yes.

27 Q. Do you know if any of these soldiers were integrated into
28 the SSS? Any of these soldiers that came with Bockarie?

29 A. Yes. Yes, some were with the SSS. Some were with the ATU,

1 anti-artillery unit. Some were with the police. Some were with
2 immigration also.

3 Q. Now, Mr Witness, you've indicated that Bockarie had a
4 conflict with Issa Sesay. Did you ever receive any orders
12:57:56 5 subsequent to Sam Bockarie leaving Sierra Leone concerning Issa
6 Sesay?

7 A. Yes, I received an instruction from Charles Taylor when he
8 said I should go for Sam Bockarie, "I don't want him to have
9 conflict with Issa and Issa has more fighting men under him once
12:58:25 10 he was facing battle and Mosquito was in Buedu. You go and bring
11 him". It was at that time that I, Peter Saikpedeh, Joe Tuah,
12 went for him and brought his group of people, his group of people
13 including his mother, his wife and his children.

14 Q. Thank you. But after you had brought Sam Bockarie to
12:58:45 15 Liberia, after that time did you ever receive any orders
16 concerning Issa Sesay?

17 A. Yes.

18 Q. Can you tell us who gave you the order?

19 A. From time immemorial I was taking orders from my leader,
12:59:09 20 Charles Taylor. When Issa Sesay was there I received orders to
21 ammos for him. When Issa Sesay was there, there was some
22 behaviours that he was putting up like signing documents with the
23 UN. At that time I was in Kono, some UN people went there with a
24 paper for Issa Sesay to sign. I called directly to
12:59:32 25 Charles Taylor. From there he asked me whether I can execute
26 Issa and I said, "Oh, chief, I am in Kono, the centre. I'm in
27 the midst of these people. I cannot do anything". Then he said,
28 "Come to Kailahun. I will call him to come for ammos in Buedu.
29 Then you'll be able to execute him there". So I left Kono, I

1 told Issa that I was trying to go and he gave me his jeep. I
2 went and left --

3 THE INTERPRETER: Your Honours, can he repeat the river and
4 the last bit of his testimony?

13:00:15 5 PRESIDING JUDGE: Pause, Mr Witness. The interpreter wants
6 you to repeat the name of the river. You said, "I went and left"
7 and continue from there, please, and repeat the name.

8 THE WITNESS: When I left Kono, I stopped at Mile Five
9 River. I left the vehicle at Mile Five River, at the ferry, and
13:00:44 10 I crossed over to Pendembu in the Kailahun District to wait for
11 Issa to execute him under the directive of my leader
12 Charles Taylor. Later he called me and said he had already sent
13 for Issa to go and receive ammos in Buedu and for him to come and
14 pass through me to Buedu and then I will follow him to get him,
13:01:13 15 but Issa never returned. I spent almost two weeks in Kailahun
16 and later he told me that, "The man has gone. He will no longer
17 receive supplies from me."

18 MR KOUJIAN:

19 Q. Who told you that "The man has gone"?

13:01:39 20 A. I said Charles Taylor said. Charles Taylor has already
21 connived. He has already connived.

22 MR KOUJIAN: Your Honour, the witness said "Issa had
23 already connived" and the interpretation was "Charles Taylor".

24 THE WITNESS: I didn't say "he's gone". I said that he
13:01:57 25 told me that "The man has already connived". I didn't say "he's
26 gone". He has already connived. At that time I had spent two
27 weeks in Kailahun waiting for Issa to execute him.

28 MR KOUJIAN:

29 Q. Mr Witness, you indicated that when you received the order

1 from Charles Taylor to execute Issa Sesay that Issa Sesay had
2 signed some paper. Do you know anything about what these papers
3 were about?

13:02:34 4 A. In relation to the document I am not too sure, but what I
5 saw in Kono, at the time that I went there, in my presence I took
6 some ammos to Issa to transfer it to Morris Kallon in Makeni.
7 But I was in Kono, some white guys went there with some UN people
8 and the CO man said that the people came to the chief, Issa, for
9 him to sign some documents. I asked what the document was for
13:03:05 10 and he said for the peace agreement in Freetown.

11 It was at that time that I left with those white guys and
12 entered Issa's residence. I went into Issa's room, because I
13 don't speak Krio so they won't notice that I am a Liberian. When
14 they finished talking I used a bypass route and went to CO man
13:03:31 15 who was in control of the diamond that we used to bring. I went
16 to his house.

17 It was there that I was - that I called over the Thuraya
18 satellite and called to Charles Taylor that there was some white
19 people from Freetown who'd come to Issa, but they said they had
13:03:46 20 come there for peace agreement and he said, "The man wants to
21 connive". Then he said, "Go to Kailahun and wait for him there.
22 I will send for him". First he said, "You can execute him in
23 Kono", and I said, "No, the group is large and if there were
24 places like Pendembu or Kailahun I will be able to execute him".
13:04:08 25 Then he said, "Okay, but then come to Kailahun. I will send for
26 him to come".

27 That's the time that I left Kono and went to Kailahun and
28 waited there for over weeks - let's say for over two weeks - and
29 Issa never returned. Later Charles Taylor called me and said,

1 "The man has already connived. You can come back. He will no
2 more receive supplies from me", because our operation, RUF is not
3 different. NPFL is not different. Once you go across you go to
4 Freetown you are an RUF. When you cross from Sierra Leone to
13:04:41 5 Liberia you are NPFL. That was how the movement was like. We
6 all took one instruction from Charles Taylor. Have I made myself
7 clear?

8 JUDGE SEBUTINDE: Mr Koumjian, the witness has repeatedly
9 used the word "connived" and I think it's been translated as
13:05:01 10 "connived". I'm not sure that I understand really.

11 MR KOUMJIAN: I'll enquire.

12 THE WITNESS: It means - yes, I understand. It means he
13 has already associated himself with the people. He is not with
14 us any longer. That means he has connived.

13:05:21 15 JUDGE SEBUTINDE: What people?

16 THE WITNESS: The UN troops that went from Freetown with a
17 document for Issa to sign a peace agreement. It means he has
18 associated himself with them, he will no more cooperate with us
19 and so for that reason Issa should be executed in Kono. It was
13:05:48 20 at that time that I said, "Chief, Charles Taylor, the group here
21 is large", and he said, "Okay, come to the borderline and I'll
22 send for him to go there".

23 PRESIDING JUDGE: Mr Witness, we understood that point.
24 We're grateful for your explanation. Please continue,
13:06:05 25 Mr Koumjian.

26 MR KOUMJIAN:

27 Q. Mr Witness, we will get all of what you say if you speak a
28 little slower. Now to the best that you can, can you give us an
29 idea of what year this took place where Charles Taylor gave you

1 the order to execute Issa Sesay?

13:06:57 2 A. That was the last trip that I made to Freetown, yes. The
3 last trip. That was the last trip that I made to Freetown. I
4 think at the end of 2002, or something like that, I was having
5 more problems on my hands. So I can't just recall one and I was
6 not expecting that we would sit down today explaining, because we
7 were hoping we will not go anywhere. It was not something that
8 we could have kept on record.

13:07:17 9 Q. Thank you. Just to help us in determining the time, do you
10 recall when you got this order if the RUF had completely
11 disarmed?

12 A. At that time they said they disarmed the RUF, but I used to
13 carry - we were still - we still had our arms under cover in Kono
14 and Kailahun. RUF was not properly disarmed. Those who were
13:07:52 15 disarmed were from Makeni, Tongo and some other areas there.
16 Those were the people who were disarmed, but from Kono to coming
17 towards Kailahun we were still in possession of weapons.

18 Q. Okay. So we're clear, I understand you to be saying that
19 it was after the disarmament process had begun, is that correct,
13:08:20 20 when you got this order?

21 A. Yes.

22 Q. Thank you. Now, Mr Witness, you've just told us about an
23 order to execute that you received from Charles Taylor which you
24 were unable to fulfill. Did you receive other orders from
13:08:37 25 Charles Taylor to kill people that you were able to fulfill?

26 A. Plenty. I told you plenty. Plenty. If I have the chance,
27 if you permit me, I can explain more than 10 to 15 times and if
28 possible all day so that we wouldn't need any explanation any
29 more.

1 Q. Can you begin to tell us what you recall about orders you
2 received from Charles Taylor to commit executions that you
3 carried out?

4 A. It happened during the arrival of Charles Taylor when I
13:09:27 5 received my first instruction from him to move from Gborplay, to
6 go from Grey Tapeta, he said, "Wherever the armed forces of
7 Liberia were based and you see any civilian there who was
8 supporting those armed men, you shouldn't spare them. That will
9 put fear in them to retreat". So for this reason I started
13:10:03 10 executing from Grey Tapeta, Kamutes Town, as far as to Buchanan
11 Port. Then from when Gbarnga fell in '94, I can remember the EMG
12 battalion that was assigned with him directly --

13 THE INTERPRETER: Your Honours, can he repeat the - I think
14 he called a name that was not clear to me.

13:10:30 15 PRESIDING JUDGE: Mr Witness, the interpreter requires you
16 to repeat the name you have just used. You were talking, "I can
17 remember the EMG battalion that was assigned". Please repeat the
18 names.

19 THE WITNESS: The EMG battalion that was a special
13:10:52 20 bodyguard. They were the special bodyguard assigned to
21 Charles Taylor's mansion in bodyguard. You've got me clear.

22 PRESIDING JUDGE: Thank you. Please continue.

23 THE WITNESS: After the fall of Gbarnga --

24 JUDGE SEBUTINDE: Mr Koumjian, are these locations in
13:11:10 25 Liberia, or Sierra Leone, or --

26 MR KOUMJIAN: These are in Liberia.

27 THE WITNESS: In Liberia. The executions started in
28 Liberia. The same motto of the NPFL in Liberia was the same
29 motto of the RUF that continued in Sierra Leone. I told you

1 previously that there was no difference between the RUF. There
2 is no difference between RUF and NPFL.

3 MR KOUMJIAN:

13:11:46

4 Q. You've mentioned the fall of Gbarnga and this battalion
5 from the Executive Mansion Guard? What orders did you receive
6 from Charles Taylor in regards to that battalion? Continue your
7 explanation.

13:12:09

8 A. The order, that was the first time to form the Death Squad
9 unit. That was the first time also to establish the SBU, the
10 Small Boy Unit. [Indiscernible] was the commander.

11 The INTERPRETER: Your Honours, can he repeat?

12 PRESIDING JUDGE: Just pause, Mr Witness. Mr Interpreter,
13 repeat what?

13:12:30

14 THE INTERPRETER: The name of the commander, from there, of
15 the Small Boys Unit.

16 PRESIDING JUDGE: Please repeat the name of the commander
17 of the Small Boys Unit and continue your answer from there,
18 Mr Witness.

13:12:51

19 THE WITNESS: Zupon [phon], Zupon. Yes, honourable judge,
20 I told you I am one of the key players of the NPFL from the
21 beginning to the end, so I will say the truth and nothing but the
22 truth.

13:13:12

23 PRESIDING JUDGE: Sorry, Mr Witness, do not think I am
24 challenging you in any way. It's when the interpreter doesn't
25 hear properly and we all want to hear you clearly that I ask you
26 to repeat things. I am only asking for clarity, you understand?

27 THE WITNESS: Okay. Thank you, sir. Thank you, sir. So
28 after the fall of Gbarnga the EMPG battalion that was serving at
29 the mansion in Gbarnga, they abandoned the war and the enemy that

1 entered in Gbarnga, they went as far as between Nimba County and
2 Bong County up to the bridge called Bella Bridge. Bella Bridge.
3 So they were there putting people's children in the water, in the
4 sea, saying that they've connived, executing some of them. So
13:14:05 5 when Charles Taylor heard that at that time, then went for me at
6 Grand Gedeh. When we got there we formed the Death Squad unit
7 and they made me commander, but Benjamin Yeaten was the overall
8 supervisor of the unit. He told me, "When you go to Bella, if it
9 is true that EMPG unit were killing people, harassing people, you
13:14:36 10 should execute them."

11 For sure when I went there I saw some of them holding
12 people - people's babies and throwing them in the river going
13 down. So I sent my bodyguard Heavy D [phon] to go and talk with
14 Jeongor [phon] - I mean, Jeongor. He wanted to shoot him and he
13:14:58 15 ran and came to him. Then I shot among them and I killed few of
16 them, about 49 or 59. They were many, you know? So I called
17 that I have killed a few of them, over 50.

18 Then he said, "You can continue your march". That was how
19 Saddam, Pablo, Idi Amin, King GB, that's how we started marching
13:15:27 20 on the road as far as to this place, this junction, in Bong
21 County now. We started engaging the enemy from there and we went
22 and stopped at Pedilay [phon] - I mean, I will call the name of
23 the town. Kpallala. We stopped at Kpallala that very day after
24 that execution. We started engaging the enemy from diamond
13:16:01 25 junction to Kpallala - Kpallala Town. We slept. Around four we
26 started our journey up to Gbao Town [phon]. So while we were in
27 Gbao Town, Ben went there and established a Special Forces base.
28 A Special Forces base in Gbao Town.

29 PRESIDING JUDGE: Pause, Mr Witness, because I want to get

1 a proper record of the spelling of the names of some of the
2 places you've mentioned. There have been quite a few,
3 Mr Koumjian. Bella?

4 MR KOUMJIAN: Kpallala, K-P-A-L-L-A-L-A.

13:16:45 5 THE WITNESS: Bella. Kpallala, okay. From Bella, Bella is
6 in-between Nimba County and Bong County at the bridge. That was
7 where the execution started. From Bella we started engaging the
8 enemy from Gamu junction in Bong County to Kpallala. That was
9 where we slept and took off around four in the morning. From
13:17:09 10 Kpallala we made a brief stop --

11 PRESIDING JUDGE: I was just going to get the spelling of
12 those two places. Just wait a little moment, please, Mr Witness,
13 while we have them spelt and then we will ask you to continue.

14 MR KOUMJIAN: Bella is B-E-L-L-A. The junction, I don't
13:17:25 15 know if we got that --

16 THE WITNESS: Gamu junction.

17 MR KOUMJIAN:

18 Q. Mr Witness, do you know how to spell that first word?

19 A. You see me, when you see me speaking some English it's
13:17:40 20 because I have stayed long in the service, but I don't read and
21 write.

22 PRESIDING JUDGE: We're not criticising you and if
23 necessary, Mr Interpreter, have you any knowledge of the spelling
24 of this place?

13:17:51 25 THE INTERPRETER: I will try, your Honour. I can only
26 spell it phonetically. Which one of them?

27 PRESIDING JUDGE: The Gamu junction.

28 THE WITNESS: G-A-M-U. That was where we started engaging
29 ULIMO.

1 MR KOUMJIAN: And the witness also mentioned Kpallah.

2 That's K-P-A-L-L-A-H:

3 Q. Okay, Mr Witness, I don't know if you've completed your
4 answer, or if you have more?

13:18:25 5 A. I have not completed it yet. I told you when you talk
6 about my execution it's more than a thousand, except if you say
7 it should stop that far. From there when we got to Gbarnga
8 Charles Taylor ordered me and we established the Jungle Fire Unit
9 and he said, "From Gbarnga behind Beléfuanai up to Belatui there
13:18:57 10 is no enemy there ..." -- I mean, "There is no civilian there.
11 Anyone who is there was in support of the enemy. I don't want to
12 see any of them."

13 It was at that time that we formed No Baby On Target. Be
14 it ULIMO, or young baby, or you are an old man, we started
13:19:16 15 executing everybody until the road was opened from Gbarnga to
16 Belatui. It's so many if I continue we will on execution and
17 time would go.

18 MR KOUMJIAN: Your Honour, Beléfuanai, B-E-L-A-F-U-A-N-A-I
19 and Belatui I believe is B-E-L-A-T-U-I.

13:19:49 20 THE WITNESS: Again please, after Prince Johnson had
21 captured Doe, he was happy to come with Doe to us. The group
22 that --

23 MR KOUMJIAN:

24 Q. I want to stop you, because I want to ask you some more
13:20:10 25 details about something you just said before you move on to
26 something new about this operation.

27 A. Okay, carry on.

28 Q. Now, you said that Charles Taylor gave you an order
29 regarding the civilians in that area. He said that, "There are

1 no civilians there. I don't want to see any of them". What did
2 that mean to you, "I don't want to see any of them"?

13:20:43 3 A. He said that the civilians on that side, they were in
4 collaboration with the enemy forces. He said they were the ones
5 who were passing information to the ULIMO and he said mostly it
6 was those people's children who are fighting against us, so he
7 said they should be executed and he said we should get rid of any
8 one of them.

9 Q. Was that order carried out?

13:21:01 10 A. Yes, we carried out that order starting from Gbarnga as far
11 as Belatui. You can't walk like from here to the other side
12 without seeing flies passing all over the corpses, all over the
13 bushes and the villages, until we got rid of that place to
14 re-enter Lofa.

13:21:26 15 Q. What were the ages of the people that were killed and the
16 corpses that were left?

17 A. You know, some were pregnant women. We even delivered them
18 with pen knives some of the babies. We just - some of the
19 babies, we just take them and knock their heads on the wall and
13:21:47 20 they were dead. Some were girls. Both men, women and children.

21 Q. Approximately how many civilians were killed?

22 A. I cannot give you the actual number, but they were many.
23 Many, many more that were executed by Charles Taylor's orders.

13:22:22 24 Q. Can you continue with telling us about executions you
25 carried out on the orders of Charles Taylor?

26 A. Then after Prince Johnson captured Doe, that very day that
27 Prince Johnson captured Doe, at that time I was in Gbarnga at the
28 MP headquarters because we had just - we just heard at Bofell
29 Hill then they said they have now caught Doe. They have now

1 caught Doe. They will bring him tomorrow. Then we went to
2 Bofell Hill in Charles Taylor's yard. And then those of us that
3 he recognised we had access to enter into his yard, and then from
4 there he gave instructions to Ben and then it's better for Prince
13:23:13 5 Johnson to come here and then Ben just said, "Chief, it's up to
6 you", and then he said, "The best thing, if that man will come
7 here you will feel embarrassed so I know what to do". So he said
8 the next step was for you to go to Fenna [phon] junction and from
9 Fenna junction to Louisiana at the Upper Caldwell. He said, "You
13:23:38 10 should set an ambush for him. Whilst he was coming, you should
11 ambush him."

12 But when we left there to go and ambush Prince Johnson, at
13 that time Doe was not yet dead. It was the following day that we
14 were doing these things. It was a hurried operation. We saw
13:23:58 15 some group that were coming from Prince Johnson's base and they
16 were jubilating that they had captured Doe and Prince Johnson was
17 with them.

18 THE INTERPRETER: Your Honours, could the witness slow down
19 his pace a little?

13:24:16 20 PRESIDING JUDGE: Mr Witness, again could you be a little
21 slower so the interpreter can hear and repeat the last part of
22 your answer so the interpreter can hear it properly, thank you.

23 THE WITNESS: I said after Prince Johnson's captured Doe,
24 that very day I was in Gbarnga at the MP headquarters. We heard
13:24:43 25 a heavy noise around Charles Taylor's fence at the mansion
26 grounds in Gbarnga. We all rushed there, and those of us that he
27 recognised we entered into his fence and from there he asked
28 Benjamin Yeaten and he said, "You think if Prince comes here it
29 will be all right?" And, you know, most of the Special Forces,

1 Enoch Dogolea, Tiagen Wantee, [indiscernible], they made comments
2 and they said, "If Prince comes here there will be problem", so
3 he said, "Okay".

4 From there they set up a quick operation for us to go and
13:25:29 5 wait for Prince Johnson in order to execute him and get Doe from
6 him, so we left. We took the route from Fenna junction and we
7 went as far as Cassava Hill in Louisiana, that is Upper Caldwell.
8 We were there waiting for Prince to come with Doe. But his first
9 group of soldiers who were rejoicing, coming on the way, we
13:25:56 10 thought Prince Johnson himself was amongst the group and I think
11 they were in about four cars. We surrounded the cars. We had
12 all those men and then Benjamin Yeaten called Charles Taylor and
13 then he said, "Oh, Prince did not come", or he said, "Those group
14 of people, you shouldn't allow them to go back and you shouldn't
13:26:22 15 bring them here. You should execute them". And that was the
16 time through him, Charles Taylor, and then that Ben said, "Chief
17 said we should execute the people. He said we should execute
18 them with knife". I think those men they were about 72 or 76,
19 something like that. We executed them with knives that same day.

13:26:46 20 But those who made it to escape from that, when they went
21 back to Prince Johnson and when he heard the information that was
22 the time Prince Johnson killed Doe. He decided not to go to
23 Gbarnga. Then he sent Varney to follow and a group sent Colonel
24 Varney to carry him. Those groups that Colonel Varney came with,
13:27:14 25 we arrested them at night again and then we killed them with
26 knives and those were all executions that we carried out through
27 Charles Taylor's orders and even against Prince Johnson. So, the
28 executions were so many that I cannot name all of them. Here,
29 him sitting down himself.

1 MR KOUMJIAN: Your Honour, the name Varney, V-A-R-N-E-Y.
2 Enoch Dogolea, the spelling is --

3 THE WITNESS: Colonel Varney is now late.

4 MR KOUMJIAN: E-N-O-C-H and the second name is
13:27:58 5 D-O-G-O-L-E-A. I believe it's almost the time. I have other
6 questions.

7 PRESIDING JUDGE: Indeed, Mr Koumjian, you're quite right.
8 Mr Witness, it's now time for us to take the lunchtime break.
9 We're going to have a break for one hour and then we will be
13:28:21 10 hearing the continuation of your evidence when we return at 2.30.

11 THE WITNESS: Thank you, sir. Thank you. Yes, sir.

12 [Lunch break taken at 1.30 p.m.]

13 [Upon resuming at 2.30 p.m.]

14 PRESIDING JUDGE: Yes, please continue.

14:30:29 15 MS HOLLIS: Madam President.

16 PRESIDING JUDGE: Yes.

17 MS HOLLIS: Madam President, the Prosecution would request
18 a very brief private session to raise an issue of concern to the
19 Prosecution. We also believe it would be better to do this not
14:30:42 20 in the presence of the witness.

21 PRESIDING JUDGE: In that case I would request, first of
22 all, that the witness be assisted to leave the Chamber and,
23 secondly, if we could have assistance to have the Court put into
24 a short private session. Private, I think I heard you correctly?

14:31:10 25 MS HOLLIS: That is correct, Madam President.

26 [At this point in the proceedings, a portion of
27 the transcript, pages 5909 to 5910, was
28 extracted and sealed under separate cover, as
29 the proceeding was heard in private session.]

1 [Open session]

2 MS MUZIGO-MORRISON: We are back to open session, your
3 Honour.

4 PRESIDING JUDGE: In the meantime if the witness can be
14:36:21 5 brought. What I am saying I am saying now to those persons in
6 the public gallery. I think two of the persons that are
7 presently in the public gallery have been in the public gallery
8 this morning. If in fact those gentlemen were here this morning,
9 you may have heard a court order redacting a certain portion of
14:36:41 10 the evidence - excuse me, not of the evidence, of a remark made
11 by counsel. If that was heard that is not to be repeated in
12 public because the person was the subject of certain court orders
13 and the name is not to be repeated.

14 Ms Hollis, does that cover your concerns?

14:37:04 15 MS HOLLIS: Thank you, Madam President.

16 MR KOUJIAN: May I, your Honour?

17 PRESIDING JUDGE: Please proceed, Mr Koumjian. Thank you.

18 MR KOUJIAN:

19 Q. Mr Witness, good afternoon.

14:37:33 20 THE WITNESS: Hello.

21 Q. I want to ask you a few questions just following up on what
22 you said this morning to clarify some things. On page 63, for
23 counsel and the Court, you talked about, approximately lines 14
24 to 17, taking ammunition to Sierra Leone and this was concerning
14:37:56 25 the shipment that arrived at the Roberts International Airport.
26 You said, "It was the following night that we took off because we
27 couldn't have left during the day." Can you explain to the
28 judges why you couldn't have travelled during the day?

29 A. Thank you. My chief, Charles Taylor, told me that

1 operations done in the day will be monitored through satellite,
2 so for that reason we couldn't move during the day.

3 Q. Okay, thank you. Then in the next page, on line 6 to 18
4 approximately, you were talking about - I was asking you about
14:38:42 5 what you were carrying in the vehicles and you said:

6 "But the jeep that we were in, there was no ammo in there,
7 but it was in front of me escorting so when they see me they will
8 know straight away that I was the one travelling with those
9 trucks and there will be no embarrassment through

14:39:02 10 Charles Taylor's directive."

11 Can you explain what you mean when you say "there would be
12 no embarrassment through Charles Taylor's directive"?

13 A. Thank you. I will say the truth and nothing but the truth.
14 When I was moving with those trucks there will be ammos in the
14:39:29 15 trucks and any time they saw me and if they were ordinary
16 officers they will stop the vehicles to check what was in the
17 vehicle, but any time they saw me they would know that I am the
18 chief of operations and they knew that I was moving directly by
19 Charles Taylor's orders, so nobody would stop me and to check my
14:39:56 20 convoy. Have you got me?

21 Q. Yes. I believe - I thought I heard you, Mr Witness, use
22 the word "checkpoint". Were you referring to checkpoints on the
23 road?

24 A. On the various roads to move from Monrovia as far as Foya.
14:40:18 25 The check points that were there, at any time they saw me in the
26 vehicle, with those cars behind me, no officer will check inside
27 my cars because they knew that I was moving on our president's,
28 Charles Taylor's, orders.

29 Q. Thank you. Next, Mr Witness, there appears to be something

1 that the record didn't get that you said. I am referring to
2 page 82, lines 22 to 25. You were talking about this operation
3 after the establishment of the Jungle Fire Unit from Gbarnga up
4 to Belefuania. You said at one point, "It was at that time that
14:41:01 5 we formed the [something] target operation", I believe you were
6 talking about. What was the word that you used?

7 A. No baby on targets. That means no pity for women,
8 children, old people. Everybody was considered to be enemies, so
9 they should be targets. Do you want me to repeat that again?

14:41:33 10 Q. It is quite clear, sir, thank you. Mr Marzah, you told us
11 about carrying out executions on the orders of Charles Taylor.
12 Sir, was Charles Taylor ever present for any execution that you
13 witnessed?

14 A. He was not present, but it was the instruction that came
14:42:02 15 from him that I went by. He was the president, so whatever he
16 said to me was what I did. Nobody violated his orders and after
17 implementing the orders that he gave me, I will go back to him
18 and give him my salute report, to him, Charles Taylor.

19 Q. Mr Witness, are you familiar with the faction ULIMO-J?

14:42:31 20 A. No. Since our arrival on 24 December 1989 I never mixed up
21 myself with any other unit. I was in NPFL and I remained in the
22 NPFL until everything came to an end.

23 Q. I am sorry, it seems that my question wasn't clear. I am
24 asking you if you have heard that name before: The word, the
14:43:02 25 faction name, ULIMO-J. Have you heard that term?

26 A. Yes, when we were fighting against ULIMO in Gbarnga.

27 Q. Thank you. I want to go and ask you whether you recall a
28 woman from ULIMO-J, if anything happened to her?

29 A. It was not from ULIMO-J per se. I will repeat my

1 statement. I told you in '85 that there was a ceremony at the
2 time they had the interim government at the Executive Mansion. A
3 lady was arrested as a ceremony for Charles Taylor right behind
4 his house. That is the old White Flower, which was close to the
14:44:01 5 Nigerian house.

6 Q. I would ask you to go slower because I believe the
7 interpretation is missing some of what you are saying and it is
8 important that it be clear and accurate. The interpretation
9 said, "I told you in '85". Do you recall what year it was that
14:44:18 10 you were talking about?

11 A. I said '95. Upon our arrival in Monrovia with
12 Charles Taylor, during the period of the interim government, that
13 was the time our president was serving at the mansion. At that
14 time he sent us to get a pregnant woman for a ceremony.

14:44:50 15 Q. I want to stop you because I am not sure if the
16 interpretation, or the transcript is correct. It indicated -
17 I didn't understand you to say this, at "the time our president
18 was serving at the mansion." Did you say the president was
19 serving at the mansion, or who did you say was serving at the
14:45:08 20 mansion?

21 A. When Charles Taylor was serving at the mansion during the
22 period of the interim government. It was the - there were six
23 presidents in the Executive Mansion, serving as one, at that time
24 we entered in Monrovia.

14:45:30 25 Q. What happened to the pregnant woman? Tell us slowly and
26 clearly.

27 A. It happened one time when George Bolai [phon] and so many
28 other people - Kennedy was at the mansion serving the interim
29 government. That was the time he ordered us to go and hunt out

1 for a pregnant woman from central Monrovia. At that time he was
2 living at the old White Flower, close to the Nigerian house, in
3 '95. The lady was used as a ceremony in this way. After the
4 pregnant woman - I think the pregnancy was about six to seven
14:46:33 5 months when we took her.

6 THE INTERPRETER: Your Honours, the witness said something
7 that is not clear to the interpreter.

8 PRESIDING JUDGE: Mr Witness, the interpreter didn't hear
9 you very clearly. Could you please repeat from the point where
14:46:49 10 you say, "After the pregnant woman - I think her pregnancy was
11 six to seven months when we took her." Please continue from
12 there.

13 THE WITNESS: Okay. About six or seven months pregnancy.
14 By Charles Taylor's orders I went along with Benjamin Yeaten,
14:47:15 15 including some bodyguards. We arrested this woman and we put her
16 in a car with tinted glasses. Nobody could see through. Ben
17 took the woman to Charles Taylor's farm - Charles Taylor's fence
18 by the White Flower. That is the old White Flower that was by
19 the Nigerian house.

14:47:45 20 Q. Witness, I am stopping you to allow the interpreter to
21 catch up. It is good if every few sentences you take a little
22 break for a few seconds. Also you said, "We took her inside the
23 fence". Can you explain what you mean when you say "inside the
24 fence"?

14:48:00 25 A. In Charles Taylor's fence at the old White Flower by the
26 Nigerian house.

27 Q. Okay, and slowly tell us what happened when you took her
28 inside the fence of the old White Flower?

29 A. When we took her there, after two days, the third day for

1 the woman I saw Ben with a white sheep and he brought it into the
2 fence. At that time there was a six man council at the Executive
3 Mansion. When we took the woman, the third day we went to the
4 beach. At that time some of the bodyguards had already dug a pit
14:48:53 5 and we placed two empty drums into the pit. Are you getting me
6 clear? Two empty drums were placed into the pit and we stripped
7 the woman naked and put - and we took the woman from the fence.
8 She had clothes on, but when we reached where the pit was we
9 placed her in the pit. He was standing, Ben was there, Peter
14:49:22 10 Saikpedeh, Joe Tuah. These were all Special Forces. They were
11 all there, including some bodyguards. I cannot recall all of
12 them. They were standing by. Then we placed the woman in the
13 pit. We were all standing there and then the woman was pleading
14 with him and from there he said, "Forget it, they are not going
14:49:45 15 to do anything to you." They left the woman there standing in --
16 Q. When you said, Mr Witness, that the woman was pleading and
17 then he said "forget it", who were you talking about?
18 A. I am talking about Charles Taylor. The woman was directly
19 pleading with Charles Taylor whilst she was standing straight in
14:50:08 20 the pit showing up her hands and then he told the woman, saying,
21 "Put your hands together", and then we will take her from there.
22 After the woman straightened her hands we put the sand over her
23 and then until the sand covered her up to this area and at that
24 time the woman was crying. Myself, I was present there. I am
14:50:34 25 talking about '95. That was the time we entered Monrovia. So,
26 when the woman was completely covered with the dirt, they brought
27 the white sheep from Charles Taylor's fence and we took it to
28 where this woman was covered with the dirt and then he held the
29 sheep, and then we were all fighting over the sheep and then we

1 divided that sheep amongst us, and that was the ceremony for his
2 government. From there, when we were ready to go to the mansion,
3 some of the council members would be afraid. They will be afraid
4 to go to the mansion. So, that is the ceremony that I am talking
14:51:15 5 about. Do you get me?

6 Q. Sir, when you say - so that everyone here understands you -
7 when you say the woman was covered with the dirt, up to what
8 point was she covered? How high was the dirt?

9 JUDGE SEBUTINDE: Was it covered with the sand, with the
14:51:37 10 dirt, with the death?

11 THE WITNESS: We covered her with the sand, with the same
12 sand, the same sand that we dug up from the pit. That was the
13 same place that they took the white sheep to and that was where
14 we were fighting over the sheep. So, even before you could get a
14:51:54 15 small piece of it, it was not something that we - it was a
16 ceremony. It was a sacrifice. Do you get me?

17 JUDGE SEBUTINDE: Also the witness indicated "we covered
18 her up to this area". What area?

19 THE WITNESS: Behind Charles Taylor's house where the beach
14:52:19 20 is. That is the old White Flower by Nigerian house.

21 JUDGE SEBUTINDE: Mr Witness, listen. We want to know, you
22 said you covered the woman up to "this area". What area? You
23 were indicating somewhere.

24 THE WITNESS: The sand stopped the woman and she was
14:52:44 25 covered and it was equal to the ground level as though you were
26 burying somebody. She was covered with the sand and it was equal
27 to the level of the ground and she remained under the sand and
28 they brought the sheep. We all fought over the sheep and the
29 whole place was covered. You get me clear? What I am saying -

1 Let me just show you the example. There was a deep hole and we
2 placed empty drums inside the pit and the level of the ground was
3 equal to the level of the drum and it was from inside that same
4 pit that we placed the woman and the woman was standing straight
14:53:34 5 in the hole. Do you understand me? She was standing in the hole
6 and then his close bodyguard, Momoh Jibba, Joe Tuah, Peter
7 Saikpedeh, they went. We were all standing and then they covered
8 - the sand that was dug from the hole, they put the sand over the
9 woman and it was equal to the level of the ground, the same way.
14:54:02 10 Do you understand me? And from there they brought the woman -
11 they brought a white sheep where the woman was covered with the
12 sand and he himself held the sheep by the horn and then we all
13 rushed on the sheep. We fought over the sheep. Each and every
14 one of us carried pieces of the sheep and that was a ceremony for
14:54:22 15 Charles Taylor's government. That is what I am saying. Do you
16 understand that?

17 MR KOUMJIAN:

18 Q. Thank you. Mr Witness, just so everyone is clear, when the
19 woman was placed in the pit, in the hole, was her head below the
14:54:38 20 ground, or above the ground?

21 A. The hole - two drums, two empty drums. Do you know the
22 metal drum, the round drum?

23 PRESIDING JUDGE: Counsel has asked a simple question. Was
24 the lady's head below the ground, or above the ground when she
14:55:04 25 was in the pit?

26 THE WITNESS: It was under the ground and the hole was over
27 her head and her head was below the level of the hole, so the pit
28 was as high like this window.

29 PRESIDING JUDGE: I understand now. Thank you, Mr Witness.

1 Mr Koumj i an.

2 MR KOUMJIAN:

3 Q. Mr Witness, to be absolutely clear, you are saying the
4 woman was buried alive; is that correct?

14:55:33 5 A. Yes.

6 Q. Where was Charles Taylor as the sand was being put in the
7 pit?

8 A. He was the first person to take the sand and put it over
9 inside the hole before the boys could send the sand over the
10 woman. He himself was the first person that took some sand with
11 his hand and put it in the hole before we started sending the
12 sand into the hole.

13 Q. Thank you. Mr Witness, you talked to us about a death
14 squad battalion, or death squad. Can you tell us did you ever
14:56:14 15 receive any orders, or information from the death squad - excuse
16 me, I will try that again. First of all are you familiar with
17 Camp Carter?

18 A. Again?

19 Q. Do you know Camp Carter?

14:56:32 20 A. Carter Camp. Carter Camp in Harbel. Carter Camp in
21 Harbel. About '90 Carter Camp massacre was done by
22 Charles Taylor directly through the Special Forces chief security
23 commander, Benjamin Yeaten. Benjamin Yeaten went to me behind
24 [i ndiscernible] and he said that there were some civilians in
14:57:08 25 Carter Camp, they were in collaboration with the soldiers who
26 were in Camp Schefflein. He said they will pass through the
27 bushes to go and relay information to the AFL at Camp Schefflein,
28 so he gave instruction that none of those people should leave
29 there, all of them should be executed. At the time Ben went to

1 my residence at Schefflein Highway I was sick and then I think he
2 and his driver, Peter Saikpedeh, and his Special Forces too, they
3 led some groups at that time and then people said at that time
4 that Mosquito, Christopher Varmoh, he was a small boy, they were
14:57:58 5 assigned at 15 Gate. At that time Mosquito was not brave against
6 human being, so they went there along with Joe Tuah and they
7 carried out the execution and when he left there he came to my
8 area where Paul Weah, my former commander - he is now late. He
9 came to talk to me. He went there and said all the people who
14:58:26 10 were there have been executed and then Paul Weah said, "Why
11 didn't you bring some of the children?" Then he said, "You know
12 what Charles Taylor's orders are. If he tell you something, you
13 go and don't do that, it will not be nice for you. The people
14 that we killed were more than 600 at Carter Camp."

14:58:46 15 The same thing happened at Dupo Road [phon]. At Dupo Road
16 it was Sam Larto and the same Maduna Bwua who carried out the
17 massacre again and from there, they left there against the AFL
18 and then when they left there, the same night that they came to
19 Sorklini [phon], it was Benjamin Yeaten, Joe Tuah, including some
14:59:17 20 Special Forces, yes. That is the thing that I know and I am
21 saying the truth and nothing but the truth. Any questions?

22 Q. Yes, sir, thank you.

23 PRESIDING JUDGE: Just pause, Mr Koumjian. Mr Interpreter,
24 you have a few times today used the expression - you have said
14:59:35 25 "late". Do you mean the person in question is dead?

26 THE INTERPRETER: The person is dead.

27 PRESIDING JUDGE: That would be the more correct English.

28 THE INTERPRETER: Thank you, your Honour.

29 PRESIDING JUDGE: Please proceed.

1 MR KOUMJIAN:

2 Q. One question about the Camp Carter massacre. Mr Witness,
3 do you know if that massacre was blamed on anybody else?

15:00:10

4 A. Yes, after that massacre was done he left the blame on the
5 AFL and from there they left the blame on Prince Johnson and the
6 time Prince Johnson went to attack --

7 THE INTERPRETER: Your Honours, could the witness kindly
8 repeat that area again.

15:00:29

9 PRESIDING JUDGE: Mr Witness, you have speeded up again.
10 Please repeat the last part of your question from the point where
11 you said "the time Prince Johnson went to attack."

12 MR KOUMJIAN: Perhaps, your Honour, it went beyond my
13 question. I can ask another question if you like.

14 PRESIDING JUDGE: Yes, Mr Koumjian, please do so.

15:00:46

15 MR KOUMJIAN:

16 Q. Sir, you indicated that the blame was put on the AFL. Do
17 you know how that was done? How did they put the blame on the
18 AFL for the Camp Carter massacre?

15:01:09

19 A. For NPFL not to be blamed for that instruction, so the
20 blame was cast on AFL because you cannot go and say it was the
21 NPFL that massacred, because at that time, if we did, the
22 civilians that were around us will go against us.

23 Q. Thank you. My question is do you know how they were able
24 to make it look like it was the AFL? If you don't know, say so.

15:01:40

25 A. No, I don't know. The only thing that I heard next was
26 when I heard over radio that the NPFL massacred. That was the
27 time that Charles Taylor said that it was not the NPFL but it was
28 the AFL that carried out the massacre.

29 Q. You said that after the massacre someone - you said "when

1 he left there he came to my area".

2 A. I said Benjamin Yeaten left and went to my area at Harbel.

3 I mean Camp Schefflein Highway where my former commander, who is
4 now dead, the late Paul Weah, came to explain to me about this

15:02:31 5 massacre. That was how I came to know for the second time. That

6 was when he came for me, for us to go. But when he came, the

7 initial trip, I was sick. I didn't go. But after they went on

8 the mission and the mission was successful and when he return he

9 was explaining this to me and my battalion commander, Paul Weah,

15:02:54 10 on Schefflein Highway after Joru Town. That was what I said.

11 Q. Thank you. Sir, do you know of an area named Kammantahun?

12 The spelling is --

13 A. Yes.

14 Q. I will just spell it for the record, K-A-M-M-A-N-T-A-H-U-N.

15:03:19 15 Have you ever been to Kammantahun?

16 A. Yes, I passed through Kamma Town when the LURD were based

17 in Kolahun and they put up defensives at Popolahun. That was the

18 time Superman, Abu Keita, they went to visit me in Vahun.

19 Q. Thank you. Do you know what year it was that this

15:03:54 20 happened?

21 A. [Witness shakes head].

22 Q. Okay, thank you. It was during the time you were fighting

23 LURD?

24 A. Yes, there was a time that LURD came near there and settled

15:04:15 25 in Kolahun.

26 Q. What happened when you passed through Kammantahun?

27 A. You see, in Kammantahun I was based in Vahun and later when

28 Superman, Abu Keita, that was when Ben sent for them in Vahun and

29 he said that the forces that were in Kolahun, to go through their

1 defensive was very difficult so he said I should go and base at
2 Kammantahun. So, I left Vahun and I went to base in Kammantahun
3 to face Popolahun. That was where Superman, Abu Keita, went to
4 me and then we left and went to battle against the LURD in
15:05:12 5 Popolahun, but to my surprise there was one Peanut Butter,
6 commonly known at Adolphus Dolo. Ben left Vahun, on that very
7 day we went to attack Popolahun. Peanut Butter take the route
8 from Popolahun to enter. I took the straight line with those men
9 for us to enter, but on our return I left Peanut Butter and
15:05:43 10 others behind and I went ahead, because most of the Gissi and the
11 Gbani were used to me and the women then I had was a Gbani and
12 Gissi, so most times they used to take their rescues at my CP and
13 I was hunting for my wife's family from Kolahun. So, most of
14 these civilians will always come to my own CP and if I had
15:06:09 15 anything, I used to share with them. So, Ben went there along
16 with his bodyguards and they started executing the people at our
17 rear, so they were --

18 THE INTERPRETER: Your Honours, the witness is still going
19 too fast.

15:06:26 20 PRESIDING JUDGE: Witness, again you have speeded up.
21 Little bit slower please.

22 THE WITNESS: Okay, okay. So, when I was based in
23 Kammantahun, most of the Gbandi and the Foya always sought refuge
24 at my CP because I married someone from among them, one of their
15:07:00 25 daughters. So, when we left, Abu Keita, Superman, when we left
26 and went to attack Popolahun to break their defenses, we went
27 there at two different times. Ben started asking me, "How is
28 Superman's operation?" I said, "Oh, chief, Superman actually he
29 is fighting well. I have not seen any problem with him. Today

1 at the battle we were at the main road and I have not seen any
2 strange things with him." And he said, "Be careful." The third
3 day Ben went there. He went behind us at Kammantahun. He - over
4 80 or more people, he started executing all of them. Some of
15:07:45 5 them he did not execute them with a knife, or with a gun. He
6 took rusty iron steel rod from broken houses. He passed it
7 through their stomach and it came out from the other end, from
8 their bellies, from this end to the other end. Sometimes he will
9 line up four/five human beings and they will hit them with the
15:08:13 10 stick on their heads. So, I left - I was at the front line when
11 I heard. Abu Keita, among all of them I was the senior officer.
12 We got there and I saw one of my bodyguards, Heavy D [phon], one
13 of my bodyguard commanders, and he said, "Chief, the director,
14 Benjamin Yeaten, he came here and he has killed all these people,
15:08:41 15 the people whom he said we should look for. He has killed all of
16 them." I said, "What are you talking about?" Actually when
17 I went the whole place was polluted. I was disturbed. There was
18 no way to eat food.

19 I went up the hills outside the town and I was sitting
15:09:04 20 down. From there I saw Peanut Butter too coming from the front
21 line and he said, "But this place was controlled by Zigzag. How
22 could Zigzag massacre all of these people?", and he too passed.
23 When he passed he went straight to town in Monrovia at the time
24 Charles Taylor was at Arthington. He said, "Yes, sir,
15:09:29 25 Mr President" - that is Charles now. He said, "The civilians
26 with Zigzag, he has killed all of them." Charles Taylor shouted
27 at him. I am talking about our present junior senator in
28 Liberia. He said, "The thing that happened at the front line,
29 you don't have a right to come and tell me publicly among people.

1 If you don't want to serve my government you can go anywhere."
2 But after two days, when my wife came from the old road market,
3 she called me and she said, "Oh, Peanut Butter and your name is
4 all over Monrovia. Peanut Butter said you killed all our
15:10:17 5 people." I said, "What are you saying?" She said, "Peanut
6 Butter said you have killed all of the people." I said, "No, I
7 did not do it. It was Ben who did it." I said, "In fact the way
8 the people were executed down to the children, I am panic
9 stricken. I don't even know what to do. In fact, I am coming to
15:10:38 10 town."

11 The next day I went to Monrovia. At that time
12 Charles Taylor was at White Flower at his new house. When I went
13 there Ben took me in the fence and said, "My son, that man, you
14 don't know what he is doing, forget it. Forget about what has
15:11:04 15 happened." A red motorbike, Yamaha, his daughter was using it,
16 he took it and gave it to me. He said, "Nothing will happen.
17 Peanut Butter does not know what he is doing. Whatever they saw
18 at the front line is what they will talk about." And I said,
19 "Chief, it was not me that did it." He said, "Forget it." He
15:11:28 20 gave me the motorbike. He gave a car to Benjamin Yeaten and he
21 gave two other Isuzu cars Idi Amin and Pablo. That was how
22 I knew about the massacre in Kammantahun.

23 Q. Mr Witness, to clarify a few of those details. Peanut
24 Butter, do you know his real name? Can you say it for the
15:11:51 25 record, the real name of Peanut Butter?

26 A. Adolphus Dolo. I said the junior senator for Nimba County.
27 Adolphus Dolo. He is now in Monrovia. He is a junior senator.

28 MR KOUMJIAN: Dolo, D-0-L-0:

29 Q. Sir, you talked about coming to Monrovia and going inside

1 the fence at White Flower, and a conversation with someone and
2 the person gave you a red motorbike, and gave a vehicle to
3 Benjamin Yeaten and to some other people.

4 A. I did not say someone, I said Charles Taylor. I did not
15:12:31 5 say someone, I said Charles Taylor. He said, "My son, forget
6 about what has happened. Peanut Butter doesn't know what he is
7 talking about", but I said Charles Taylor later - he,
8 Charles Taylor, gave me the Yamaha 100, a Honda, a motorbike and
9 he gave a car to Benjamin Yeaten, a station wagon, and he gave
15:12:58 10 two white Isuzu pick-ups, motorcycle, one to Pablo and one to Idi
11 Amin. That is what I said.

12 Q. Mr Witness, what did you understand was the reason that
13 Charles Taylor gave you the motorcycle and gave the others the
14 vehicle?

15:13:22 15 A. For us not to broadcast the name of his chief security,
16 that he was the one who carried out the massacre, that he, Ben,
17 carried out the massacre. Once they said it was me, nothing
18 would happen. I should go back on assignment and that was what
19 happened. Nothing happened at all as a result of that massacre.

15:13:53 20 Q. Mr Witness, you recently mentioned the name of Superman.
21 Who was Superman?

22 A. Superman, he was a little boy, Liberian, from Margidi
23 County, but when we entered Freetown in Sierra Leone for the
24 second phase, they were there as senior commander there.

15:14:27 25 Q. Do you know what happened to Superman? What was his
26 ultimate fate?

27 A. At the end it happened when we were transporting the
28 weapons from Freetown after the UN had been disarmed. We were
29 transporting the weapons from Sierra Leone to Vahun. Then my

1 assignment was not there. Morris Kallon, FOC, Issa and some
2 other RUF staff, they went that day with 103 barrel, 106 barrel,
3 with some weapons. When they went they took a paper and gave it
4 to Ben and they said the paper was from the internet, that
15:15:38 5 Superman had gone to Guinea and connived with Lansana Conte. The
6 way he came here was to convince those men to overthrow. From
7 then on Ben told me that he received an order from
8 Charles Taylor.

9 THE INTERPRETER: Your Honour, can he repeat that last
15:16:03 10 word. To what?

11 MR KOUMJIAN:

12 Q. Mr Witness, the interpreter didn't get you, so I am going
13 to stop and ask you a few questions before I come back to where
14 you stopped. First of all, the events you are talking about, do
15:16:17 15 you know what year this happened?

16 A. That one happened when Issa was in control of the RUF.
17 I told you I don't know - I am not educated.

18 Q. When this happened you said, "They took a paper and gave it
19 to Ben". Who gave the paper to Ben?

15:16:44 20 A. It was Issa, Issa. That day Issa, Morris Kallon, FOC, Al
21 CO Junior, they were the ones who took the document and showed it
22 to Ben. They said they got it from internet.

23 Q. After they gave the document to Ben, what happened?

24 A. When they gave this document to Ben we were in Vahun.

15:17:22 25 Super, Abu Keita, we were operating together. We changed
26 underclothes and did everything together, but one evening Ben
27 called me. He called Shy Shooter and some of his bodyguards,
28 along with Dr Magona. He is a Sierra Leonean, a professional
29 doctor. All of us boarded Dr Magona's jeep and some of the men

1 went into the calibre pick-up and we left all Superman's
2 bodyguards in Vahun, like the High Command, Salami, the King
3 Junior and some others. We left them in Vahun. When we were
4 going in this jeep, Superman was having one other doctor that was
15:18:22 5 assigned with him. Whilst we were moving, before approaching
6 Bah, going towards Bomi Hills, Ben went in front and called me.
7 He said, "That man, Taylor says we should execute him, but after
8 his execution we should be highly protected. We should take his
9 hand, his hand for him as FOC." I said, "But Chief Ben" --

15:18:54 10 THE INTERPRETER: Your Honours, can the witness repeat that
11 last bit.

12 MR KOUJIAN: If your Honours would like, I will pick up:

13 Q. The interpreter missed the end of your answer, so I am
14 going to pick it up where we got your answer with some more
15:19:09 15 questions. First of all, you said that Ben said, "We should take
16 his hand, his hand for FOC." Can you explain to the Court what
17 "FOC" meant?

18 A. I told you the hand. Okay, Superman, this part of his
19 finger, the centre one, he used it for juju, so he had on a
15:19:39 20 certain ring on them. So, afterwards Ben told us that when we
21 execute Superman, Charles Taylor says we should make sure that
22 Charles Taylor - that Superman does not die. We should carry
23 that arm to make - so that he can see and make sure. That is
24 what we call FOC.

15:20:01 25 Q. The interpretation, Mr Witness, said, "Charles Taylor -
26 that Superman does not die." Was the order that Superman does
27 not die, or was the order to kill Superman?

28 A. The order was to kill Superman and take the arm to him and
29 that was for our ceremony in Ben's seat.

1 Q. The term "FOC" that some of us aren't familiar with, what
2 is an FOC in general? What does the term mean?

3 A. Okay, when we talk about FOC in Liberian English, for
4 instance this table in front of me you say, "Zigzag, go and make
15:20:53 5 way to bust that table", at least something that you can use to
6 identify this table. You would tell me that when you go and bust
7 that table, the mark that is there, or the thing that is on that
8 table, that I can use to know that I really destroyed it, so when
9 I carried it to you then that is the FOC.

15:21:16 10 Q. Okay. Was Superman killed?

11 A. Yes. Superman, when we were going we were all in the jeep
12 along with Shy Shooter. After we got on the road, we went to
13 toilet and he called me. He said, "When I get down, when I shoot
14 in the bush when I get down I will say, 'Oh, I have killed a
15:21:49 15 monkey. I have killed a monkey'. There are many, people will
16 come and when he gets there we will be able to fire after him."
17 When he said that, I and Shy Shooter were in the same car.

18 While we and Superman were moving, at Tagbah [phon] going
19 towards Bomi Hills in the car, Ben stopped the jeep. He went
15:22:14 20 into the bush and shot two single barrel rounds and he said, "Oh,
21 this monkey looks like a real baboon. I have shot it, but it is
22 not coming down. You people come. You people come before it
23 gets away." I got down and Superman got down for us to rush.
24 Shy Shooter opened one magazine shot at the back of Superman and
15:22:38 25 he dropped, including the doctor that was assigned with him.

26 Then we went to make sure for Charles Taylor to make sure
27 that Superman has actually died. We cut off his arm that he had
28 requested for and we severed it. We took off his head. We
29 opened his chest. We took out his liver. The liver was for our

1 ceremony in Ben's yard at the banana bush where we were with
2 Dogolea. We took it from there. From there I and Ben entered
3 into the fence and he left me there and entered into
4 Charles Taylor's house with Superman's hand wrapped in a tissue,
15:23:28 5 but he did not come outside with it.

6 After he came back and we went back to the banana bush to
7 go and cook the liver of Superman before he gave us 200 US
8 dollars. He said that was our secret money that Charles Taylor
9 has given us. He went and bought some drinks and things and
15:23:49 10 after we had finished eating Superman's liver we dispersed from
11 there. That is what they call FOC.

12 Q. You said that you cut off his arm and you were pointing to
13 I believe your wrist. Is that the point where you cut off the
14 hand?

15:24:10 15 A. Yes, right here for him. To know that that was Superman,
16 the ring that was on his finger. On his two fingers.

17 THE INTERPRETER: Your Honours, a correction. The ring
18 that was on his short finger.

19 MR KOUMJIAN:

15:24:29 20 Q. The interpreter is behind you, Mr Witness. So, you were
21 talking about the head. What did you do with the head? Go
22 ahead, please, slowly.

23 A. I said the head, the head of Superman, we severed it, but
24 we did not take it to town to destroy the confidence. So, we
15:24:52 25 took the head and drove in the car for 10 or 15 minutes. We
26 walked in the bush for a little distance and abandoned the head
27 there and we came back into the car and carried the arm, yes.

28 Q. You indicated that you cut open the chest and you took out
29 what you called the liver and took that for a ceremony at Ben's

1 house?

2 A. Yes.

3 Q. And you were pointing to the centre of your chest. What do
4 you mean by the liver?

15:25:26 5 A. The heart. The heart. The heart. The human heart. The
6 human heart, yes.

7 Q. You say, "We ate it". Who ate the heart of Superman?

8 A. I took part, we ate it, Ben ate some, all of us who were on
9 that mission, because of some kind of reason when we do it we
15:25:56 10 have to eat it at all cost.

11 Q. Then you indicated that someone gave you 200 dollars. Just
12 to be clear, who gave you the 200 dollars?

13 A. Ben. He said it was Charles Taylor who gave it to him. At
14 the time that he had deposited Superman's arm in Charles Taylor's
15:26:17 15 house, he came out with the money and distributed it among us.
16 200 dollars each.

17 Q. Now, you indicated when beginning to tell us about the
18 killing of Superman that just before you, Abu Keita and Superman
19 were together in operations?

15:26:33 20 A. Yes.

21 Q. At that time, who were you fighting against?

22 A. At that time we were fighting against LURD. We were
23 fighting against LURD rebels that were based in Kolahun, yes.

24 Q. Thank you. Now earlier in your testimony, Mr Witness, you
15:26:54 25 mentioned the name of Jungle you identified as Daniel Tamba. Do
26 you know the fate of Jungle?

27 A. Yes, I know what happened to Jungle. Jungle, he was one of
28 the key men operating under me from the directive from
29 Charles Taylor. He used to transport the ammo and arms to

1 Freetown, but the execution of Mosquito then when Ganta fell they
2 sent for Jungle for him to go and attack Ganta. When he went
3 there, Ben ordered Calaba Nyande - he is from Freetown. He is a
4 Sierra Leonean boy. When Jungle was engaging the enemies, Ben
15:27:59 5 gave instruction for Calaba Nyande to open the calibre behind
6 Jungle. They said, "Oh, that is Jungle going there". Daniel
7 Tamba, I call him Jungle. He said, "That is Jungle going there".
8 He said, "I told you to open the calibre", and then they opened
9 the calibre and he entered the back of the boy's head and it
15:28:24 10 opened his skull and it dropped. That is how he died.

11 MR KOUMJIAN: Your Honour, first of all the name Nyande is
12 spelt N-Y-A-N-D-E. That is the name that the witness has
13 identified as a Sierra Leonean.

14 THE WITNESS: He is a Sierra Leonean. He is a Sierra
15:28:44 15 Leonean.

16 MR KOUMJIAN:

17 Q. MR Witness, so you are saying that you - how do you know
18 about the killing of Jungle? Were you present, or did someone
19 tell you?

15:29:03 20 A. You see, Sam Bockarie, Abu Keita, Superman, I, Jungle, we
21 were in the same group. The bodyguards, we just used to exchange
22 them. I got to know about the death of Jungle when Ben sent for
23 me from Singe. He said, "An enemy has killed Jungle, so they
24 want you to go there."

15:29:35 25 Then the superintendent of Nimba County announced over the
26 radio that enemies were advancing in Vahun. I was worried. When
27 I went to him Charles Taylor said, "If an enemy is advancing, you
28 cannot be a hero and then the enemy will destroy your county."
29 Then I said, "Old man, I am willing to go there", so he gave me a

1 green Isuzu pick-up with some ammo. I took some of my bodyguards
2 to go and attack Ganta.

3 Q. I am just trying to get a little clarity. My question was
4 just were you present when Jungle was killed, or did someone tell
15:30:21 5 you about it? I understand you to be saying someone told you?

6 A. No, I was not there, but I was informed by one of our
7 bodyguards.

8 Q. What was the name of the bodyguard that told you about the
9 killing of Jungle?

15:30:35 10 A. They called him C0 Pepe. C0 Pepe. I have forgotten his
11 real name.

12 Q. Okay. Did C0 Pepe indicate how he knew about the killing
13 of Jungle? Was he there?

14 A. Yes, at the time that Jungle was released to Lofa Bridge he
15:30:59 15 was assigned with me. Jungle said Pepe should go along with him,
16 so I gave him half of the men that were with me for them to go
17 with Jungle on that Ganta attack.

18 MR KOUMJIAN: Your Honour, one of my colleagues indicates
19 that C0 Pepe is P-E-P-E.

15:31:19 20 JUDGE SEBUTINDE: Mr Koumjian, I don't wish to interrupt,
21 but really I am looking at the testimony. I can't make sense of
22 this. Just listen to this. I am reading from page 119 regarding
23 the death of Jungle:

24 "Ben gave instruction for Calaba to open the calibre behind
15:31:37 25 Jungle. 'That is the Jungle going'. That Daniel Tamba, I call
26 him Jungle. He said, 'Thanks, that is the Jungle going'. I told
27 him to open the calibre and then they opened the calibre and he
28 entered the back of the boy's head and it opened and his
29 [indiscernible] and it dropped. That is how he died."

1 MR KOUMJIAN: Thank you, your Honour.

2 JUDGE SEBUTINDE: What is that?

3 MR KOUMJIAN:

4 Q. Sir, we did not get it clear on the transcript.

15:32:03 5 A. I will repeat. I told you --

6 PRESIDING JUDGE: Mr Koumjian, ask the question again.

7 MR KOUMJIAN: Okay:

8 Q. Let us go over it slowly and just give me one or two
9 sentences then I will ask the next question, because we want to
10 make sure it is written down correctly, okay?

15:32:14

11 A. Okay.

12 Q. Now, what did CO Pepe tell you about the killing of Jungle?

13 A. CO Pepe told me - he was one of our soldiers. He is still
14 alive. He said, "Chief ..." - at the time that I left Monrovia
15 I met him at the CNN camp. He said, "Chief, the place where you
16 are going, they killed Jungle intentionally. When you go there,
17 you must be careful". That is Pepe from my unit in Singe. Then
18 he started to explain how Jungle was going to engage the enemy.
19 Then Ben gave instructions to Calaba Nyande. He said they should
20 open the calibre behind Jungle.

15:32:43

15:33:16

21 Q. I want to make sure that we have gotten it written down
22 correctly. When you say "Open the calibre", what do you mean by
23 "the calibre"?

24 A. The heavy weapon that was mounted on the pick-up. A heavy
25 weapon mounted on the pick-up. He said he should shoot it
26 behind. Then Nyande knew - knows Jungle, "I know the group he
27 was with", and he told Ben, "That group that is over there is not
28 an enemy group. It is Jungle's group", before Ben ordered him
29 that, "I told you you should shoot that weapon". That is what

15:33:33

1 I am saying.

2 Q. So then when the weapon was fired, did it hit Jungle?

3 A. It hit him at the back of his head and it penetrated
4 through the forehead. That is how he died.

15:34:13 5 Q. Thank you. Now, sir, do you know the name Johnny Paul
6 Koroma?

7 A. Yes, I know the name. I heard the name.

8 Q. Do you know what the fate was of Johnny Paul Koroma?

9 A. I only heard a few stories about Johnny Paul Koroma, but it
15:34:43 10 did not happen in my presence.

11 Q. Who talked to you about what happened to Johnny Paul
12 Koroma? Who told you about it?

13 A. It was a battle group of navy division called Sweet Candy,
14 fighting under the navy division under Roland Duoh. Sweet Candy.

15:35:16 15 Q. Sweet Candy is the name of a soldier, correct?

16 A. Yes. He has his real name but I can't recall now, but
17 I can remember Sweet Candy.

18 Q. What did Sweet Candy tell you about the fate of Johnny Paul
19 Koroma?

15:35:38 20 A. During the time --

21 THE INTERPRETER: Your Honours, can he repeat the beginning
22 of his answer? It is not very clear.

23 PRESIDING JUDGE: Witness, the interpreter requires you to
24 repeat the beginning of your answer. Start again, please.

15:35:55 25 THE WITNESS: Which one?

26 MR KOUMJIAN: I will ask the question again:

27 Q. What did Sweet Candy tell you about how Johnny Paul Koroma
28 died?

29 PRESIDING JUDGE: Have we established that --

1 MR KOUMJIAN: I thought he said that earlier that he heard
2 he was killed:

3 Q. Sir, can you tell us what did Sweet Candy tell you about
4 Johnny Paul Koroma?

15:36:23 5 A. Yes, Sweet Candy during the time we were preparing for the
6 general attack I was not at Foya. It was Sweet Candy, the battle
7 group for navy division. He went to me to [indiscernible]. He
8 said, "Top Bra, you know what has happened?", and I said, "No".
9 I said, "Look at me". I saw Johnny Paul Koroma's jacket on him.
15:37:02 10 I saw his name written on it. He said, "Oh, the order came from
11 ..." --

12 Q. Before you talk about the order, you were talking about the
13 jacket and you pointed to something. First of all, had you ever
14 seen that jacket before?

15:37:20 15 A. Yes, I saw the jacket before. My second time to see that
16 jacket was when Sweet Candy was having it on with Johnny Paul's
17 "JP" written on it before he explained to me about the death of
18 Johnny Paul.

19 Q. You said it was the second time you saw the jacket. Who
15:37:46 20 was wearing it the first time you saw the jacket?

21 A. The first time I saw the jacket, during the invasion when
22 we and Eddie Kanneh and others were going I saw that jacket with
23 one other bodyguard of Johnny Paul called Rambo. He was holding
24 it with some kind of a bag and he said it was their chief's
15:38:15 25 jacket. Yes, the second time of seeing this jacket was when
26 Sweet Candy was having it on.

27 Q. And then you said --

28 JUDGE SEBUTINDE: Mr Koumjian, is that the proof of death
29 of Johnny Paul that someone was wearing his jacket? I just wish

1 to follow, because this witness has - you have asked him a number
2 of times --

3 THE WITNESS: No.

4 JUDGE SEBUTINDE: Excuse me, I am talking to the lawyer.

15:38:41 5 MR KOUMJIAN: I think he is going to continue with the
6 explanation.

7 JUDGE SEBUTINDE: Yes, but I am asking you for
8 clarification, Mr Koumjian.

9 MR KOUMJIAN: That is not the --

15:38:46 10 JUDGE SEBUTINDE: We are talking about the death of Johnny
11 Paul Koroma, are we not?

12 MR KOUMJIAN: Yes.

13 JUDGE SEBUTINDE: And the question you asked the witness
14 was what did he hear about the death.

15:38:53 15 MR KOUMJIAN: Yes.

16 JUDGE SEBUTINDE: So far he has not said anything other
17 than this jacket. Am I following?

18 MR KOUMJIAN: Yes, you are, your Honour:

19 Q. Now, Mr Witness, after you saw Sweet Candy with the jacket,
15:39:09 20 what did Sweet Candy tell you?

21 A. Sweet Candy said that there was an order from
22 Charles Taylor for them to execute Johnny Paul. Then I asked
23 him, "Man, what are you talking about?" He said, "Well, you
24 can't see the man's jacket on me?" Then I saw the jacket with
15:39:33 25 Johnny Paul's name written on the pocket, but I was not there how
26 they executed him or how they did it, but Sweet Candy explained
27 to me that it was an order from Charles Taylor and that they have
28 executed Johnny Paul. He is a betrayer.

29 Q. Thank you.

1 A. Can you please permit me to use the gents?

2 PRESIDING JUDGE: Please assist the witness. Thank you.

3 [In the absence of the witness]

4 MR KOU MJIAN: Your Honour, there are a few spellings

15:40:47 5 I could give in the mean time.

6 PRESIDING JUDGE: Thank you, Mr Koumjian. Please do that.

7 MR KOU MJIAN: The witness mentioned a Dr Magona. That is
8 M-A-G-O-N-A. He also mentioned, I believe referring to bodyguards

15:41:10 9 of Bockarie, Salami S-A-L-A-M-I and High Command spelled - it is
10 two words, High Command. And there was - the witness talked

11 about calibre, he used that to describe a gun, and I believe the
12 spelling is C-A-L-I-B-E-R [sic].

13 MR MUNYARD: I am not going to say anything.

14 PRESIDING JUDGE: I think the --

15:41:57 15 MR KOU MJIAN: Excuse me, I think it is a difference between
16 American and British spellings.

17 PRESIDING JUDGE: I think that is all it is. I think we
18 are talking about the same thing.

19 MR KOU MJIAN: Thank you, your Honour.

15:44:40 20 [In the presence of the witness]

21 PRESIDING JUDGE: Please proceed, Mr Koumjian.

22 MR KOU MJIAN:

23 Q. Mr Witness, you have stated several times in your testimony
24 you have referred to Ben. Are you referring to a specific

15:44:51 25 individual and, if so, can you tell us who that is?

26 A. Benjamin Yeaten. Yes, I can tell you who the person is.

27 Q. Thank you. You have also referred to a Salami and High
28 Command. Let us take them one at a time. Did you know who was

29 Salami?

1 A. Yes, Salami was a Sierra Leonean, a bodyguard to Superman.
2 It is the same with High Command, but --

3 Q. I think that is sufficient. Mr Witness, you have told us
4 several times - excuse me, you have told us this afternoon that
15:45:40 5 Sam Bockarie came with many other soldiers who were integrated
6 into different units in Liberia. What happened to those soldiers
7 that came with Sam Bockarie?

8 A. Those soldiers who went to Liberia with Sam Bockarie, you
9 know, some were assigned to the ATU, later --

15:46:09 10 THE INTERPRETER: Your Honours, can he repeat that?

11 PRESIDING JUDGE: Mr Witness, the interpreter hasn't heard
12 you. He wants you to repeat it. Please face into the microphone
13 so he can hear you clearly and start again from where you have
14 said, "... some were assigned to the ATU", and then carry on from
15:46:27 15 "later".

16 THE WITNESS: I will repeat. Later, when those men arrived
17 in Monrovia, they were assigned to various units. Some were
18 assigned to the ATU, the police, the immigration, the soldiers,
19 the militia also, and some were taken by Charles Taylor's friend
15:46:57 20 out of the country. They said they were going to train for
21 in-service training for terrorism. Sorry, not terrorism.
22 Artillery.

23 THE INTERPRETER: Your Honours, I am sorry.

24 MR KOUJIAN:

15:47:14 25 Q. I am sorry, the interpretation is behind you, Mr Witness.
26 The last thing we heard is that some of the men were taken for
27 training in artillery. Can you please continue from there. What
28 happened to the other men that remained in the country?

29 A. Those who were at the anti-artillery base, some were

1 having - they were having sex with them in their butts. Some
2 started running away to come to me in Singe, some were taken away
3 to foreign countries for artillery in-service training and some
4 were mixed with militias and bodyguards to Benjamin Yeaten. The
15:48:02 5 chief security for Charles Taylor, Benjamin Yeaten.

6 Q. And did they all remain working with various Liberian
7 services, or did something happen to them?

8 A. Most of them after Sam Bockarie had returned from Burkina
9 to establish the war in Ivory Coast, Charles Taylor started
15:48:31 10 withdrawing them and sending them there to reinforce the rebel
11 force. So those who were in Liberia, some died at the front
12 lines. That is what I know.

13 Q. Okay, thank you. Now, sir, you have mentioned in your
14 testimony Enoch - forgive my pronunciation - Dogolea. Can you
15:49:03 15 please tell us, first of all, who was he?

16 A. Yes.

17 Q. Dogolea was the vice-president to Charles Taylor, but it
18 came to a time he started advocating for Charles Taylor to go to
19 America and negotiate with the American Government. From there
15:49:32 20 I heard from Benjamin Yeaten, the chief security to

21 Charles Taylor, who said that the man was trying to connive. For
22 that reason Charles Taylor gave instruction for him to be dealt
23 with, so he took Enoch Dogolea to the banana bush in front of
24 Benjamin Yeaten's house. He was beaten up with young banana
15:50:05 25 trees almost to the point of death, and he kept him in Ben's
26 house and after Charles Taylor travelled in two days and the
27 third day they said, "Charles Taylor sent for Enoch Dogolea to go
28 for some military materials for us". After he left we heard that
29 he was sick, and he remained in the Ivory Coast until his death

1 and he died as a result of the beating. I also took part in the
2 beating and that was by Charles Taylor's instruction.

3 Q. Thank you. Now, Mr Witness, when was the last time that
4 you saw Charles Taylor?

15:50:52 5 A. My last time I met Charles Taylor was at the time when LURD
6 entered Monrovia. They were at Freeport Via Town and we were
7 keeping our defensive at AJ rock building to protect the two
8 British. It happened that he sent for us and when we went to
9 White Flower we saw some international press members who went
15:51:33 10 towards the fence, but they stopped them across the road and they
11 wanted to interview him. So, we also went down the hill and then
12 we passed through the back of his yard and then we entered the
13 fence and we went to his parlour. He started shaking our hands
14 like this, tapping us on our shoulders, and he was telling us
15:51:59 15 that we should, "Keep courage, my children", and he said, "I will
16 not go anywhere", and that when Monie Captan will come with the
17 materials we should ensure that we keep our grounds. Then he
18 said, "Myself I am promising to you", but then I said to him,
19 "Chief Taylor, the way people are rushing you and if it is
15:52:18 20 possible for Monie Captan to bring materials it will take me just
21 two weeks or three weeks and I will get rid of these people", but
22 unfortunately Moni Captan never returned.

23 THE INTERPRETER: Your Honours, the second name was not
24 clear to the interpreter. After Monie Captan, the next name.

15:52:39 25 PRESIDING JUDGE: The second name you mentioned,
26 Mr Witness, after Monie Captan, what was that name please?

27 THE WITNESS: The second name after Monie Captan I said
28 Kadiatu, who was the team leader for the private security for
29 Taylor that was called the anti-artillery unit. And this

1 Anti-Terrorist Unit that you are talking about, the way it was
2 established if you want it I will tell you. The purpose for
3 which it was established I will also tell you.

4 MR KOUMJIAN: Thank you. Kadiatu K-A-D-I-A-T-U:

15:53:18 5 Q. Sir, at this final meeting with Charles Taylor who was -
6 first of all, where did the meeting take place?

7 A. The last meeting with Charles Taylor was in his fence and
8 at that time the international press men were standing across the
9 road and they were monitoring the fence.

15:53:42 10 Q. When you say "inside the fence" do you mean you were inside
11 the grounds of his house, but outside the house?

12 A. In his house. In his parlour.

13 Q. Who was present at this meeting besides yourself?

14 A. No, I was not alone. I went along with Benjamin Yeaten.
15:54:13 15 We were many. Those of us target commanders, we all went there
16 to receive instructions because we were expecting that the ammo
17 for which he sent Monie Captan they have arrived so that we can
18 push those guys out of the city.

19 Q. The people that were invited to that meeting were they
15:54:34 20 ordinary soldiers, or were they persons of a certain rank or
21 status?

22 A. Some were lieutenant generals, some major generals, some
23 generals, yes. But there was no colonel in that meeting, no.

24 Q. You said that Charles Taylor shook hands and patted on the
15:54:58 25 I believe you said back or shoulder. Did he shake your hand and
26 pat you on the back, or shoulder?

27 A. My shoulder. After shaking your hands he would put his
28 hands on your shoulder and he will say, "You guys, you should
29 keep courage, maybe by today or tomorrow Monie Captan will

1 arrive". But unfortunately Monie Captan did not come until the
2 time the UNAMIL were deployed at the airport. When they sent the
3 ammos we went for them. They started firing guns over them, then
4 we all escaped. So that was how the downfall of the NPFL came
15:55:42 5 about. That was my last time meeting with Charles Taylor.

6 Q. Mr Witness you told us about your participation carrying
7 out the orders of Charles Taylor to kill opponents, to kill
8 civilians including children, and your reputation. What did
9 Charles Taylor call you?

15:56:07 10 A. Sometimes he called me Zigzag Marzah. Sometimes he called
11 me My Son, but most often he called me Zigzag Marzah. Sometimes
12 he will call me, "My Son, keep your courage. There are some
13 friends that will keep helping us for us to be in control of
14 these three countries". All of those things. I mean the four
15:56:32 15 countries. And myself, I was always willing to cooperate.

16 MR KOUMJIAN: Thank you. No further questions, your
17 Honour.

18 PRESIDING JUDGE: Thank you, Mr Koumjian. Mr Griffiths?

19 MR GRIFFITHS: May it please your Honour.

15:56:46 20 CROSS-EXAMINATION BY MR GRIFFITHS:

21 Q. I just want to make sure I understand your evidence,
22 Mr Marzah. You personally have executed hundreds of people for
23 Charles Taylor, is that right?

24 A. Yes.

15:57:14 25 Q. Can you give us a figure as to the number of people you
26 have killed with your own hands?

27 A. That cannot be countable now because it happened many
28 times, like during the fall of Gbarnga, after he released the
29 orders, the execution was on, even the fight over Monrovia, the

1 executions were ordered. And even when he ordered me to go to
2 Macenta executions took place there. And even when he ordered me
3 to go to Gueckedou the executions were too much. So I cannot
4 name all of them. So if I decide to do so we will be here for
15:57:58 5 long.

6 Q. Well, I am not asking for you to tell me about every
7 occasion. What I would just like is a ballpark figure of the
8 number of people you personally have killed?

9 A. That is what I am telling you. I said it is above, because
15:58:24 10 if we check it thoroughly it will be over hundred through
11 Charles Taylor's orders. Here you can see him behind you. You
12 are a lawyer here for all of us.

13 Q. So would it be fair to say, Mr Marzah, that you have killed
14 hundreds of people?

15:58:45 15 A. I told you it was more than that by Charles Taylor's
16 orders.

17 Q. So did it run into thousands then?

18 A. No, I don't have an answer for that. I said it's more than
19 that. If you want us to check bit by bit then you should open
15:59:10 20 the question up for me, then I will start giving - naming it from
21 start from the time we arrived and then I will talk about each.

22 Q. I don't want to take up too much time so I will ask you a
23 different question. You personally have also, if I understand
24 your evidence, killed babies?

15:59:34 25 A. Yes, by Charles Taylor's orders during which time he formed
26 the unit called No Baby on Target.

27 Q. Help me please, Mr Marzah, how did you kill those babies?

28 A. Those babies, it is not difficult to kill a baby.
29 Sometimes you just take them, you knock them on a wall they are

1 dead. Sometimes you just take them, you throw them into a pit
2 they are dead. Sometimes you just throw them in the river then
3 they are dead. Then after that you give the report to
4 Charles Taylor.

16:00:13 5 Q. How many babies do you think you have killed?

6 A. I told you many times. Even for a common example when he
7 said that the ULIMO - I mean the LURD were based in Macenta, the
8 babies that were killed in Macenta they were more than even 2 -
9 300 including women, old men and men.

16:00:43 10 Q. Help me please, what is the youngest baby you have ever
11 personally killed?

12 A. When I say baby I mean from two years old, three years old.
13 The ones that were in the women's belly, they are all included.

14 Q. I was coming to that, you see, because you have also told
16:01:09 15 us you used to cut pregnant woman open with pen knives. Is that
16 right?

17 A. Ask our chief, chief Charles Taylor, who was giving the
18 orders. It was not my will.

19 PRESIDING JUDGE: Mr Witness, you have to answer the
16:01:31 20 question. It is not for you to ask the counsel questions or tell
21 him who to ask. You answer.

22 MR GRIFFITHS:

23 Q. Let me ask the question again because I want you to have --

24 A. Repeat.

16:01:46 25 Q. -- every opportunity to answer it. Have you personally cut
26 open the belly of a pregnant woman?

27 A. Yes.

28 Q. How many times have you done that?

29 A. After the fall of Gbarnga over seven pregnant women's guts

1 were opened, because he said that nobody should be pitied. And
2 from there when LURD was based in Macenta he said we should go
3 there and carry out destructions and then he said whosoever we
4 meet there we should execute the person. We opened so many
16:02:29 5 pregnant women's guts.

6 Q. Tell me please, Mr Marzah, when you were doing all of these
7 things, executing people, killing babies, cutting open pregnant
8 women, did you have any pang of conscience at all?

9 A. Yes, I had conscience but I went by the instructions
16:02:59 10 because of my own - the safety of my own life, because if
11 Charles Taylor gave the instructions and you did not carry it out
12 you will equally be executed as a collaborator.

13 Q. So, Mr Marzah, can we take it then you had no difficulty
14 committing any of these crimes?

16:03:21 15 A. Repeat your question again. I didn't get you. I'm sorry,
16 sir.

17 Q. Would it be fair to say that you had no difficulty
18 committing those horrible crimes?

19 A. I told you it was an order from my chief Charles Taylor and
16:03:46 20 I would not deny his orders, refuse his orders, so whatever he
21 told me to do I will do it.

22 Q. Let me try my question. Did you have any difficulty
23 committing any of these horrendous crimes?

24 PRESIDING JUDGE: Perhaps, Mr Griffiths, it might help if
16:04:05 25 you are saying a physical difficulty, a mental difficulty, an
26 emotional difficulty.

27 MR GRIFFITHS: I am grateful, your Honour. My fault:

28 Q. Did you have any kind of mental or emotional difficulty
29 committing these crimes?

1 A. No way, no way, no way. I stayed in my normal position as
2 Zigzag Marzah.

3 Q. Mr Marzah, would it be fair to describe you as a sadist?

4 A. It is up to you, but I was a servant to my chief
16:04:47 5 Charles Taylor.

6 Q. Help me please, Mr Marzah, on that note before I move on.
7 On each and every occasion you killed a baby was Charles Taylor
8 standing there saying, "Do it, Zigzag, do it", was he?

9 A. He did not go along with me, but it was an instruction from
16:05:15 10 him and after implementing the instructions from him I will go
11 back to him and explain to him what I did on the front line.
12 Nobody under Charles Taylor used to do things on his own.

13 Q. So help me please, can you tell us what the specific
14 instructions were from Mr Taylor to commit these crimes?

16:05:41 15 A. Yes, yes. Whoever did not go by Charles Taylor's orders
16 will always be considered as a collaborator and you will be
17 executed and anything that he told you, when you refused to go by
18 that that will be against your own security.

19 Q. Let me try my question again. What were the specific
16:06:13 20 instructions given to you by Charles Taylor to commit these
21 offences?

22 A. The specific instruction, you know, at times when the
23 enemies were embarrassing his territories, when he did not expect
24 enemies to be around that area and if enemies stayed in that area
16:06:40 25 for a long period of time of course he would release such
26 instructions.

27 Q. Let me ask you then a more specific question and see if
28 I can get an answer. Tell us please of an occasion when
29 Charles Taylor ordered you to cut open a pregnant woman. Give me

1 an instance, please.

2 A. Yes, it happened after I crossed by Bella and when we were
3 fighting in Gbarnga for a period of three months. One lady came.
4 She was almost to the point of delivering and we sent a message
16:07:25 5 and we said one pregnant woman from Gbarnga is with us here and
6 he said those people are treating him bad - treating her bad and
7 for that reason she came for her rescue and over the base radio
8 he said the thing that is in her gut, we should take it out of
9 there and that is part of the enemies and then we did it.

16:07:50 10 Q. Right. Which year was that, please?

11 A. After Gbarnga had fallen. I told you I was the chief of
12 operation. I had so many operations at hand. I can't recall the
13 specific days and the years, but then I can recall the events
14 themselves within the times that he was controlling us as our
16:08:17 15 leader.

16 Q. Give me, please, an example of an occasion when
17 Charles Taylor told you directly to kill a baby?

18 MR KOUMJIAN: I believe it is asked and answered. He just
19 gave one.

16:08:35 20 MR GRIFFITHS: I asked about pregnant women, not babies.

21 PRESIDING JUDGE: No, my note is when he was asked to cut a
22 pregnant woman and there were general questions concerning
23 babies, but not specific. I will allow the question.

24 MR GRIFFITHS:

16:08:48 25 Q. Give me, please, an example when Charles Taylor ordered you
26 to kill a baby?

27 A. Yes, after we captured Gbarnga, from Gbarnga going as far
28 as Belefuana that was the time he formed the unit that was
29 called No Baby on Target and that was the time he said any baby

1 we saw, we should execute the baby. And that was what we did.
2 And then at that time when we did things he used to give us
3 morale booster and that is money.

16:09:33 4 Q. Help me please, apart from yourself can you name somebody
5 else to whom Charles Taylor gave such orders?

6 A. I told you that I am a soldier man. I talk about myself.
7 I cannot give account on behalf of others.

8 Q. I am going to ask you the question again. Please help us
9 with the names of other people present when you were given such
16:10:03 10 orders by Charles Taylor?

11 A. Benjamin Yeaten would be present at times and that was his
12 chief security Ben's own bodyguard Joe Tuah, he could be present
13 and Peter Saikpedeh, the driver for Benjamin Yeaten, he would be
14 present. But I only know about my very self, but many of us
16:10:31 15 received the orders, but now I will talk about myself.

16 Q. Tell me please, Mr Marzah, do you now regret doing any of
17 that wickedness?

18 A. Regret for what? I did it to save - I was taking
19 instructions to protect my property and my family, because
16:11:01 20 joining Charles Taylor's administration and refusing to take
21 instructions from him you will be - you were supposed to know
22 that your property will be destroyed, your family will be
23 destroyed, so I was doing that to protect my life and my
24 property.

16:11:17 25 Q. I'll try my question again. Do you regret having committed
26 any of those atrocities; yes or no?

27 A. Nothing. I don't regret nothing. I don't regret an inch.

28 Q. If I understand what you told us, you were with
29 Charles Taylor from the very outset when Nimba County was

1 invaded, weren't you?

2 A. Yes.

3 Q. That was in 19 what, what year?

4 A. I told you on December 24 we entered. In 1990

16:12:08 5 Charles Taylor entered Nimba, but I can't recall the month.

6 I told you I am not a learned man.

7 Q. Pause there. So from 1990 and we know you were there when
8 Charles Taylor stepped down and left the country, weren't you?

9 A. Repeat. I told you - wait, let me give you an example.

16:12:33 10 I told you this my head is burst. Air is passing through this of
11 my ears. So when you are talking you have to lift up your voice
12 a little so that I can get you clear.

13 Q. Very well, Mr Marzah.

14 A. Thank you.

16:12:50 15 Q. You were with Mr Taylor until the very end, weren't you?

16 A. Yes.

17 Q. So despite all these terrible things that you asked him to
18 do you stayed with him from start to finish, is that right?

19 PRESIDING JUDGE: It is the other way round. I think

16:13:11 20 Mr Taylor asked him. You said that you asked him.

21 MR GRIFFITHS: No, the other way round. If that's what
22 I said, your Honour, then it is a mistake.

23 THE WITNESS: Okay.

24 MR GRIFFITHS:

16:13:22 25 Q. So you stayed with him from start to finish despite all
26 these horrible things that he ordered you to do?

27 A. I will say the truth and nothing but the truth.

28 Q. Despite all those horrible things that you were asked to do
29 you stayed with Mr Taylor, loyal to him, from start to finish, is

1 that right?

2 A. Yes, to save my life and property.

3 Q. On those occasions when for example you were sent to
4 Guinea, why didn't you just leave?

16:14:08 5 A. The time he sent us to Guinea from the start, that was the
6 time the LURD were based in Macenta. He gave us instructions
7 that we should go and burn the place down and as far as Gueckedou
8 to Nongoa, that was the artillery base and that was what we did.

9 Q. Let me try again. On those occasions when for example you
16:14:42 10 had cause to travel to Guinea, why didn't you run away from this
11 horrible man who was giving you these terrible things to do?

12 A. Run, I can't run away and leave my family there. I told
13 you I have 24 living children as I am sitting before you. But
14 apart from that I have over 373 acres land in property, so

16:15:15 15 I cannot just run away and leave all those behind, so it was
16 better I took the instructions so that I protect my properties
17 behind.

18 Q. At least your 24 children have lived. Let me ask you
19 this --

16:15:33 20 A. Yes, yes and I am expecting more and some are still
21 pregnant. I am expecting more.

22 Q. Now, the executions, Mr Marzah, if I understand your
23 evidence correctly, they took place in Liberia?

24 A. Most of it took place in Guinea. Most of them took place
16:16:05 25 in Sierra Leone and some in Liberia.

26 Q. Give me --

27 A. But mostly in Sierra Leone.

28 Q. Where in Sierra Leone?

29 A. Thank you. I will tell you the truth and nothing but the

1 truth. From Koindu as far as - as far as Freetown, as far as
2 Waterloo area when we invaded the city, yes.

3 Q. So you were part of the invasion of Freetown, were you?

16:16:52

4 A. Yes. All of us. There was no RUF. From Freetown to
5 Liberia we took instructions from one man and that was
6 Charles Taylor.

7 Q. I just want you to be clear about my question because
8 I don't want there to be any misunderstanding between us. You
9 personally took part in the invasion of Freetown, did you?

16:17:11

10 A. Yes, yes. I took part and that was where I received this
11 rocket wound that burst the other side of my head in Freetown.
12 That was during the invasion.

13 Q. You physically entered Freetown, did you?

16:17:45

14 A. I was not a bird to fly. I was a soldier. I used to take
15 instructions from Charles Taylor. I moved with a vehicle and
16 went in. I was not a bird to fly or an animal that I will go in
17 through the bush. I am saying I entered there my very self
18 through the instruction of Mr Taylor.

19 Q. Very well, I hear what you say about that.

16:18:14

20 A. Thank you.

21 Q. So just give me the dates when you carried out these
22 executions in Sierra Leone, please?

16:18:43

23 A. Please, please again, I told you I cannot recall those
24 dates, but I can explain the things I did in Sierra Leone as far
25 as Buedu and in Freetown during the invasion and when I explain
26 it, all those who participated together with me, I believe that
27 you who is the lawyer will be convinced.

28 Q. Please try and help us. I have good reason for wanting to
29 know the date. Was it at the start of the invasion of Sierra

1 Leone?

2 A. Before the invasion and during the invasion.

3 Q. It may be my fault so maybe I ought to ask the question in
4 a different form. Executions carried out by you in Sierra Leone,
16:19:34 5 did those take place after the invasion of Sierra Leone from
6 Liberia?

7 A. Some took place before the invasion so that we will set
8 examples through the directive of Charles Taylor. I told you
9 that all the actions that took place in the NPFL were the same
16:19:59 10 actions that extended over to the RUF and that they were the same
11 actions that the NPFL extended over into the RUF that the RUF did
12 in Freetown and I have told you that the NPFL and the RUF were
13 not different.

14 Q. I am asking my question for very good reason and I am going
16:20:23 15 to try once more. I want you to separate out in your mind,
16 please, the horrible things you did in Liberia and the horrible
17 things you did in Sierra Leone and for now all I am interested in
18 is Sierra Leone. Do you understand me, Mr Marzah?

19 A. Come again? Repeat your question, please. Repeat your
16:20:53 20 question, please.

21 Q. If I understand your evidence correctly you have committed
22 atrocities in more than one country, haven't you?

23 A. Say again, how many countries?

24 Q. You told us about Guinea, you've told us about Liberia,
16:21:16 25 you've told us about Sierra Leone?

26 A. Yes.

27 Q. And you have committed atrocities in all of those
28 countries, haven't you? That's your evidence?

29 A. Yes.

1 Q. Is that your evidence?

2 A. You said - what are you saying?

3 Q. It is my fault. I'm sure it's my fault so let me try
4 again.

16:21:41 5 A. Try again.

6 Q. Would it be fair to say, based on what you have told us so
7 far, that you have committed atrocities in more than one country?

8 A. It was a directive from Charles Taylor.

9 PRESIDING JUDGE: Mr Witness, you weren't asked the reason.

16:22:02 10 You were asked did you do it or did you not do it.

11 THE WITNESS: I did it.

12 MR GRIFFITHS:

13 Q. In more than one country?

14 A. I do it - I did the worst in Guinea, but moreover in Sierra
16:22:23 15 Leone and not much in Liberia because in Liberia it was - I only
16 focused my attention on the fighting forces, but the worst
17 happened in Sierra Leone and as far as Guinea by the directive of
18 my chief Taylor.

19 Q. Now that's what I am trying to do. Let's just concentrate
16:22:43 20 on the terrible things you did in Sierra Leone. I know it might
21 be difficult for you, given the number of horrible things that
22 you've done, but let us just try and restrict it to Sierra Leone,
23 shall we? Firstly, where in Sierra Leone have you done and
24 committed such horrible crimes?

16:23:04 25 A. Thank you very much. You see Koindu, the executions
26 started at Koindu. Buedu, Kailahun Town, Pendembu, Bunumbu,
27 going as far as Kono at the time we were disarming the ECOMOG and
28 Tongo, Port Loko - no, Magburaka, as far as Waterloo. Including
29 the invasion that took place in the city, the one that made JP to

1 retreat along with Eddie Kanneh.

2 Q. And you were part of that retreat as well, were you?

3 A. That is what I am telling you, yes, yes, yes.

4 Q. Did you engage at that time in cutting off people's limbs?

16:24:14 5 A. In cutting people's hands, yes. It was an instruction from
6 our chief, Charles Taylor. He said we should carry out a
7 destructive and dangerous operation so that the forces will be
8 afraid of the units and that was what we did.

9 Q. Mr Marzah, did Charles Taylor give you, Zigzag Marzah, a
16:24:43 10 direct instruction to cut off people's limbs; yes or no?

11 A. Yes, yes. I repeat yes. No operation went on without his
12 instruction. You who will take upon yourself and do things on
13 your own, you will be executed. Thank you.

14 Q. Tell me by what means did he communicate that instruction
16:25:11 15 to you?

16 A. At first we used to have base radios and jungle radios.
17 I had a jungle radio that was brought by one of his friends, one
18 white man, and after he had taken over as the proper president in
19 '97 and it was in '98 that he started issuing us with real
16:25:48 20 satellite phones and from that point I used to talk to him
21 directly and at that time Benjamin Yeaten was at the Executive
22 Mansion as his chief security, so anything that came from Ben was
23 an instruction from him.

24 Q. I'm sorry to interrupt but I am anxious to get on, you see,
16:26:13 25 because everybody is conscious of the time, so let me just ask
26 you this simple question and please try and give me a simple
27 answer: Did you speak to Charles Taylor either on the radio or
28 on the telephone and he said to you, "Zigzag, chop off people's
29 limbs"? Did you have such a conversation with him?

1 A. Yes, yes, yes.

2 Q. Where were you when you had that conversation with him?

3 A. At the front. I had communications from him directly and
4 everything I did I will report to him. The battle front, battle
16:27:00 5 front.

6 Q. The battle front in which country, please try and help us?

7 A. Some took place in Guinea, some mostly took place in Sierra
8 Leone and some took place in Liberia.

9 Q. One final question because we are coming to the end of the

16:27:18 10 tape: So are you telling us that Charles Taylor on a number of
11 occasions directly said to you either by phone or by radio, "Chop
12 people's hands and limbs off"?

13 A. So many times, you know.

14 MR GRIFFITHS: That answers my question. Would that be a
16:27:37 15 convenient point, your Honour?

16 PRESIDING JUDGE: Yes, indeed. I understand we have two --

17 MR KOUMJIAN: Did the witness finish his answer?

18 PRESIDING JUDGE: I heard so many times.

19 MR KOUMJIAN: Then I heard counsel interject.

16:27:49 20 PRESIDING JUDGE: He maybe did not finish in that case.

21 Had you anything else to say in answer to the question,

22 Mr Witness?

23 THE WITNESS: Yes, the question he asked I want him to
24 repeat because I was about to answer him in a proper way for him
16:28:09 25 to understand me, but he just interjected. So let him repeat the
26 question.

27 PRESIDING JUDGE: I think the time has run out,

28 Mr Griffiths. I have seen an answer recorded. If it is to be
29 pursued it will be pursued tomorrow.

1 Mr Witness, this morning you took the oath to tell the
2 truth. I must inform you that until all your evidence is
3 finished you must not discuss your evidence with anyone else. We
4 are closing for today and we will start again tomorrow morning at
16:28:41 5 9.30. Do you understand?

6 THE WITNESS: Yes, si r.

7 PRESIDING JUDGE: Very good. Please adjourn the Court
8 until tomorrow morning.

9 [Whereupon the hearing adjourned at 4.30 p.m.

16:28:56 10 to be reconvened on Thursday, 13 March 2008 at

11 9.30 a.m.]

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I N D E X

WITNESSES FOR THE PROSECUTION:

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EXAMINATION-IN-CHIEF BY MR KOUMJIAN	5849
CROSS-EXAMINATION BY MR GRIFFITHS	5943