



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

THURSDAY, 13 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 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 Maja Dimitrova

**For the accused Charles Ghankay
Taylor:**

Mr Courtenay Griffiths QC
Mr Terry Munyard
Mr Morris Anyah

1 Thursday, 13 March 2008

2 [Open session]

3 [The accused not present]

4 [Upon commencing at 9.30 a.m.]

09:29:46 5 PRESIDING JUDGE: I note that absence of the accused. We
6 have been informed verbally of the reason. Before we go into
7 that matter and we proceed on I wish to raise one preliminary
8 issue so I will first take appearances and then raise that
9 preliminary issue.

09:30:06 10 MR GRIFFITHS: For the Defence today, Madam President, it's
11 myself Courtenay Griffiths, my learned friend Mr Terry Munyard
12 and my learned friend Mr Morris Anyah.

13 PRESIDING JUDGE: Thank you, Mr Griffiths. Ms Hollis?

14 MS HOLLIS: Good morning, Madam President, your Honours.
09:30:36 15 Brenda J Hollis, Nicholas Koumjian, Alain Werner and Maja
16 Dimitrova.

17 PRESIDING JUDGE: Thank you. As I've indicated I wish to
18 raise the fact of a motion that was filed yesterday. I will
19 obviously be careful how I word it because it's a confidential
09:30:55 20 motion and it's an urgent Prosecution motion. I will stress and
21 note that I would not normally adopt the procedure I'm adopting
22 now, but because we will be going into recess tomorrow after
23 court I am going to refer and ask the Defence you will note if
24 you have read the motion that the Prosecution refer to a previous
09:31:20 25 Defence position in paragraph 11 of that motion. Are you aware
26 of the motion I'm referring to, Mr Griffiths?

27 MR GRIFFITHS: I'm not, your Honour.

28 PRESIDING JUDGE: It is motion 435 and it is an urgent
29 Prosecution motion for additional protective measures. It was

1 filed yesterday and I therefore obviously inquire if it's been
2 served on you.

3 MR GRIFFITHS: Well, I've not seen it, your Honour. I was
4 in the office until 8 o'clock last night.

09:31:55 5 MS IRURA: Your Honour, I can confirm that the motion was
6 served and has been electronically distributed as well.

7 MR GRIFFITHS: I'm told by my learned friend Mr Munyard
8 sotto voce that he's now seen it on his email.

9 PRESIDING JUDGE: In the light of the fact that you haven't
09:32:11 10 seen it it's premature for me to continue. I would therefore
11 request Defence counsel at their earliest opportunity to consider
12 the content of that motion, I have referred to paragraph 11
13 therein, and I will raise it again in the course of the day.

14 MR GRIFFITHS: Very well, your Honour.

09:32:32 15 PRESIDING JUDGE: We will now deal with the - I have been
16 informed informally that the accused Mr Taylor is within the
17 Court building.

18 MR GRIFFITHS: He's arrived, but he's going through the
19 procedure of being brought up to this level.

09:32:54 20 PRESIDING JUDGE: Have you any indication how long it will
21 take?

22 MR GRIFFITHS: None whatsoever, Madam President.

23 MS MUZIGO-MORRISON: Madam President, the time estimate
24 given to the Registry is quarter to 10.

09:33:23 25 PRESIDING JUDGE: Since it appears that the accused is not
26 going to be immediately within the well of the Court for purposes
27 of record we will take a note of why the accused has been delayed
28 in coming into court. Mr Griffiths, can you just briefly outline
29 to us for purposes of record?

1 MR GRIFFITHS: Apparently, Madam President, there was an
2 accident on the motorway adjacent to the Court today which I'm
3 told resulted in a fatality and on my way into Voorburg I saw a
4 helicopter landing on the motorway. As a consequence the whole
09:34:21 5 motorway was blocked up and I'm told that those charged with
6 bringing Mr Taylor to court thought that there was a security
7 risk if they came to be stuck in traffic, because the whole
8 centre of Den Haag was clogged up, and so consequently they
9 returned to Scheveningen.

09:34:40 10 PRESIDING JUDGE: Thank you for that explanation. I
11 presume, Ms Hollis, you have no comment to make on that
12 explanation. It's outside the control of all of us.

13 We will therefore retire to await Mr Taylor's being brought
14 into the well of the Court. In the interim I will ask that the -
09:35:04 15 just to clarify, this motion that I mentioned, Mr Griffiths, the
16 Bench has in mind, in light of the urgency and the fact that
17 we're going into recess, to take the step of making an oral order
18 if the Defence consents, hence my referral to paragraph 11, and I
19 will allow you time to consider your position.

09:35:34 20 MR GRIFFITHS: Madam President, perhaps what we ought to do
21 is to use a convenient break during the course of today, perhaps
22 either at the end of the short adjournment or the 11 o'clock
23 adjournment and take 15 minutes to try and deal with the matter
24 in the absence of the witness so as not to inconvenience him.

09:35:58 25 PRESIDING JUDGE: Thank you. If that's convenient to all
26 concerned we will deal with it in that way.

27 MS MUZIGO-MORRISON: Madam President, apparently he will be
28 in in approximately five minutes.

29 PRESIDING JUDGE: In that case we will rise and resume in

1 that time. Please adjourn temporarily.

2 [Break taken at 9.37 a.m.]

3 [The accused present]

4 [Upon resuming at 9.41 a.m.]

09:41:32 5 PRESIDING JUDGE: I will remind the witness of his oath and
6 I note that Mr Taylor is now in court and I hope he hasn't been
7 unduly shaken by the experience.

8 MR GRIFFITHS: May it please your Honour. Mr Marzah --

9 PRESIDING JUDGE: I haven't reminded him of the oath. I
09:42:07 10 like to adopt that procedure from day to day, Mr Griffiths.

11 Mr Witness, first I'm sorry we're late starting, reasons
12 beyond everybody's control, and I want to remind you that
13 yesterday you took the oath to tell the truth. The oath is still
14 binding on you and you must answer truthfully. Do you
09:42:27 15 understand?

16 THE WITNESS: Yes, sir. I will say the truth and nothing
17 but the truth before God and man.

18 WITNESS: TF1-399 [On former oath]

19 CROSS-EXAMINATION BY MR GRIFFITHS: [Continued]

09:42:41 20 Q. Yesterday you will recall, Mr Marzah, that I was asking you
21 about various atrocities which you accepted you committed you
22 tell us in three different countries, Guinea, Liberia and Sierra
23 Leone. Do you remember me asking you about that?

24 A. Yes and I will stand again and clarify the doubts so that
09:43:13 25 you can be satisfied with the atrocities that happened through
26 the directive of Mr Taylor.

27 Q. Now on that topic I just want to ask you one or two other
28 questions, please. Can you help us as to why it is you didn't
29 mention a single word of those wicked things you did in all the

1 interviews you conducted with investigators?

2 A. Come again.

3 Q. Why didn't you mention anything about slitting open
4 pregnant women, smashing babies' skulls against walls, executing
09:44:01 5 hundreds of people yourself, why didn't you mention any of that
6 to the investigators?

7 A. Thank you very much. I will say the truth and nothing but
8 the truth. Let me make it clear to you that once I have been
9 present here and before I came I never knew that this was
09:44:33 10 something that I was going to sit here and explain and even the
11 atrocities that happened against the UN, ECOMOG and others, it is
12 now that it is coming in my mind, so those are the two questions
13 that I would want to make clear to you. Thank you.

14 Q. Let me try the question again. Why did you not mention a
09:44:54 15 word of any of the accounts you gave yesterday to any of the
16 lawyers who questioned you or the investigators? Why not?

17 MR KOUMJIAN: Objection. That assumes a fact not in
18 evidence and I believe not true.

19 PRESIDING JUDGE: Your reply, Mr Griffiths?

09:45:17 20 MR GRIFFITHS: Well, based on the material we've been
21 disclosed I see a foundation for the question. Of course if
22 Mr Koumjian is sitting on information which hasn't been disclosed
23 then I may be acting in error, but I don't know.

24 MR KOUMJIAN: Well, information has been disclosed. For
09:45:41 25 example - I could point to it if counsel wishes it, but
26 particularly this question dealt with investigators and attorneys
27 and in the last several disclosures concerning Mr Marzah's
28 discussions with me many of these atrocities were disclosed. I
29 can give the dates and the paragraphs if necessary.

1 MR GRIFFITHS: My learned friend will have his opportunity
2 to re-examine, your Honour, and I was intending in any event to
3 deal with what was in fact said by this witness in those
4 interviews. So perhaps if I'm allowed a few uninterrupted
09:46:19 5 questions I might be able to establish the position.

6 PRESIDING JUDGE: Matters can be raised in re-examination,
7 but you must not mislead the witness. If it has been disclosed
8 or if he has said it would be improper to mislead the witness.

9 MR GRIFFITHS: Very well:

09:46:41 10 Q. It was my fault, Mr Marzah, because I was hoping to deal
11 with matters expeditiously, but what I suggest we do --

12 A. Thank you very much.

13 THE INTERPRETER: Your Honours, the witness's microphone is
14 not on.

09:47:01 15 PRESIDING JUDGE: Just pause, Mr Witness, until we get your
16 microphone on, please.

17 THE WITNESS: Okay. You know, I was so disappointed that
18 all my explanations were not disclosed to the lawyers. And even
19 explain how I went according to Mr Taylor's order to disarm the
09:47:31 20 ECOMOG, how the Nigerian soldiers were slaughtered by us through
21 Mr Taylor's instruction and also the disarmament of the UN and
22 the reason why they were not allowed to return. I explained all
23 of those, but all of those of my statements were not disclosed
24 out here in the Court yesterday. So I thank you for bringing
09:47:50 25 that up, Mr Lawyer.

26 MR GRIFFITHS:

27 Q. Mr Marzah, let's return to the topic I'm trying to deal
28 with and it's a simple topic. Did you at any stage in any
29 interview with the Office of the Prosecution mention that you had

1 opened up pregnant women's stomachs with a knife?

2 A. Yes.

3 Q. You did?

4 A. Yes, yes.

09:48:20 5 Q. Can you tell me when you did that?

6 A. When I slit the pregnant woman's stomach open I said it was
7 an instruction from my leader Charles Taylor and I go according
8 to instructions. I am a military man.

9 PRESIDING JUDGE: Witness, please pause. The question
09:48:49 10 relates to when you told the Office of the Prosecutor. Please
11 answer that question.

12 THE WITNESS: I can't recall the date, but I have been
13 explaining to them, from the Prosecutor's court in Freetown up to
14 here, they have most of my statements, but they did not bring
09:49:18 15 more out so the question should be for them.

16 MR GRIFFITHS:

17 Q. But the answer to my question is, Mr Marzah, that you did
18 mention that you Zigzag Marzah committed such an atrocity, you
19 told that to investigators and lawyers in this case, did you?

09:49:46 20 A. I explained everything in details to them. Yes, sir, I
21 did.

22 Q. Secondly, and I'm taking in slowly in order that I don't
23 mislead - secondly, did you tell any investigator or any
24 Prosecution lawyer that you Zigzag Marzah had killed babies?

09:50:10 25 A. That is the same question. I will still answer to it yes.
26 There was a unit called No Baby on Target. I explained all of
27 those, yes.

28 Q. So you did tell them, "I, Zigzag Marzah, on the
29 instructions of Charles Taylor killed babies". You told them

1 that, did you?

2 A. Yes, I told them about after Charles Taylor had formed the
3 unit No Baby on Target he said no living thing was to be pitied
4 up to young babies.

09:50:59 5 Q. I know that in these statements you make mention of an
6 operation called No Baby Living. I'm asking you a different
7 question. Did you say to the investigators, "I, Zigzag Marzah,
8 with my own hands on the instructions of Charles Taylor killed
9 babies". Did you tell them that?

09:51:28 10 A. Yes, yes.

11 Q. Did you Zigzag Marzah tell the investigators and the
12 lawyers for the Prosecution that, "I have executed hundreds of
13 people in Liberia, Guinea and Sierra Leone". Did you do that?

14 A. I said above hundred. Yes, I did. I explained everything
09:51:56 15 in details to the Prosecutors.

16 Q. So you told them that as well?

17 A. Yes. I told them that the instruction I received from
18 Charles Taylor and all what I did.

19 Q. Because what I'm going to suggest is this, you see: The
09:52:17 20 only references to such behaviour in all of this documentation
21 that I've got here is a reference to a stick in a woman's vagina,
22 a woman buried in sand and people being raped. Those are the
23 only references and I'll be corrected if I'm wrong. No mention
24 in any statement of opening up pregnant women or killing babies
09:52:45 25 or killing hundreds of people. Can you help me, Mr Marzah, why
26 none of that appears in any of the documents before me? Can you
27 help me?

28 A. I will help you in the sense that that question goes to the
29 Prosecutors because I explained my point of view and my

1 grievances and all the things I did in the past on the directive
2 of Mr Charles Taylor.

3 Q. You told the Prosecutors about all of them, did you?

09:53:32

4 A. I repeat yes. I repeat yes. Again yes. Moreover yes,
5 yes.

6 Q. Mr Marzah, you see the man sitting over there who asked you
7 questions before me, did you tell him about those things?

8 A. Not he alone.

9 Q. So you did tell him?

09:53:48

10 A. To all - I told you yes.

11 Q. Thank you. So you told Mr Koumjian, the man over there,
12 about pregnant women being opened up, babies being killed and you
13 killing hundreds of people. You told him that, did you?

14 A. Yes, yes.

09:54:12

15 MR GRIFFITHS: Now, your Honour, a matter of law I think
16 arises because none of the statements that have been disclosed to
17 me, and from the absence of any interruptions by my learned
18 friend it would appear that my propositions are correct. If
19 there is a record of this witness saying any such thing to
20 Mr Koumjian I'd like to see it.

09:54:33

21 MR KOUMJIAN: Your Honour, we have complied with all of our
22 disclosure obligations and if you would like me to testify now
23 about the statements I could. I don't think I - but counsel has
24 the statements. I would say this: If I had heard the witness
25 say he opened up pregnant babies and he specifically said that to
26 me or killed them that would have been included, that specific
27 statement, in the disclosure.

09:54:53

28 MR GRIFFITHS: So would my learned friend be happy to
29 confirm that no statement exists containing that kind of

1 information. It might shorten matters.

2 MR KOUMJIAN: I would confirm that. I also would indicate
3 that I'm not saying that the question was asked to the witness.
4 I would say that the witness did not make that statement --

09:55:26 5 MR GRIFFITHS: I'm grateful to my learned friend.

6 MR KOUMJIAN: -- in my presence.

7 MR GRIFFITHS:

8 Q. Now, I'm still on the same topic, Mr Marzah, now that we've
9 entered --

09:55:48 10 A. Yeah.

11 Q. Who is Stinger?

12 A. Stinger, he was my advisor in Jungle Fire.

13 Q. You were introduced to investigators from the Prosecution
14 by a man called Stinger. Who is he?

09:56:18 15 A. Stinger, he was one of the soldiers that took part in the
16 war under Charles Taylor's regime.

17 Q. And was he the person who introduced you to Prosecution
18 investigators?

19 A. Come in again.

09:56:41 20 Q. Were you introduced to Prosecution investigators by a man
21 called Stinger?

22 A. Yes.

23 Q. Who is Stinger who introduced you to the Prosecution?

24 A. Stinger was one of the soldiers, all of us fought under
09:57:10 25 Charles Taylor. And moreover he was assigned with me and I left
26 him in Monrovia and apparently I went back to my home town Nimba.

27 Q. I don't want there to be any confusion or any suggestion
28 that I'm taking advantage of you, Mr Marzah, so what I'm going to
29 do is this, I'm going to hand out for everyone's assistance

1 bundles of transcripts of the various interviews conducted with
2 you over a period of some two years. I think I have sufficient
3 copies for everyone, your Honour, including the interpreters.

4 A. For me?

09:59:04

5 MR GRIFFITHS: Now for everybody's assistance because the
6 printed numbers in the top right-hand corner of the page do not
7 follow consecutively I have numbered this bundle consecutively by
8 hand in the bottom right-hand corner and we'll be using that
9 number in order to bring the witness's attention to a page, but I
10 will also for the record give the number at the top of the page.

09:59:23

11 PRESIDING JUDGE: Thank you, Mr Griffiths.

12 MR GRIFFITHS:

13 Q. Mr Marzah, perhaps I could ask you before we start, and
14 it's not that I want to embarrass you, can you read?

09:59:36

15 A. I told you from the beginning that I do not read and I
16 can't write.

17 Q. Well, very well. What I will do is I will read out to you
18 and we'll have on the screen the particular passages that I'm
19 interested in and so you'll be able to hear what was recorded by
20 the investigators when you spoke to them. Do you follow me?

09:59:59

21 A. If you read it and if it is my statements I will believe it
22 and if I was misquoted somewhere I will tell you no.

23 Q. Thank you very much. Now I would like initially to draw
24 your attention to the very first page of this bundle. It's page
25 1 in the bottom right-hand corner and the number at the top of
26 the page is 00100137. You will see we have here notes made by
27 investigators who spoke to you on 31 January 2006. Now can I
28 pause there. Do you recall now, Mr Marzah, that it was in
29 January a couple of years ago that you first spoke to the

10:00:27

1 Prosecutors in this case?

2 A. When you explain and if I recall that it is my statement I
3 will tell you yes, but I can't read and write and now you are
4 showing me a paper so I don't know.

10:01:19 5 Q. I'm just asking you about the date for now. Do you now
6 remember that the first time you spoke to anyone from the
7 Prosecution was on 31 January 2006?

8 A. I can't recall the date, but I can recall all that I said
9 to the Prosecutors and the Prosecutor who is sitting over there
10:01:49 10 was not the only person that were treating things with me.

11 Q. Now I'm merely interested for the purpose of the topic I'm
12 currently dealing with with the second sentence in paragraph 1:
13 "The witness was introduced by Stinger." Now that Stinger, is it
14 the soldier, your colleague from the army?

10:02:21 15 A. He is not my friend. He was a soldier assigned under
16 Charles Taylor and he was also assigned under me, but he's not my
17 friend.

18 PRESIDING JUDGE: Counsel didn't say friend, Mr Witness.
19 He said colleague, meaning someone you worked with. Was this
10:02:41 20 same person a person you worked with?

21 THE WITNESS: Yes, sir. Yes, sir.

22 MR GRIFFITHS:

23 Q. And when had you worked with that individual?

24 A. That gentleman, that officer, we had been together for a
10:03:01 25 long time during Charles Taylor's regime and I can't recall how
26 many years we spent together.

27 Q. And help me, please, how did it come about that Stinger
28 introduced you to investigators from the Prosecution? Did
29 Stinger approach you or did you approach Stinger?

1 A. Come in again.

2 Q. Let me put it much simpler. We know that on 31 January
3 2006 you went to speak to the Prosecution. All I'm asking is
4 this: Did that come about because your colleague Stinger came
10:03:46 5 along and said, "Listen, Zigzag, there's some Prosecutors who
6 want to talk to you" or was it a case of you going to Stinger and
7 saying, "Stinger, look, my conscience is killing me for all of
8 these wicked things that I did, I want to talk to a Prosecutor"
9 and so he arranged it. Which of those two is right?

10:04:10 10 A. Should I explain it?

11 Q. Yes, please.

12 A. Okay, thank you. You know, it happened one time when I saw
13 Stinger go to Nimba, my village, and he told me that there was an
14 issue regarding the atrocities that took place in Liberia, Guinea
10:04:39 15 and Sierra Leone, "So I wouldn't want you to be arrested by
16 anybody, so it would be nice if you go and introduce yourself to
17 the Prosecutors about the things that you know". So from there
18 Stinger took me from my village in Nimba County to Monrovia. So
19 that was how I was able to come around the Prosecutors. Thank
10:05:09 20 you.

21 Q. So can I ask you a blunt question then. You went to speak
22 to the Prosecution because you were afraid of being prosecuted
23 yourself?

24 A. I was not afraid. I was not afraid. I knew that I was
10:05:30 25 taking instructions from my leader Charles Taylor, so if it came
26 to explanations I was - I would be available to say the truth and
27 nothing but the truth so that was the reason why I went there.

28 Q. But why did your friend say to you then, "I wouldn't want
29 you to be arrested". Do you have any idea?

1 A. Yes. The idea that I had was that at this time
2 Charles Taylor had promised us that no African leader was going
3 to be arrested, so I was almost surprised when they arrested him.
4 And I was an ordinary officer, so that was the reason why I went
10:06:26 5 around the Prosecutors to explain everything to them in details
6 and the things happened through his orders.

7 Q. Was it because you didn't want to be charged yourself?

8 A. No, no.

9 Q. When you began talking to the Prosecution were you told,
10:06:49 10 "If you speak to us, Mr Marzah, you will not prosecute you".
11 Were you told that?

12 A. To prosecute me how?

13 Q. Did they say to you, "Unless you speak to us we will charge
14 you with crimes". Was that said to you by anyone?

10:07:20 15 A. No, no, no.

16 Q. Are you sure?

17 A. Yes, yes, sure.

18 Q. Were you told then that you wouldn't be asked about the
19 things that you did so long as you were prepared to talk about
10:07:35 20 Charles Taylor?

21 A. I didn't do things on my own. Charles Taylor's government
22 was a government that had a constitution that governed the state.
23 So equally so all soldiers took direct instructions from
24 Charles Taylor.

10:07:58 25 Q. I have to interrupt you because time is short and I would
26 like to finish with you as soon as possible. Let me try the
27 question again please and listen carefully to the question and
28 try and answer it. Were you told, "Mr Marzah, we won't ask you
29 about things you did if you tell you what Charles Taylor did"?

1 A. I didn't do things on my own.

2 PRESIDING JUDGE: Please pause. Mr Griffiths, with
3 respect, it may be that he doesn't quite understand the question
4 because I can see some ambiguity in it myself.

10:08:48 5 MR GRIFFITHS: Let me try the question again.

6 PRESIDING JUDGE: If you could please try again.

7 MR GRIFFITHS:

8 Q. Did anyone at any stage say to you, Mr Marzah, before you
9 began speaking to the Prosecution investigators something along
10 the lines of, "If you tell us about Charles Taylor we're not
11 really interested in what you did"?

12 A. No, they didn't.

13 Q. Were you told by anyone, "If you provide us with
14 information we will look after you financially"?

10:09:37 15 A. No.

16 Q. Very well. Let's go back to the first page in this
17 document, please. Now we see at the second line, the definite
18 article at the end of that line, "The witness was sober and
19 composed". Can I ask you this please, Mr Marzah: Do you take
20 drugs?

21 A. I don't take drugs. I don't take drugs.

22 Q. Do you have a problem with drink?

23 A. Drinking water?

24 Q. No, alcohol?

10:10:15 25 A. I don't take that. I have a serious problem that I
26 incurred from the rocket when I was under Charles Taylor so I
27 don't take drugs and I don't drink. I showed you yesterday.
28 Look, listen, are you listening to my ear? So there is no way
29 that I can drink nor take drugs.

1 Q. Now remember yesterday we spent a little time talking about
2 atrocities committed by you in Sierra Leone. You remember that,
3 don't you?

4 A. Come in again.

10:11:02 5 Q. Do you remember me asking you yesterday about atrocities
6 committed by you in Sierra Leone?

7 A. I can remember some and through questions - it was actually
8 not something that was put on record as though I was going over
9 it, but through questions I can remember some or even more.

10:11:31 10 Q. I ask for this reason, you see: I wonder if you would turn
11 with me to page 49 in that bundle. Page 49, bottom right-hand
12 corner, page 00022958 at the top. I wonder if we can put it up
13 on the screen, please. Penultimate line on that page:

14 "Zigzag had sent situation reports to Taylor and Sankoh
10:12:21 15 every day. Some days he would send up to five reports. At first
16 it was just to Taylor, before the RUF was named. After RUF was
17 named Zigzag would report to Sankoh and Sankoh would report to
18 Taylor. Taylor would call Zigzag confirming reports sent to
19 Sankoh. Taylor would call Zigzag to confirm Sankoh's reports as
10:12:55 20 Sankoh was afraid to go to the front line and Taylor knew this."

21 Now this:

22 "Zigzag would report on progress made, casualties on both
23 sides, prisoners of war, captured civilians. He did not report
24 physical or sexual violence against civilians because he did not
10:13:23 25 see it."

26 Did you tell the investigators that?

27 A. When the question is too long I will be confused. Please
28 shorten it so that I can understand it.

29 Q. Did you tell the investigators as recorded here, "He did

1 not report physical or sexual violence against civilians because
2 he did not see it". Did you tell the investigators that?

3 A. I did make mention about the raping of women and when
4 Mosquito took action against the soldiers, yes.

10:14:20 5 Q. We'll come to one or two instances where you mention that,
6 I'm just dealing with this passage, because just so that you
7 understand, Mr Marzah, in this passage you're dealing with making
8 regular reports to Charles Taylor about what's happening in
9 Sierra Leone, up to five such reports a day, and you're telling
10:14:47 10 the Prosecutors in that regard that you did not report physical
11 or sexual violence because you didn't see it. But you were doing
12 it yourself, so how could you be saying this to the
13 investigators?

14 A. Let me tell you one thing. In my reports to Charles Taylor
10:15:17 15 I used to focus on what happened at the battle front and so many
16 things happened and I cannot recall all of them and even the
17 sexual violence that you are talking about, it existed in the
18 NPFL as well as the RUF. So there were so many activities that I
19 can't recall all of them.

10:15:51 20 Q. I'm not going to labour that point, Mr Marzah, because I'm
21 anxious to get on, but --

22 A. Let's go.

23 Q. Help me please with this: Is it your position that
24 Mr Taylor ordered these atrocities to be carried out?

10:16:12 25 A. Yes, sir. Without his instruction if you did things your
26 own way you will be executed.

27 Q. Now did Mr Taylor take any steps to curb ill-disciplined
28 behaviour by soldiers on the ground?

29 A. No, no, no. The only action I saw Mr Taylor taking was

1 that anybody who did not go by his instructions, definitely you
2 will be executed.

3 Q. Turn to page 56, please, last paragraph:

4 "Zigzag advised that when he stated members of the Special
10:17:16 5 Forces lost interest in the war he was referring to the Liberian
6 war when many NPFL Special Forces lost interest in fighting and
7 were concentrating more on looting, women, abandoning their
8 assignments and killing innocent civilians. Because of this
9 Charles Taylor invested power on the junior commandos and Small
10:17:49 10 Boy Units. SBUs were deployed to check points to arrest and
11 detain or discipline Special Forces members excluding Benjamin
12 Yeaten. This order was by way of written documents distributed
13 to each commander of the NPFL and signed by Charles Taylor."

14 Is that true?

10:18:13 15 A. The question is too long. Repeat it.

16 Q. When certain Special Forces were abandoning their duties,
17 looting and raping did Charles Taylor give the junior commanders
18 and SBUs powers to discipline them?

19 A. The only power that he gave to the SBU was that any Special
10:18:46 20 Forces that was on the front, when they were on the battle front
21 they would do raping, they would do looting and as long as you
22 were at the battlefield you will be safe there, but if you went
23 somewhere else that was not the battle front and you did those
24 things then you would be taken care of.

10:19:05 25 Q. Let me ask a different question then. As mentioned in this
26 passage did Charles Taylor issue written documents seeking to
27 discipline Special Forces for their misbehaviour?

28 A. I did not see a document, but what I saw was that SBUs were
29 deployed and they said they were - the Special Forces were not

1 fighting and that those who were going to the rear, meaning the
2 safety zone, those were the people for whom he deployed the SBUs.
3 But those who were that battle front, they had their right to
4 rape, to loot and do any other thing and they carried out
10:20:02 5 executions by his instructions. Thank you.

6 Q. Did Mr Taylor issue documents which were distributed to
7 each commander and signed by him regarding ill discipline?

8 A. I will be bold to tell you as I am before you here I don't
9 value any paper. What my commander Taylor told me was what I
10:20:34 10 did. So on the issue of documents please do not ask me about
11 that. I don't know anything much about paper business.

12 Q. Well, if you didn't know anything about paper business why
13 did you tell the Prosecutors, "This order was by way of written
14 documents" and you see you said that to them - hold on, let me
10:20:56 15 just finish the question, please. You said to them on 21

16 September 2006 when you were interviewed by a Mr MacCormack a
17 Mr Ross, and a Mr Mustapha Koroma. That's what you told them.
18 Now help us, why did you tell them that, unless it was the truth?

19 A. Maybe - I will say the truth and nothing but the truth.

10:21:27 20 Maybe they misquoted me. I told them that I am not a learned -
21 I'm not educated and that I was only taking instructions from
22 Charles Taylor and all that happened was what I told them.

23 Q. Very well. Let's move on because we can see what's on the
24 page. During the incursion into Liberia by the NPFL were any
10:21:55 25 steps taken by any commanding officer to curb ill discipline by
26 soldiers on the ground?

27 A. The initial arrival of the NPFL, it was only during Prince
28 Johnson's administration that looting and raping were not
29 allowed. And even when a soldier went to capture a town you will

1 not sleep in the town, everyone will go back into the bush and
2 sleep there. But since Mr Taylor arrived the looting, the
3 stealing and the harassment started and that was how he was able
4 to get more manpower.

10:22:39 5 Q. Now on that note Prince Johnson was very much a hands on
6 commander, he was at the battle front with his troops, wasn't he?

7 A. Prince Johnson was a physical man. He used to be at the
8 battle front and during his administration there were no Special
9 Forces. The only - they were only expected to do the physical
10:23:07 10 jobs that they were to do.

11 Q. What I mean by the question, Mr Marzah, is this: I don't
12 know if you understand the phrase, but he was the kind of
13 commander who wasn't afraid to get his hands dirty along with his
14 men?

10:23:24 15 A. Who?

16 Q. Prince Johnson.

17 A. Yes, Prince Johnson was effective, he had command
18 structure, he did not take nonsense from any soldier who went
19 around looting, raping or harassing and for that reason the whole
10:23:48 20 county embraced him. They used to get food from the various
21 villages by themselves and they used to offer him so that he will
22 supply us with that food. Thank you.

23 Q. Because he was on the front line he was in a position to
24 supervise and control the behaviour of his soldiers, wasn't he?

10:24:08 25 A. Yes.

26 Q. Now, in contrast, Charles Taylor was not the kind of leader
27 to be at the front line, was he?

28 A. At times Charles Taylor used to go to the front lines, most
29 times he visited the front line and he saw some of the activities

1 but no action was taken by him.

2 Q. The reason I ask the question I've just done is this,
3 please turn over to page 57, just above the middle of the page:
4 "Zigzag stated that during the period that Prince Johnson was a
10:25:00 5 commander no soldier looted, raped or harassed civilians."

6 A. Yes.

7 Q. "When Prince Johnson left and established his own faction
8 (INPFL) soldiers in the NPFL began to loot, rape and execute
9 civilians on their own, knowing that no action would be taken
10:25:21 10 against them. This was partly due to Taylor not attending the
11 front lines like Prince Johnson used to."

12 Did you say that to the Prosecutors?

13 A. I said it and I backed that with - when I said to them that
14 it was according to his instruction and anything that happened,
10:25:48 15 destruction, raping and harassment, it would not happen in the
16 absence of him and anything we did we did so that we could reach
17 Monrovia.

18 Q. The point I'm making is this that there was an essential
19 difference, wasn't there, between Prince Johnson and
10:26:08 20 Charles Taylor in terms of how closely they supervised their men.
21 Would you agree?

22 A. To supervise, at times Prince Johnson did not go to the war
23 front but his actions made us to be afraid so that we would not
24 do such things, but when he himself Charles Taylor went to the
10:26:35 25 war front and saw the destructions, the way he appreciated them,
26 that let us to carry on with it.

27 Q. And if we turn to page 36 you see again there just above
28 the top hole punch you say this - page 36:

29 "Prince Johnson was military commander - told fighters

1 'Don't loot, don't rape and harass, you are here to help the
2 people'."

3 A. Yes.

10:27:28

4 PRESIDING JUDGE: Mr Griffiths, I'm following you on the
5 hand numbering.

6 MR GRIFFITHS: Page 36 at the bottom, your Honour, it
7 should be page 00016780 at the top.

8 PRESIDING JUDGE: Thank you, my learned colleague has
9 indicated it for me. Sorry for the interruption.

10:27:48

10 MR GRIFFITHS: Not at all:

11 Q. And you agree with that sentiment, do you, that you were
12 ordered not to loot, rape and harass?

10:28:08

13 A. During Prince Johnson's administration there was full
14 instruction and the actions of him, no man would have been brave
15 to do such things.

16 Q. And again if we turn to page 89 in this bundle, the top
17 line on the page:

10:28:51

18 "The witness also stated that during 1990-1991 in Liberia
19 any soldier that raped would be killed and any soldier that
20 looted would have their hands cut off."

21 Is that true?

10:29:16

22 A. During Prince Johnson's administration the hand you did it
23 with, they would cut that hand. If you went and raped,
24 definitely he will treat you. But not '91. And after Prince
25 Johnson left all of these activities started during
26 Charles Taylor's administration.

27 Q. And one other reference in this regard, turn to page 11,
28 please, last line on that page:

29 "The witness stated that his group", this is in Liberia in

1 1989, "only targeted the military and did not engage in any
2 looting or criminal activity."

3 Page 11, your Honours. It's page 11 at the bottom and page
4 00016698 at the top. Do you remember telling the Prosecutors
10:30:23 5 that?

6 A. I told the Prosecutors that during Prince Johnson's
7 administration in 1990 from December 24 to up to Prince Johnson's
8 departure there was no looting and raping. We only targeted
9 armed men, not civilians.

10:30:50 10 Q. And so far as the RUF are concerned are you aware of any
11 activities by RUF commanders seeking to control misbehaviour by
12 RUF members?

13 A. What I experienced about the RUF commanders was that the
14 same instruction from Charles Taylor extended within the RUF, so
10:31:26 15 when a civilian carries a complaint no serious action is taken.
16 Even the civilians were enslaved by farming and will do all sorts
17 of things for the RUF and when they forwarded complaints no
18 action was taken.

19 Q. Now let's just try again, please. Are you aware of any
10:31:54 20 actions taken by RUF commanders to control, for example, people
21 who raped?

22 A. The one that I experienced, it happened once during Sam
23 Bockarie's administration. Some civilians went and complained
24 that they raped their wives and Mosquito said he was going to
10:32:23 25 take action and in my presence he never did.

26 Q. Didn't he?

27 A. Come again.

28 Q. Did he not take any action?

29 A. I said in my presence he didn't take any action against the

1 soldier. But he only told the men - the man whose wife was raped
2 that he was going to take care of his soldier, but he did not
3 take any action in my presence.

4 Q. Turn to page 34, please. Just above the middle of the
10:33:18 5 page, do we see paragraph 5, four lines from the top:

6 "The reason why the five RUF were executed by Sam Bockarie,
7 they went on their own patrol in a village and where they raped
8 women and killed a person. Then Sam Bockarie received the
9 complaint, he did not try the soldiers, he executed them at
10:33:47 10 once."

11 Is that true?

12 A. That was done at the time when Foday Sankoh was still in
13 power. It was Mosquito's girlfriend that those people went and
14 raped. That was the reason he executed them. Apart from that he
10:34:14 15 never took any serious action on an outsider's own.

16 Q. Well, help me with this: Why does it not say here that he
17 killed them because it was his girlfriend?

18 A. I told you that I gave so many statements and the people
19 who were doing the writing, they misinterpreted in some of these
10:34:37 20 documents. Even some points of correction, some of the documents
21 you showed, he showed - there is the Prosecution. I made some
22 corrections. Look at him there, you can ask him.

23 Q. Tell me, why does it say "women" plural if it was just
24 Mosquito's girlfriend?

10:35:03 25 A. The girls who were raped around Kailahun District where
26 Mosquito's girlfriend was, some were included with Mosquito's
27 girlfriend. That caused him to take a serious action. But so
28 many rapes went on whereby civilian men went and complained and
29 no action was taken in my presence. It did not happen only once,

1 twice. I mean many times.

2 Q. And help me please with this: Did you have a bush wife in
3 Buedu?

4 A. Come again. Come again.

10:35:58 5 Q. What part of the question didn't you understand?

6 A. The word you just spoke just now, I did not understand you.
7 Repeat your statement.

8 Q. Did you have a bush wife in Buedu?

9 A. Yes.

10:36:18 10 Q. How old was she?

11 A. The woman was about - she was having two kids according to
12 her from Magburaka. They called her Hawa. Then in Koindu - I
13 mean Kono I was having a girl by the name of Siebatu. She hadn't
14 a child but she gave birth to a child for me.

10:36:51 15 Q. And did either of those two women willingly become your
16 partner?

17 A. Yes.

18 Q. Both or just one?

19 A. It was one at the time. At the time Mosquito was there he
10:37:18 20 gave me the lady - he approached the lady for me and when
21 Mosquito left when I was retreating with Issa to Kono he
22 approached Siebatu for me and Siebatu is now in Freetown. She's
23 got our little son. Sometimes she visits me in Liberia, yes.

24 Q. So would it be fair to say that she was forced to become
10:37:44 25 your partner?

26 A. She was not forced. She was not forced.

27 Q. She was just given to you like a bag of rice?

28 A. She was wooed by my friend to be my friend and she accepted
29 it.

1 Q. Now one other thing you mentioned about the RUF was the use
2 of forced labour. Was it Charles Taylor again who ordered the
3 use of forced labour?

4 A. Yes. I can tell you the reason when you ask me.

10:38:26 5 Q. Let's just deal with things in stages. So you say
6 Charles Taylor gave an order, right, that forced labour should be
7 used. That's right, is it?

8 A. That question is for Charles Taylor, not me.

9 Q. Did you receive an order from Charles Taylor or hear of
10:38:51 10 such an order to use forced labour?

11 A. There was an order given to Mosquito by Charles Taylor,
12 once we were in the jungle you should make use of the civilians
13 to be making garden for you people in my presence. From there
14 Mosquito implemented that order for Charles Taylor.

10:39:21 15 Q. So you were present when Charles Taylor told Mosquito to
16 use forced labour, were you?

17 A. When I tell you that I am one of the living persons of the
18 NPFL what do you think?

19 PRESIDING JUDGE: Mr Witness, no facetious replies. Please
10:39:42 20 answer properly.

21 MR GRIFFITHS:

22 Q. Were you present when Charles Taylor gave an order to
23 Mosquito to use forced labour?

24 A. Yes, yes. At the time --

10:39:59 25 Q. Thank you. Turn to page 54, please. Page 00022963 at the
26 top. Let's try the third line:

27 "Zigzag is not aware of any order coming from
28 Charles Taylor regarding forcing civilians to work. However,
29 when this practice occurred no disciplinary action was taken

1 against anyone."

2 Is that true?

3 MR KOUMJIAN: Your Honour, I think in context it should be
4 put to the witness and it appears to be - I just turned to the
10:40:45 5 page but it appears to be, from the paragraphs before, that this
6 is all talking about NPFL which would appear to be Liberia. It
7 seems to be different than the subject of the last questions with
8 the RUF.

9 MR GRIFFITHS:

10:41:02 10 Q. Well, help me. When you're saying there, "Zigzag is not
11 aware of any order coming from Charles Taylor regarding forcing
12 civilians to work" is that true?

13 A. Is that my question?

14 Q. Yes, please.

10:41:21 15 A. Repeat it. I thought that you were asking the lawyer. I
16 was not thinking it's me, so repeat that question.

17 PRESIDING JUDGE: Just to deal with Mr Koumjian's
18 objection, you're making a general --

19 MR GRIFFITHS: I'm going to make a general statement and in
10:41:39 20 light of the interruption, your Honour, I'm going to deal with it
21 in a little bit more detail.

22 MR KOUMJIAN: Your Honour, if I can just state I made an
23 objection which I believe I'm entitled to do. It was not
24 intended to be an interruption. I'm sorry. I'll try to be --

10:41:53 25 PRESIDING JUDGE: I treated it as a proper objection and
26 I'm asking counsel if he's going to deal with that objection.

27 MR GRIFFITHS:

28 Q. Mr Marzah, did you say to the investigators that you were
29 not aware of any order coming from Charles Taylor regarding

1 forcing civilians to work? Did you tell the Prosecutors that?

2 A. I told the Prosecutor the same structure that was in the
3 NPFL extended with being in the RUF. So RUF and the NPFL were
4 the same body. So any wrongdoing which were made were - had no
10:42:49 5 action.

6 Q. Did you tell the Prosecutors that you were not aware of any
7 order coming from Charles Taylor regarding forcing civilians to
8 work?

9 A. I can't remember that. I can't remember that, but what I
10:43:09 10 know is what I am telling you, the same structures of the NPFL.

11 Q. Next question: If what you're telling us about overhearing
12 an order to Mosqui to how could you have given an answer like that
13 to the investigators?

14 A. What happened happened at --

10:43:33 15 PRESIDING JUDGE: Pause. The objection was that you were
16 putting - excuse me, let's start again. The objection, and
17 there's a validity in the objection, was that he is referring to
18 NPFL forcing civilians to work. You're moving on now to a
19 situation involving Sam Bockarie, by implication the RUF. Are
10:43:57 20 you asking him whether he should have mentioned the RUF or are
21 you moving into a completely new dimension that doesn't refer to
22 the record of interview?

23 MR GRIFFITHS: No, I'm not, your Honour. With respect,
24 what I'm seeking to do is this: I'm seeking to suggest that the
10:44:18 25 answer recorded there would not have been recorded in the way it
26 was, even if within the context of NPFL, given what the witness
27 is now telling us, particularly in light of his comment that
28 whatever was NPFL was RUF and vice versa.

29 PRESIDING JUDGE: I do note, Mr Koumjian, in fairness to

1 counsel for Defence, he said he's not aware of any order coming
2 from Charles Taylor. So it appears to be broader and given that
3 he has distinguished between the two situations I will allow the
4 question.

10:44:59

5 MR GRIFFITHS:

6 Q. Tell me, Mr Marzah, why did you give that information to
7 the investigators given that you knew that you were present when
8 Taylor had ordered Mosquito otherwise?

10:45:27

9 A. I will tell you the truth and nothing but the truth. You
10 see, Mosquito was not a Sierra Leonean, he was an NPFL soldier
11 and what we did in the NPFL by Charles Taylor's instruction
12 extended within the RUF.

10:46:23

13 Q. Now one final matter on this topic and I'm dealing with,
14 I'm sure you understand, what you told us yesterday about
15 atrocities and attempts to curb it, that's the topic we've been
16 dealing with for much of the morning and the final matter in this
17 regard I'm going to deal with is this: Even Benjamin Yeaten was
18 subjected to disciplinary action by Charles Taylor, wasn't he?

19 A. Benjamin Yeaten was the chief security to Charles Taylor.

10:46:58

20 Q. I know he was, Mr Marzah. I'm asking you a simple
21 question. Even he Benjamin Yeaten was disciplined by
22 Charles Taylor, wasn't he?

10:47:21

23 A. The only time he was disciplined was at the time that we
24 were in Gbarnga when he failed to follow Charles Taylor's
25 instruction. That was the time he was detained.

26 Q. And what was that all about?

27 A. I can't recall now the actual fact, but it was about a
28 certain issue in relation to the execution of certain people and
29 rescued some among those people and that angered Charles Taylor

1 and he took a serious step. It was a little bit - they were
2 going to execute him.

3 Q. Let's try the next page, page 55, 00022964 at the top,
4 please, middle paragraph:

10:48:15 5 "Zigzag stated that Charles Taylor gave the order to arrest
6 Benjamin Yeaten in about 1992 and the reason for this order was
7 that Charles Taylor's then chief of security Dopoe Menkarzon had
8 instructed Anthony Menquenagbeh to carry a supply of arms and
9 ammunition to the RUF in Sierra Leone and Benjamin Yeaten who was
10:48:45 10 army division chief of staff based in Gbarnga and Lofa Highway
11 intercepted this supply and distributed this supply of arms and
12 ammunition to his commanders without the approval of
13 Charles Taylor. The reason Benjamin Yeaten supplied for his
14 action was that the enemies were coming closer to his territory
10:49:06 15 and he would not allow the arms and ammunition to go to the RUF.
16 When Benjamin Yeaten's actions were reported to Charles Taylor
17 by" --

18 THE INTERPRETER: Your Honour, I learned counsel is very
19 fast, please.

10:49:18 20 MR GRIFFITHS: Sorry, Mr Interpreter:

21 Q. "When Benjamin Yeaten's actions were reported to Charles
22 Taylor by Dopoe Menkarzon, Taylor ordered Benjamin Yeaten to be
23 arrested and executed". Is that true?

24 A. Yes.

10:49:39 25 Q. Thank you. Now help me with this: Would you agree,
26 Mr Marzah, that this episode demonstrates that even at the
27 highest level of the Liberian administration in terms of people
28 taking so-called instructions from Mr Taylor there was a great
29 deal of ill discipline, wasn't there?

1 A. I will tell you the truth. Those who were indisciplined,
2 they would be executed. That's why they formed the SBUS. But we
3 took the right instruction, those who took the actions of
4 execution with Charles Taylor's awareness went away with no
10:50:37 5 action taken against them.

6 Q. The simple point I'm trying to make is even somebody like
7 Benjamin Yeaten, head of the SSS, would act in an ill-disciplined
8 way. Would you agree?

9 A. It only happened once in Gbarnga in relation to some
10:51:05 10 material, ammos that they were taking to the RUF. But since we
11 got to Monrovia Charles Taylor introduced Benjamin Yeaten at his
12 security meeting in front of the Executive Mansion that any
13 activity of execution --

14 Q. Would you agree, Mr Marzah, that this shows an example of a
10:51:35 15 senior officer acting in an ill-disciplined way?

16 PRESIDING JUDGE: Which senior officer are we referring to
17 now?

18 MR GRIFFITHS:

19 Q. That is Benjamin Yeaten.

10:51:50 20 A. Benjamin Yeaten did so many things, put on some behaviours
21 that were not proper, but later Charles Taylor called us at a
22 meeting in the Executive Mansion and said whatever Benjamin
23 Yeaten did he was aware of.

24 Q. The point I'm making, you see, Mr Marzah, is this: That
10:52:14 25 Liberia and Sierra Leone at that time was in chaos and it opened
26 up opportunities for people like yourself and Benjamin Yeaten to
27 line their own pockets and make money. That's the truth, isn't
28 it?

29 A. To do what? Repeat the statement.

1 Q. All right. Let me put it differently. Were you, for
2 example, taking advantage of the chaos in Liberia to sell arms
3 recovered from ULIMO to the RUF as a private way of lining your
4 own pocket?

10:53:00 5 A. No, no.

6 Q. Do you know anybody else who was?

7 A. To buy arms on the street?

8 Q. Do you know of anyone during that chaotic period in

9 Liberia's history who was taking advantage of that chaos on a
10 private enterprise basis to sell arms to the RUF? Are you aware
11 of that?

12 A. To sell arms to the RUF, no. RUF were taking direct
13 supplies from the NPFL leader Charles Taylor. The only person
14 that bought arms at the time was at the time I was ordered to

10:53:52 15 take to Abu Keita was Sheku.

16 Q. Very well. I'm going to move on to another topic now,
17 please. Yesterday I asked you about the Freetown invasion and
18 you told me you were not a bird so therefore as an infantryman
19 you had entered Freetown. Do you remember telling me that?

10:54:27 20 A. Yes.

21 Q. And that was the truth, was it?

22 A. Yes.

23 Q. Turn to page 30, please.

24 JUDGE SEBUTINDE: Sorry, what page did you say?

10:54:51 25 MR GRIFFITHS: 30 at the bottom, your Honour, 00016768 at
26 the top, paragraph 21.

27 Q. "The witness further stated that while he was convalescing
28 in Monrovia the AFRC/RUF rebels invaded Freetown on 6 January
29 1999. The witness stated that two days before, 4 January 1999,

1 Taylor called him and asked him if he was medically fit to join
2 the RUF fighters to invade and capture Freetown, that Freetown
3 will fall to the AFRC/RUF rebels soon. The witness told Taylor
4 that the condition of his leg prevented him from going. The
10:55:45 5 witness stated that after his wound had healed he was involved in
6 combat operations on south eastern Liberia against anti-Taylor
7 forces."

8 Help me, were you in Freetown at the time of the invasion
9 or were you convalescing in Monrovia?

10:56:10 10 A. This paragraph you're reading is not correct.

11 MR KOUMJIAN: I have an objection that the wording of this
12 question may be vague to this witness. The reason being
13 yesterday when the witness discussed the invasion, I'm referring
14 to page 148 of the LiveNote lines 9 through 11, he said,
10:56:28 15 "Including the invasion that took place in the city, the one that
16 made JP to retreat along with Eddie Kanneh". So I don't believe
17 it's at all clear that this witness is talking about 1999 when he
18 talks about being in the city of Freetown.

19 THE WITNESS: No.

10:56:45 20 MR GRIFFITHS: I'm glad to see that my learned friend
21 anticipated the point overnight because he has the transcript. I
22 wonder if he could give us a reference. It would be helpful.

23 MR KOUMJIAN: I did give a reference. I said page 148,
24 lines 9 through 11.

10:57:03 25 MR GRIFFITHS: Page 148, lines 9 through to 11. Now in my
26 submission, your Honour, I was perfectly clear in my question
27 yesterday, and it's quite clear that my learned friend must have
28 seen the implications of the answer which is why he did his
29 homework overnight to pull up that page from the transcripts. We

1 submit that this is a perfectly valid question and I'd like to
2 pursue this line, please.

3 PRESIDING JUDGE: Mr Koumjian, I see the point you're
4 making. However, counsel for the Defence is entitled to put a
10:57:41 5 prior inconsistent statement if he is of the view it is a prior
6 inconsistent statement and you are entitled to clarify that issue
7 in re-examination. I will allow the question as put.

8 MR GRIFFITHS:

9 Q. Tell me, Mr Marzah, were you in Freetown for the invasion
10:57:58 10 in January 1999 or were you convalescing in Monrovia?

11 A. I told you, do you see your paragraph 21 that you're
12 talking about, '91, this and that, I don't know. What I know is
13 that the invasion in which Johnny Paul, Eddie Kanneh retreated
14 with us to Buedu to Mosquito's base. But '99, ninety ten, I
10:58:36 15 don't know about that.

16 Q. And were you there for that repeat, were you?

17 A. At the time of the retreat I was not by myself. It was at
18 the time that I received the rocket wound on my jaw, on my ear.

19 Q. No, help me, are you saying that as a consequence of being
10:58:57 20 wounded you had left Freetown before the others or are you saying
21 you weren't there at all?

22 A. I told you I was there. We carried out the invasion,
23 during the fighting before I received this rocket wound. That is
24 what I said.

10:59:25 25 Q. Is it the case, Mr Marzah, that you were convalescing in
26 Monrovia in January 1999?

27 A. The one you are talking about, 1999, it happened around
28 Guinea area, but the invasion that you're talking about, I can't
29 recall the specific year, but I know that the time that

1 Charles Taylor sent me and said Mosquito has some group in
2 Freetown to cooperate with us, when I carried the ammo we have to
3 make sure that they entered Freetown and while in the city -
4 while in the city of Freetown I received this rocket wound, so I
11:00:16 5 didn't remember what happened later.

6 Q. I'm going to try again. At the time of the invasion of
7 Freetown in January of 1999 were you convalescing in Monrovia?

8 A. I can't recall the year. I can tell you that the invasion
9 - I mean the invasion which made Johnny Paul, Eddie Kanneh
11:00:51 10 [indiscernible], for them all to retreat with us, whether it was
11 '99, or ninety ten, or '94, I can't remember the year. That's
12 what I'm saying.

13 Q. Let me try it this way: Was there a January in whichever
14 year when you were convalescing in Monrovia while AFRC and RUF
11:01:15 15 soldiers had invaded it?

16 A. No, no, no. You are misquoting me and this document that
17 you're showing to me, it looks like you are reading your own
18 document, it's not part of what I am saying. That's for
19 yourself.

11:01:34 20 Q. I'm not allowed to do that, Mr Marzah. I'm only allowed to
21 put to you previous statements made by you. Now you're recorded
22 on 13 March 2006 when you were being questioned by, I think it's
23 a Rob Hotston, you said this to them, and all I'm trying to
24 understand is this, were you in Monrovia as you told them or --

11:02:04 25 A. [Overlapping speakers].

26 Q. Can I finish? Or were you in Freetown invading? Which of
27 the two is right?

28 A. The one that is correct is that I was ordered by
29 Charles Taylor himself that there was some group to join the RUF,

1 I should take ammo and arms to join these people for us to take
2 the invasion and to ensure that they take over the mansion. But
3 during the move it was at the time that I was hit with a rocket
4 on my head that split my ear and at last I didn't - I was not
11:02:49 5 aware how they retreated. When I got better and I went back I
6 saw Eddie Kanneh and others in Buedu. But I don't know about
7 ninety ten, this paper that you're producing.

8 Q. I'm going to try one last time before I suggest to you that
9 you're deliberately refusing to answer the question because you
11:03:22 10 know you are lying. Help me, please, this is the last time I'm
11 going to ask you. Were you in Monrovia convalescing or were you
12 in Freetown in January 1999?

13 A. You said January 1999. I only know about the invasion in
14 which I took part and I will say the truth and nothing but the
11:03:44 15 truth. I can't take an oath and sit down here and tell lies and
16 this thing --

17 PRESIDING JUDGE: Mr Witness, you have told us that before.
18 This is a straight question. Please answer it.

19 THE WITNESS: Yes, let him repeat.

11:04:01 20 MR GRIFFITHS:

21 Q. In January 1999 were you convalescing in Monrovia or were
22 you invading Freetown; which is right?

23 A. I don't remember the year, but I took part in the invasion
24 of Freetown.

11:04:19 25 Q. I'm going to suggest, Mr Marzah, that you know full well
26 that you lied to us yesterday because you were anxious to show us
27 how many things you claimed to have done in Sierra Leone and
28 you'd forgotten what you'd told the investigators back in 2006.
29 What I'm suggesting bluntly is that you are now lying about this.

1 That is the truth, isn't it?

2 A. I can't tell lies and I will not tell lies. Even if you
3 tell me that I'm lying, that's part of your job that you're
4 doing. I can't tell lies. I'm saying the truth to you.

11:05:06 5 Q. Very well. That's all I'm going to ask about that. I'm
6 going to move on to another topic now. You are a Gio by birth,
7 aren't you?

8 A. Yes.

9 Q. And how do you get on with Krahn? Krahn people, Krahn?

11:05:38 10 A. The Krahn.

11 Q. K-R-A-H-N. How do you get on the Krahn?

12 A. The only problem with the Krahn and the Gio is that Doe
13 carried out atrocities against us and for this reason when we saw
14 Charles Taylor we were happy to revenge, the same way they
11:06:07 15 destroyed our people. But the whole thing is over, now we are
16 united and we are together.

17 Q. Let me ask you a very specific question now. Mr Marzah, do
18 you know what a cannibal is?

19 A. Except you tell me, that English is too big.

11:06:37 20 Q. What do you call someone who eats other human beings?

21 A. Pardon me?

22 Q. What do you call someone who eats other human beings?

23 A. The human being that can eat his fellow human being, it's a
24 human being. The one that wants to kill you and eat your family
11:07:05 25 and your people, you get rid of him and eat it the same way - and
26 eat him the same way. It's just a revenge.

27 Q. So you have eaten your enemies on more than one occasion,
28 haven't you?

29 A. More than one time? Come again, repeat your question.

1 Q. You have eaten your enemies on more than one occasion,
2 haven't you?

3 A. Yes, by the instruction of Charles Taylor because of my
4 Poro society. There is a ceremony for my Poro society and when
11:07:50 5 he approved of it I carried on.

6 Q. Turn to page 88, please. 88 bottom right-hand corner.

7 A. Yeah. Judge, I want to come in. I want to use the
8 bathroom.

9 PRESIDING JUDGE: Madam Court Attendant, please assist the
11:08:23 10 witness to leave temporarily. Mr Griffiths, if you wish to have
11 a seat.

12 Please continue, Mr Griffiths.

13 MR GRIFFITHS:

14 Q. Page 88, please, and this is taken from an interview
11:12:25 15 conducted with you on 2 July of last year and you told the
16 investigators this:

17 "The witness states Samuel Doe was a Krahn and so when the
18 witness and his men would go into the Krahn counties they would
19 kill all the people and eat them in the belief that this would
11:12:50 20 rid the country of the whole Krahn race."

21 Is that true?

22 A. Thank you, I will answer you. Yes, judge, please permit me
23 to say something to you, sir, Mr President.

24 Q. Try and answer the question, please.

11:13:10 25 PRESIDING JUDGE: You should answer the question. If you
26 have some form of physical problem I will deal with it.

27 THE WITNESS: Okay, repeat that question.

28 MR GRIFFITHS:

29 Q. Did you say to the Prosecutors on 2 July of 2007 that:

1 "Samuel Doe was a Krahn and so when the witness and his men
2 would go into the Krahn counties they would kill all the people
3 and eat them in the belief that this would rid the country of the
4 whole Krahn race."

11:13:51 5 Did you tell the investigators that?

6 A. Yes.

7 Q. And was it the truth?

8 A. Yes.

9 Q. And was that when you first invaded Liberia?

11:14:17 10 A. The first time, no, no.

11 Q. The first time when the NPFL entered Nimba County in
12 Liberia is this when you were eating Krahn people?

13 A. No, no.

14 Q. When were you eating the Krahns then?

11:14:36 15 A. We fought in the county during Charles Taylor's
16 administration when he said - he said he came to liberate us the
17 Nimbaliens, because Charles Julu had come to eat our own people.
18 Sometimes he would come to the school campuses and cut off the
19 students heads. So when Charles Taylor's came to liberate us we
11:15:03 20 took the stance to go to their counties to revenge. And
21 furthermore again, the explanation about the year is what you
22 should ask me about.

23 Q. Which year was it?

24 A. During Charles Taylor's regime from '93 to '94 at the time
11:15:32 25 Charles Taylor was in Gbarnga and we were in Grand Gedeh when
26 they drove him for Gbarnga when he sent for us again.

27 Q. Maybe we should look at the context in which this paragraph
28 appears in order to see whether you're telling us the truth about
29 this. Let's start perhaps at paragraph 33:

1 "The witness stated that the people from Nimba County were
2 glad to join the Taylor forces when he came along because Samuel
3 Doe and his forces had killed many Nimba County reasons who were
4 mostly from the Gio tribe. This included women and children that
11:16:27 5 they would capture, take them to the port in Monrovia and load
6 them into containers, take the containers out to sea and dump
7 them overboard."

8 And then you go on to say about eating Krahns. So you're
9 talking about when the NPFL entered Liberia. Are you saying that
11:16:56 10 at that stage Charles Taylor ordered you to eat Krahns?

11 A. I told you yes, yes. Any activity against which you did
12 not take action was appreciated by him. What Doe did by taking
13 our own people, not just Doe, Charles Julu, he himself went as
14 far as eating some of the Nimbalian children from school
11:17:28 15 campuses. When he kills them they would butcher them in the
16 street. Like AK Pa [phon], he did that there so many times.

17 Q. Now according to you at the time that the NPFL entered
18 Liberia you were under the command of Prince Johnson who didn't
19 allow this kind of thing. So help me please, who was it who told
11:18:00 20 you to eat Krahns?

21 A. Thank you very much. Prince Johnson did not go far enough
22 in the war. We were in Tiaplay when Charles Taylor wanted - his
23 Specials Forces wanted to kill him and he ran away from us. But
24 when he came to encourage us mostly Nimbaliens to join his
11:18:23 25 forces, that whatever Doe did to your people you should revenge
26 and carry out the same act and what they did to us was what we
27 did to them. We hadn't any sea port or container to put the
28 children there or this or that rather than to go and fight
29 against them and destroy them.

1 PRESIDING JUDGE: Pause, Mr Witness. The question is who
2 told you to eat Krahn's? Please answer that question.

3 THE WITNESS: I said yes sir, yes sir. I said
4 Charles Taylor.

11:18:57 5 MR GRIFFITHS:

6 Q. Very well. And did Charles Taylor order you to eat people
7 in Sierra Leone as well?

8 A. Yes, sir, to set example for the forces to be afraid.

9 Q. So help me, where in Sierra Leone did you eat people?

11:19:16 10 A. It happened when we were disarming the ECOMOG by his
11 directive. He said that those Nigerians were disturbing the
12 south eastern region, when we captured them we should eat them.
13 Even the UN, when we were disarming them he said he didn't want
14 any of those white people to pass through Freetown to go, so when
11:19:45 15 we get them we can use them as pork.

16 Q. Port or pork?

17 A. Pork. Pork to eat. Pig. Food.

18 Q. So Charles Taylor told you you could eat Nigerians and
19 white people as pork?

11:20:02 20 A. The Nigerian - the Nigerians and the UN. He said the
21 remaining Africans which will pass with them through Buedu, he
22 will turn them over to the international communities, but the
23 others, like the Nigerians and some other people, we should kill
24 them and do anything we want to do with them and that was what we
11:20:26 25 were supposed to do with them is what I am telling you.

26 Q. So, Mr Marzah, Charles Taylor ordered you to eat
27 Nigerians --

28 A. Yes.

29 Q. -- and white UN officials. How did he give you that order?

1 Was it in person or was it over the radio or what?

2 A. It was not over radio. When Mosquito went for the first
3 time when ECOMOG were deployed and he gave the instruction for us
4 to go and disarm the ECOMOG he said he hasn't got any room. Even
11:21:06 5 when there is no food guerillas live by their fellow human
6 beings, so we should live by them when had there was no food. So
7 that was how we were living by them, by eating them. There he is
8 sitting down.

9 Q. How many UN soldiers or ECOMOG soldiers did you eat?

11:21:34 10 A. Thank you very much. The ECOMOG soldiers, the Nigerian
11 troops, we eat a few, but not many. But many were executed,
12 about 68. Those who were captured were executed. And the UN
13 troops, the whites, after we had taken them to Vahun to Benjamin
14 Yeaten's base Benjamin Yeaten himself executed about --

11:22:07 15 Q. No, no, let's forget about executions --

16 A. Wait. Wait now. You can't eat them alive. You can't eat
17 human beings alive. You have to execute them before you eat
18 them, right.

19 Q. Right. And did you cook them as well?

11:22:19 20 A. Yes, I participated. You think if my senior commander does
21 something I will deviate from it?

22 Q. So help me, please, just how do you prepare a human being
23 for a pot?

24 A. I am sorry there's no way to demonstrate here because we
11:22:49 25 are sitting.

26 Q. Just describe it to us?

27 A. Okay. The way we do it, the way you're standing, sometimes
28 we lay you down, slit your throat and butcher you and take out
29 your skin, your flesh, throw your head away, your intestines,

1 your flesh, we take it and put it in a pot and cook it and eat
2 it. The way you're standing, you cannot stay like that and we
3 eat you. We would kill you first and take those parts that are
4 not good for us and this your palm, your two palms, we would put
11:23:24 5 them together and clean inside your intestine and wrap it around,
6 because it's not correct. It's a hard bone. Charles Taylor
7 knows that. That's how we eat them.

8 Q. And did you have a preference for white people, Nigerians
9 or Krahn's, which ones taste the best?

11:23:48 10 A. Yes, I have likeness for them, but there was no alternative
11 to do it my own way. There was no was no alternative to do it
12 your own way. As long as it was Charles Taylor who gave
13 instruction and you did anything your own way you would be surely
14 executed. If I'm lying, the remaining UN troops, the Africans
11:24:12 15 that passed through --

16 PRESIDING JUDGE: Mr Witness, pause. You have deviated
17 from the answer.

18 MR GRIFFITHS:

19 Q. Now I mean that wasn't the only instant where you ate human
11:24:28 20 flesh. You also ate Superman's heart, didn't you?

21 A. Yes, by the directive and a ceremony in Ben's yard by the
22 time we turned over his hand to Charles Taylor.

23 Q. And did Charles Taylor tell you as well to eat Superman's
24 heart?

11:24:53 25 A. Yes, yes.

26 Q. Where were you when he told you to do that?

27 A. Ask he himself. I can --

28 PRESIDING JUDGE: Mr Witness, I've told you before, no
29 facetious replies.

1 MR GRIFFITHS:

2 Q. Where were you when Charles Taylor told you to eat
3 Superman's heart?

11:25:25

4 A. When after he had passed the instruction, because in his
5 security meeting he said whatever instruction comes from Ben
6 should be executed, whatever instruction came from Ben should be
7 executed. Whoever does not go by Ben's instruction would be
8 dealt with. So when we killed the men - the man and he said we
9 should take out the heart and Charles Taylor said we should eat
10 the heart and take the hand to him. So in my presence Ben and I
11 entered at the back of his yard. He went inside in Charles
12 Taylor's house and turned Superman's hand over to him and from
13 there he gave us \$200 each, went into his car and bought - he
14 went and bought the ingredients to cook the man's heart with.

11:26:10

15 That's how I believed that that was his instruction.

16 Q. So it wasn't Charles Taylor who actually told you, it was
17 Benjamin Yeaten?

18 A. It was Charles Taylor. It was Charles Taylor. It was
19 Charles Taylor. Listen to my explanation.

11:26:28

20 Q. So help me one final time because we're running out of
21 time. Where were you when Charles Taylor gave you the
22 instruction to eat Superman's heart?

23 A. At that time we had already executed Superman. We were in
24 Monrovia with the man's heart and the arm.

11:26:57

25 PRESIDING JUDGE: Mr Witness, listen to the question. The
26 question is about a place. Where were you? Where?

27 THE WITNESS: Okay, we were in Monrovia. In Monrovia. In
28 Monrovia.

29 MR GRIFFITHS:

1 Q. Where in Monrovia was it that Charles Taylor stood in front
2 of you and said, "Zigzag, I want you not only to cut off his hand
3 but to also eat his heart". Where were you when Taylor said that
4 to you?

11:27:29 5 MR KOUMJIAN: Objection, your Honour. As stated the
6 question assumes facts that the witness has not testified to.

7 PRESIDING JUDGE: You're being overly precise,
8 Mr Griffiths. You're assuming that the person was in front of
9 him, et cetera.

11:27:43 10 MR GRIFFITHS:

11 Q. Was there ever a time when you stood in front of
12 Charles Taylor physically like now and he said to you, "Zigzag, I
13 want you to go out and eat a human being" or a part of a human
14 being?

11:28:03 15 A. Apart from Superman?

16 Q. Anyone. Anybody?

17 A. Okay, thank you.

18 Q. Whether he be white --

19 A. Thank you, I understand. It happened twice when Gbarnga
11:28:20 20 fell. I stood physically before Charles Taylor at the time Robin
21 White was interviewing him. They were standing beside a jeep and
22 he was telling the man that he was in his yard. That is the time
23 he telephoned the Death Squad for me to carry out that execution.
24 Anywhere there are human beings, you should eat them. They are
11:28:45 25 no longer human beings. I was not in position to eat them raw,
26 rather than to cook them with pepper and salt and fix some
27 barbecue with them. It was from Gbarnga.

28 MR GRIFFITHS: Would that be a convenient point, your
29 Honour?

1 PRESIDING JUDGE: Indeed, Mr Griffiths. We will take the
2 normal mid-morning adjournment. We will resume at 12 o'clock.

3 [Break taken at 11.30 a.m.]

4 [Upon resuming at 12.02 p.m.]

12:01:31 5 PRESIDING JUDGE: Mr Griffiths, please proceed.

6 MR GRIFFITHS: I am grateful, your Honour:

7 Q. Mr Marzah, before we adjourned --

8 A. Yes.

9 Q. -- I was asking you about your eating habits and I just
12:01:45 10 want to ask you a bit more before I close that topic, please.

11 Now, if I understand your account, you played a very important
12 role in the killing of Superman; is that right?

13 A. Yes, by my president's, Charles Taylor's, directive, for my
14 life's safety, yes.

12:02:14 15 Q. Can I pause for a moment to suggest that maybe we could get
16 on a lot quicker if you don't add "on the instructions of
17 Charles Taylor" at the end of every sentence. All right? Let us
18 try a short answer. Now, did you also kill a man called AFRC
19 Rambo?

12:02:40 20 A. No, Rambo was killed by Eddie Kanneh, through
21 Charles Taylor's instruction, for him not to reveal information
22 to JP.

23 Q. Let us just be clear about it. You did not kill Rambo?

24 A. I did not kill Rambo, but Eddie Kanneh was instructed by
12:03:09 25 Charles Taylor and Eddie Kanneh killed Rambo on Camp Schefflein
26 Highway.

27 MR GRIFFITHS: Can I, for everybody's assistance and future
28 reference, ask that we put next to that answer "TF1-371".

29 MR KOUMJIAN: I am not sure what counsel is asking. Are we

1 arguing the case at this point?

2 PRESIDING JUDGE: Is this a matter that would be more
3 relevant in submissions?

4 MR GRIFFITHS: It is just so that everybody can have in
12:03:46 5 mind the particular answer and that other reference, your Honour.
6 I was just hoping to be helpful.

7 PRESIDING JUDGE: Very well.

8 JUDGE SEBUTINDE: Mr Griffiths, I am just concerned about
9 protective measures. I don't know why you are asking us to put
12:04:02 10 "TF1-371" against this kind of answer, but is this in any way
11 going to jeopardise the protective measures of TF1-371?

12 MR KOUMJIAN: I would say no.

13 MR GRIFFITHS: I don't think it will, your Honour, which is
14 why I quite deliberately used the reference rather than the name.

12:04:23 15 I am conscious, given my slip yesterday, we need to be careful:
16 Q. Now, the final matter I want to deal with on this topic is
17 regard to that account you gave yesterday about the President of
18 Liberia, as he then was, engaging in the murder of a pregnant
19 woman on the beach outside White Flower, okay? Now, can we turn
12:04:58 20 first of all, please, to page 101, Madam Court Manager, in the
21 bundle. We will need 102 as well, please. We are looking at a
22 record made of an interview conducted with you on 24 February
23 2008 and in that interview you said this, "There was a woman" -
24 paragraph 7, your Honours:

12:06:01 25 "There was a woman who was believed to be from ULIMO-J who
26 was killed on the orders of and in the presence of
27 Charles Taylor. She was arrested in Monrovia and taken to the
28 beach behind the old White Flower by Charles Taylor's men. This
29 happened before Taylor became president and during the time of

1 the transitional government in Liberia. The woman was pregnant.
2 Taylor ordered for her to be stripped naked and to be put into a
3 pit. Those present with Taylor at the scene included Benjamin
4 Yeaten and the witness. As she was being covered by sand, the
12:07:19 5 woman looked up at Taylor and pleaded with him to release her.
6 The witness and other continued to pour sand over her until she
7 was completely buried. After which a white sheep was released on
8 top of the pit and the witness and others tore the meat off the
9 live sheep and ate the meat."

12:08:01 10 Is that true?

11 A. Yes, yes, but this woman she was not specifically from
12 ULIMO-J, but I told you, upon our arrival in '95 in Monrovia,
13 that was the first ceremony for Charles Taylor, yes.

14 Q. Help me with this: Would you agree, Mr Marzah, that an
12:08:27 15 event like this is very dramatic?

16 A. Yes, it is bad, but it was Charles Taylor's ceremony for
17 his presidential job and I don't have - I didn't have any
18 alternative to it.

19 Q. Help me with this, please: Given that you started talking
12:08:57 20 to the Prosecution on 31 January 2006, why did it take you two
21 years, until February 2008, to remember this dramatic act? Why
22 did it take you so long to mention it?

23 A. Just imagine to rule a country for over 14, 15 years, there
24 have been so many stories that I can't recall all at the same
12:09:29 25 time. Thank you.

26 Q. Were you present at any other event like this?

27 A. On this woman's issue?

28 Q. Any other event where someone is buried alive and you eat a
29 live sheep. Have you ever done that on any other occasion?

1 A. The one that I remember it is --

2 Q. Have you ever done that on any other occasion, yes or no?

3 A. The one that I remember is what I have explained.

4 Q. So try and help us please --

12:10:19 5 A. That is what I remember.

6 Q. You appreciated when you first went to speak to the
7 Prosecution, in January 2006, that they wanted to hear about all
8 the bad things that Charles Taylor had done. You understood
9 that, didn't you?

12:10:35 10 A. Thank you. All the activities of Charles Taylor I cannot
11 recall. I told you it was not documented and it was not on
12 record as something that I could study. The one that I could
13 remember is what I have explained. Even when I go, after they
14 have read my statement to me, that one that was not correct,
12:11:02 15 I told them to rectify the error that was therein.

16 Q. I am still seeking your assistance, please. How did it
17 take you two years to remember?

18 A. I will help.

19 Q. How did it take you two years, Mr Marzah, to remember
12:11:20 20 something like this?

21 A. Thank you very much. As you talk - thank you very much.
22 As you are talking I am remembering some more than even what
23 I have explained.

24 Q. Tell us some more then, please.

12:11:42 25 A. It depends on your question, but this one that you have
26 asked me about, that is the one I remembered to explain to the
27 Prosecutor, but if there is any other question for me to remember
28 some more, I will still explain to you in detail.

29 Q. I will ask you once more and then I will move on. Why did

1 it take you so long to remember this?

2 A. Because the activities - I told you as chief of operations
3 I was having so many problems on my hands concerning Liberia,
4 Guinea, Ivory Coast and Sierra Leone. So, you know, whilst we
12:12:29 5 were talking, some came to mind.

6 Q. Given that you have given us this account, and in order to
7 test its veracity, that is whether or not you are telling the
8 truth, you know where it says there that you and the others tore
9 the meat off the live sheep and ate the meat, is that true?

12:13:09 10 A. Yes, yes. I told you it was a ceremony.

11 Q. Did you use any knife, or any other implement, to cut up
12 the sheep?

13 A. No, no.

14 Q. You used your bare hands?

12:13:21 15 A. Bare hands. We fought over it as a guerilla ceremony.

16 Q. So, just so that we get a picture of this scene on the
17 beach outside Monrovia, how many people were present around this
18 white sheep?

19 A. Please let me stand up a little and demonstrate to you.

12:13:50 20 Q. Yes, please. I want as much of your help as you can give
21 us please.

22 A. Okay, the ceremony that I am talking about is something
23 that after burying the lady alive, the sheep was used as his
24 presidential ceremony for the other five councilors to be afraid
12:14:13 25 of him. So, it is not something to kill the sheep with a knife.
26 It was a guerilla ceremony. Thank you.

27 Q. All I am seeking your assistance on is the details of this
28 scene because we want to be able to picture it to see whether or
29 not you are telling us the truth. How many people were present

1 first of all?

2 A. Okay.

3 Q. Let us take it in stages. How many people were present?

12:14:49

4 A. Thank you very much. It was not four people, four men, or
5 five men. It was a group of people. At the time this man was
6 still - this man - aide-de-camp.

7 THE INTERPRETER: Your Honours, can he repeat the name of
8 the aide-de-camp?

12:15:14

9 PRESIDING JUDGE: Mr Witness, the interpreter asks that you
10 repeat the name of the aide-de-camp.

11 THE WITNESS: I said at that time Bulldog was not the
12 aide-de-camp. He was just a security. They were there, Benjamin
13 Yeaten was there, Isaac Musa was there, Joe Tuah was there. Who
14 else? Sandoh Johnson was there.

12:15:39

15 MR GRIFFITHS:

16 Q. You, of course, were there.

12:16:04

17 A. I myself was present and - if you ask me when I am
18 answering your question - when I am answering your question don't
19 interrupt, please. I am answerable to your questions, Mr Lawyer.
20 So, when you permit me to answer you, I will talk, so talk again.
21 Thank you. Okay, but then it must not repeat itself. I will do
22 it to you.

12:16:24

23 MR KOUMJIAN: Just a correction for the transcript. The
24 person who was not then an aide-de-camp, the witness said
25 Bulldog, but the transcript doesn't have that.

26 PRESIDING JUDGE: Mr Witness, we control the Court, not
27 you.

28 THE WITNESS: Sorry, sir. Sorry, sir, Mr President.
29 Sorry, sir. Sorry.

1 PRESIDING JUDGE: Continue with your answer, please.

2 THE WITNESS: Thank you, okay. Repeat it. Please
3 continue.

4 PRESIDING JUDGE: We have got most of the answer. You were
12:16:53 5 asked the people and we've got many names. Please continue with
6 those.

7 MR KOUMJIAN: Sorry, I believe one thing was transcribed
8 incorrectly and may be important. The name Johnson, I believe
9 the witness said the first name Sandoh with an "O". We can check
12:17:11 10 with the witness, but that is what we heard.

11 PRESIDING JUDGE: Thank you, Mr Koumjian. Mr Witness, did
12 you say Samuel Johnson, or Sandoh Johnson?

13 THE WITNESS: I said Sandoh Johnson, yes.

14 PRESIDING JUDGE: Thank you, Mr Witness. If that can be
12:17:24 15 noted.

16 MR GRIFFITHS:

17 Q. Just so that we all appreciate why that is so significant,
18 whose son is he supposed to be?

19 A. After these people I told you, since '95 up to this time,
12:17:41 20 it was not something whereby we listed the people, but we who
21 were the target commanders were many there, but those who were
22 our senior people, these are the people I have been able to name
23 to you. But we were in a group and after --

24 PRESIDING JUDGE: Pause, Mr Witness, again. I understand
12:18:00 25 counsel is saying, "Whose son is Sandoh?"

26 MR GRIFFITHS: Sandoh, S-A-N-D-O-H, your Honour.

27 PRESIDING JUDGE: Thank you. Sandoh Johnson.

28 THE WITNESS: Yes, Mr President, I don't know Sandoh
29 Johnson's mother and father because I met him in Monrovia.

1 MR GRIFFITHS:

12:18:40 2 Q. So, if we can summarise thus far - and I want you to
3 appreciate I am just seeing whether there is any truth to this -
4 on your reckoning, would it be fair to say there was a group of
5 about 10 to 12 people there, based on what you have told us so
6 far?

7 A. I am telling you more than that. It was a ceremony and
8 this ceremony of this sort, to fight a raw animal, it is a
9 culture from way back in our tradition. Even when the guerillas
12:19:07 10 are ready to make sacrifice, they will fight over a living animal
11 and share it among themselves. You who are lucky will get a
12 piece. If you are not lucky, you won't get.

13 Q. Were you lucky?

14 A. I had a piece, I had a piece. I had a piece and it was not
12:19:25 15 an animal to cook, or roast. Any piece that stays with you,
16 straight in your mouth.

17 JUDGE SEBUTINDE: Mr Griffiths, when the witness says
18 "guerillas" is he now referring to the animal in the wild, or the
19 fighters, the guerillas?

12:19:44 20 MR GRIFFITHS: Maybe I should clarify that:

21 Q. You heard her Honour's question. Can you answer, please?

22 A. Yes, sir, I can answer that question. When we say
23 guerillas we are talking about the fighting men, yes. It is the
24 fighting men.

12:20:02 25 Q. So, you got a piece, but the second part of my question is
26 this - and you remember I am testing the truth of what you are
27 telling us - how did they manage, without any knives or any
28 implement, to cut up and tear this sheep apart? I am glad you
29 find it funny.

1 A. Mr Lawyer, I am happy. That is why I am laughing. You are
2 supposed to know, as a African, when we are talking about the
3 warrior ceremony and moreover to fight over a living animal, you
4 know, it was something even some people who were wounded on their
12:20:48 5 bodies and all. Mr Lawyer, you are supposed to know. You are
6 from Africa.

7 PRESIDING JUDGE: Mr Witness, it is not proper to be
8 personal to counsel in things like this. That is not the proper
9 way to do things. You should answer the question directly and
12:21:03 10 not make personal comments.

11 THE WITNESS: Yes.

12 MR GRIFFITHS:

13 Q. It is not something I was used to in Kingston, Jamaica,
14 Mr Marzah, so that is why I am asking for your assistance.

12:21:19 15 A. Okay. Let me assist you here. In Africa when we talk
16 about the warrior, even way back with bow and arrow, before they
17 go to war, for instance, they will bring a living animal, they
18 have the bow and arrow, they will stab it with it to make the
19 ceremony. They will fight over it. But that happened at White
12:21:45 20 Flower after the burial of this pregnant woman alive and we were
21 so many and some people had blood on them. They only had blood
22 on them, they couldn't get it.

23 Q. You mentioned bow and arrows and spears. I am not asking
24 you about that. I am asking: How do you tear up a furry animal
12:22:11 25 with your bare hands?

26 A. Naked hands, naked, bare hands. We take it, fighting over
27 it, pushing it here and there until it was butchered. We split
28 it. To even get a piece, it was a war. You who would get a
29 piece would be lucky at war.

1 Q. We have spent this little time, Mr Marzah, going over this
2 matter because I suggest that this is a lie. Charles Taylor was
3 never present with you at any such ceremony. That is right,
4 isn't it?

12:22:51 5 A. I am telling you the truth and it is your right to bring up
6 criticisms because it is your job, but it is the truth that I am
7 telling you and it is nothing but the truth. Before God and man,
8 that is what I am telling you.

9 Q. I suggest that it is a figment of your imagination. That
12:23:16 10 is the truth, isn't it?

11 A. I am telling you the living truth. There is Charles Taylor
12 sitting behind you, ask him. Maybe if he is truthful to you he
13 will be exact. Yes, sir, yes, sir.

14 Q. [Overlapping speakers] to deal with something else. You
12:23:41 15 joined the Liberian armed forces as a recruit in 1978, didn't
16 you?

17 A. Yes.

18 Q. You were aged 17 at the time.

19 A. No, at the age of 19. I was born on 7 June 1958. If he
12:24:09 20 wrote something like that, that means the person does not know
21 the calculation of my age.

22 Q. If we turn to page 10 - I am sorry to bother you again,
23 Madam Court Attendant. Page 10 at the bottom, page 00016697 at
24 the top, paragraph 2, and this is a record made by a Mr Rob
12:24:46 25 Hotston, investigator, and a Mr David Cunningham, along with an
26 interpreter, on 8 March 2006. Paragraph 2, "The witness stated
27 that he joined the Liberian army in 1978 at the age of 17." Is
28 that right?

29 A. It is wrong. I told you I was born in 1958, 7 June, and

1 I joined the army in 1978. Calculate the years and you will know
2 what I am talking about.

3 Q. Mr Marzah, you and I are not going to fall out over a
4 couple of years. I was just seeking to be precise.

12:25:34 5 A. Yes, sir.

6 Q. At some stage you were sent by President Doe's government
7 to Israel for specialised training, weren't you?

8 A. Yes.

9 Q. How long did you spend in Israel?

12:25:57 10 A. I spent 90 days in Onquba [phon] base.

11 Q. What was the nature of the training you received from the
12 Israelis?

13 A. The training that I received from Israel was infantry, to
14 be an Executive Mansion Guard battalion for Doe. At the time
15 Mr Taylor too was major in the armed forces of Liberia.

12:26:28 16 Q. If we look at page 1 of this bundle and would you agree
17 there is nothing at all controversial about the type of training
18 you received in Israel, is there?

19 A. Nothing what?

12:27:10 20 Q. There is nothing controversial. There is nothing like
21 secret, or nothing that you need to hide about the training you
22 received in Israel, is there?

23 A. To hide what I did in Israel? Why should I hide what I did
24 in Israel? I went there to take my in service infantry training
25 to come and serve the Executive Mansion Guard battalion and we
26 came and were using a red badge on our uniform in Monrovia and
27 later, in the '85 invasion, I went away.

12:27:38 28 Q. The question I ask is quite simple. If we turn to page 1,
29 paragraph 2, last sentence:

1 "Was sent for additional military training in Israel. The
2 witness declined to describe the nature of this training other
3 than to say it was 'specialised'."

4 For what reason were you being so coy with the
12:28:24 5 investigators about the training you received?

6 A. No, you asked me a question, so I have to break it down,
7 sir.

8 Q. All right. Let me try and break it down. Was there
9 anything about the training in Israel that you received that you
12:28:47 10 were reluctant to talk about?

11 A. There was no extra clandestine training, only that you were
12 to be more advanced to use weapons, the VIP protection, long
13 range, how - when a mobile is using, how to get on the mobile,
14 how to go around a VIP. From there I took up assignment at the
12:29:19 15 mansion.

16 Q. So there was nothing at all secret about what you were
17 doing, the training you were receiving, was there?

18 A. Nothing, nothing.

19 Q. Please try and help us, I will ask you for the last time:
12:29:36 20 Where we see that the investigators have recorded, "The witness
21 declined to describe the nature of this training other than to
22 say that it was 'specialised'", why didn't you want to tell them
23 what it was you had been doing in Israel?

24 A. It was because at the time that they were interviewing me
12:30:01 25 I carried all my documents, my certificates from Israel.
26 I showed it to them and later I took it back, so it was not
27 something to explain in details to them. I only showed them my
28 documents for them to know that I have been trained under the
29 Israeli Government before.

1 Q. I am not going to labour the point, Mr Marzah. Let us move
2 on to something else. We are still on your training. Apart from
3 within Liberia and apart from in Israel, did you receive any
4 other training in any other foreign country?

12:30:51 5 A. In a foreign country apart from Israel where I went for my
6 in service training, yes?

7 Q. Did you have any training in any other countries apart from
8 Israel and Liberia?

9 A. No, I did not take training - I mean, when Charles Taylor
12:31:14 10 came I did not take training again anymore, but when AFL - when
11 they sent us to Israel for training.

12 Q. I appreciate your obsession with Mr Taylor, Mr Marzah, but
13 please try and listen to the question. You joined the Liberian
14 armed forces in 1978. You must have received some training then
12:31:39 15 in Liberia.

16 A. Oh, is that what you mean? Okay.

17 Q. Did you receive some training then?

18 A. At the time I joined the force in Liberia I was staying
19 with the late Richard Henry, a Kongo man. From there he made the
12:32:04 20 recommendation based upon my attitude towards him. He only took
21 me to Camp Schefflein. From there I will call his name. He
22 said, "This my son I want him to be - I want this my son to be a
23 soldier to be assigned to me. At that time he was a speaker of
24 the house, Richard Henry. During Tubman's administration in '78
12:32:37 25 he was a speaker of the house. That was how I joined the force,
26 but when Doe took over he sent us a proper training in Israel.

27 Q. Yes, but all I am asking is this simple matter: Did you
28 receive any military training at all within Liberia?

29 A. The only lecture, or the --

1 THE INTERPRETER: Your Honours, can the witness repeat.

2 PRESIDING JUDGE: Mr Witness, pause. The interpreter asks
3 that you repeat your answer and the question again was, "Did you
4 receive any military training at all within Liberia?" Please
12:33:20 5 repeat your answer.

6 THE WITNESS: Yes.

7 MR GRIFFITHS:

8 Q. Thank you. Apart from Israel and Liberia did you do any
9 military training in any other country?

12:33:39 10 A. No.

11 Q. I don't want to be accused by anyone of misleading you,
12 Mr Marzah, so let me ask the question again.

13 A. Yes.

14 Q. Apart from Liberia and Israel, did you do any military
12:34:02 15 training in any other country?

16 A. No.

17 Q. Turn to page 3, please, paragraph 10. This is
18 page 00100139 at the top:

19 "The witness stated that he had met Foday Sankoh in Burkina
12:34:34 20 Faso in late 1986, being introduced by Charles Taylor. The
21 witness had been part of a group of NPFL combatants (including
22 Liberians, Gambians and Sierra Leoneans) training in Burkina
23 Faso."

24 Is that the truth?

12:34:58 25 A. No. You can ask the Prosecutor. After I had seen this
26 statement I said it was an error and they made a clarification.
27 I think he has a copy there.

28 Q. Not of this you didn't. So you are saying, are you, that
29 at a later date you corrected that?

1 A. After they have read this statement to me I told them no.
2 I only had my training from Liberia. Apart from that, Doe sent
3 me to Israel. Foday Sankoh was introduced to me in Liberia at
4 Gborplay after Charles Taylor has crossed.

12:36:02 5 Q. Let us just have a look at that paragraph in total, shall I
6 we:

7 "The witness stated that he had met Foday Sankoh in Burkina
8 Faso in late 1986, being introduced by Charles Taylor. The
9 witness had been part of a group of NPFL combatants (including
10 Liberians, Gambians and Sierra Leoneans) training in Burkina
11 Faso. The training commander was identified as a 'Captain
12 Mohammed' (a native of Burkina Faso. The witness could provide
13 no other identifying information re the subject.) Two white male
14 South Africans (no identifiers) also provided training at the
12:36:24 15 base, which was referred to as 'Tajorah Moscow'. The training
16 itself was directed at basic infantry skills such as weapons
17 handling, working in small units, et cetera."

18 Mr Marzah, please, where did the investigators get all of
19 that detail from?

12:37:01 20 A. I only mentioned about the white South African that was
21 training at the anti-terrorist base - anti-artillery base, sorry.

22 THE INTERPRETER: Your Honours, can the witness kindly
23 repeat.

24 PRESIDING JUDGE: Pause, Mr Witness. Repeat your answer.
12:37:50 25 You are going too fast. Pick up where you said "at the
26 anti-terrorist base - the anti-artillery base." Continue from
27 there, please.

28 THE WITNESS: Thank you, sir. I said I did mention about
29 the two white guys from South Africa that were training

1 anti-terrorist base in Gbatala and I took my training in Liberia.
2 After Doe took over, he sent us to Israel. Before I knew and saw
3 Foday Sankoh, he was introduced to me in Gborplay after the
4 arrival of Charles Taylor. Even to become a full member of the
12:38:43 5 NPFL, it was through Prince Johnson. I did not say Burkina Faso.

6 Q. Where did they get the name Captain Mohammed from, if not
7 from you?

8 A. It is misquoting of document. They can make errors too.
9 The people do not understand my English sometimes when I explain.
12:39:10 10 When they read some to me, I make some clarifications for them.

11 Q. Sorry, you can't get away with that, Mr Marzah, because
12 there was an interpreter present. There was an interpreter
13 present. So, help us please: Where did they get the detail
14 about it being called Tajorah Moscow from? Where else did it
12:39:33 15 come from other than you?

16 A. I am sorry, I don't know about this. What I know is what
17 I have explained. I am here to tell you the truth and what is
18 not true, I will not say it on paper, because you are reading it
19 for me to agree with you and I have told you from the beginning
12:39:55 20 that I will say the truth and nothing but the truth, and it is
21 the truth that I am telling you. So, I don't have an answer for
22 this.

23 Q. Well, I have to press you for an answer, Mr Marzah. Can
24 you help us, please, with this?

12:40:14 25 PRESIDING JUDGE: Pause Mr Witness, Mr Griffiths. I note
26 you say there was an interpreter present. I am just looking for
27 the interpretation clause that is common in these records of
28 interview.

29 MR GRIFFITHS: You know, I took it from the reference at

1 paragraph 1, your Honour, to an investigator, a Mr Sesay, being
2 present. Maybe I have got that wrong and maybe my learned friend
3 could assist us.

4 MR KOUMJIAN: I believe that is a Sierra Leonean
12:40:47 5 investigator.

6 MR GRIFFITHS:

7 Q. Yes, but I still go back to the point. I may be wrong
8 about there being an interpreter present, but help us please,
9 Mr Marzah, even if there was no interpreter present, help me:

12:41:08 10 Where did the investigators get the name Captain Mohammed from,
11 the reference to two white South Africans, the reference to
12 Tajorah Moscow? Where did all of that come from if it was not
13 from you?

14 A. Let me tell you the truth. There is a medicine for lies.
12:41:31 15 There is no medicine for the truth and nothing but the truth.
16 What I know is what I have told you.

17 PRESIDING JUDGE: Mr Witness, I have told you a few times
18 before. You have to answer the question. Don't be facetious.

19 THE WITNESS: Okay, I don't know about this.

12:41:50 20 MR GRIFFITHS:

21 Q. I am helpfully assisted by my learned friend. Apparently
22 Tajorah is a Libyan name. Did you ever do any training in Libya?

23 A. I told you no, no, no. I was trained in Liberia and I was
24 trained in Israel, no.

12:42:14 25 Q. I am going to move on from this point, please. Following
26 your training in Israel you became a satu officer, didn't you,
27 S-A-T-U?

28 A. Yes.

29 Q. What does satu stand for?

1 A. Satu is for Doe's mansion guard battalion who were assigned
2 at the mansion. After we left the training, they dissolved the
3 army that was there. It was the same thing just like how
4 Charles Taylor had the ATU. That was how satu was formed by Doe.

12:43:07 5 Q. You were a member of that specialist unit, weren't you?

6 A. I remember that unit, but there is something documented
7 even in my certificate you can - I am sorry that I didn't bring
8 it along with me. You would have seen all those who trained us
9 and how and the purpose of our training. You would have seen it,
10 but it did not take long.

12:43:34

11 Q. Help me, Mr Marzah: Did you at any stage, during the
12 period commencing in January 2006 when you had contact with
13 investigators and the Prosecutors in this case, did you at any
14 stage give them any documents that were in your possession?

12:43:59

15 A. Documents? Only my training certificate that I showed to
16 them and from that all that I have been going through, those
17 pictures, I turned it over - I turned them over to them, yes.

18 Q. Let us be a bit more precise if we can. So, you gave them
19 your training records?

12:44:26

20 A. I showed it to them, but I did not give it to them because
21 it is my personal document.

22 Q. Very well. Did you show them photographs that were in your
23 possession?

24 A. The photograph was that - but my certificate they wanted
25 to - I told them that I don't want my certificate to be
26 photographed. Then --

12:44:49

27 THE INTERPRETER: Your Honours, can he repeat the name of
28 the person?

29 PRESIDING JUDGE: Mr Witness, again we will ask you to

1 repeat the name of the person. The interpreter didn't catch it.
2 Please repeat it.

3 THE WITNESS: I said when I carried my certificate from
4 satu base I only showed it to them for them to know that I am an
12:45:23 5 old service man. They didn't photograph it, but the pictures
6 that concerned Sierra Leone and some parts of Liberia, they were
7 serious about them. They photographed them and returned them to
8 me.

9 MR GRIFFITHS:

12:45:41 10 Q. So, you did give them some photographs but nothing else?

11 A. I was having some papers with me, but - I was having some
12 papers with me. I believe they photographed it, but I can't
13 recall it now.

14 Q. So, you gave them some documentation which, as far as you
12:46:11 15 recall, was photocopied by either the investigators, or the
16 lawyers involved in prosecuting this case; is that right?

17 A. Come again, please.

18 Q. Can I summarise what you have just told us in this way:
19 You gave various documentation to the investigators and the
12:46:38 20 Prosecutors, they photocopied some of them, including photographs
21 which you had given them; is that right?

22 A. I can remember when Rob asked me if I had some documents
23 from Charles Taylor I said yes. I told him yes. But later when
24 I carried my - I didn't carry my document, the documents with me,
12:47:08 25 only my certificates and some pictures. I carried it and they
26 photographed it, but they did not photograph my certificate.

27 Q. You can be assured, Mr Marzah, I am asking you these
28 questions for a reason, a very good reason. Apart from your
29 certificates and photographs, did you provide any other documents

1 to either investigators, or lawyers acting for the Prosecution?

2 A. I showed Rob some papers on which I signed for some
3 materials in Monrovia.

12:48:01

4 THE INTERPRETER: Your Honours, can the witness kindly
5 repeat.

6 PRESIDING JUDGE: Just a minute, Mr Witness. Again the
7 interpreter asks you to repeat. What is the problem,
8 Mr Interpreter?

12:48:13

9 THE INTERPRETER: He has to repeat. He is speaking very
10 fast.

11 PRESIDING JUDGE: Not with you, with the interpreter. The
12 interpreter finds that you are speaking too quickly, Mr Witness,
13 so please repeat your answer. You said you showed Rob some
14 papers which you had signed for some materials in Monrovia.

12:48:28

15 Please continue from there.

16 THE WITNESS: Yes, I showed him some papers and later
17 I left to go to the residence. Whether he photocopied it or not,
18 I can't tell, but there were some papers with me that I showed to
19 him and it stayed in the office and I went to the house. From
20 there, when I came back the following day, when they were given,
21 they turned it over to me. I mean the pictures. They turned
22 them over to me. Whether he photographed it or not, I don't
23 know.

12:48:55

24 MR GRIFFITHS:

12:49:11

25 Q. Forget about photographs, forget about certificates. If
26 I understand what you have just told us, you gave to
27 investigators in this case written documentation about material
28 you had received for transport to Sierra Leone; is that right?

29 PRESIDING JUDGE: I don't think he went that far,

1 Mr Griffiths. I heard him say materials.

2 MR GRIFFITHS:

3 Q. Did you hand to the investigators written documentation
4 about material you had received in Monrovia for transport
12:49:55 5 anywhere else?

6 A. I can't remember that.

7 Q. What was the material you were referring to a couple of
8 minutes ago when you spoke of receipts?

9 A. When I spoke about material, militarily I am talking about
12:50:17 10 ammos and arms.

11 Q. Did you give to the investigators written documentation
12 with reference to arms and ammunition which you had received?

13 A. I can't remember that, sir. I can't remember that because
14 I am trying to say that when I was there there were some
12:50:49 15 activities that I was dissatisfied with, so I decided to go back
16 home and I can't remember that. So, even the pictures that were
17 photographed, they did not do that in my presence. Thank you.

18 Q. I will move on to another topic. In any event, you end up
19 as one of President Samuel Doe's bodyguards, don't you?

12:51:17 20 A. I was not his bodyguard. I was a security for the Liberian
21 Government. He was the president. I was not a bodyguard for
22 Doe.

23 Q. Thank you. In any event --

24 A. About?

12:51:35 25 Q. Doe was a Krahn, wasn't he?

26 A. Yes.

27 Q. You are a Gio?

28 A. Yes.

29 Q. There came a time when an attempt was made on President

1 Doe's life, an attempt to overturn his government; is that right?

2 A. Yes, it was correct, due to his attitude.

3 Q. Because his attitude, as you describe it, put in a word he
4 was a tyrant, wasn't he?

12:52:18 5 A. He was a bad man. That was why we attempted to overthrow
6 him.

7 Q. And you thought that it was justified to seek to overthrow
8 him, didn't you?

9 A. Yes, yes and we made the attempt twice.

12:52:43 10 Q. Following the attempt, following the attempt by Thomas
11 Quiwonkpa, a native of Nimba County, to stage a coup against Doe,
12 Doe carried out a reign of terror in Nimba County, didn't he?

13 A. Yes, he was doing the bad things even before Quiwonkpa
14 planned the coup.

12:53:20 15 Q. Amongst the things that then President Samuel Doe did in
16 Nimba was to cut off people's heads and put them on poles; is
17 that right?

18 A. It is not right. That was why we were fighting to
19 overthrow him.

12:53:40 20 PRESIDING JUDGE: Mr witness, counsel is asking what the
21 late President Doe did, not what you did.

22 MR KOUMJIAN: Perhaps the witness understood "right" to be
23 morally right as opposed to "is that correct".

24 MR GRIFFITHS:

12:53:59 25 Q. Mr Marzah, as a fact, did President Doe's supporters and
26 troops, during the reign of terror in Nimba County which followed
27 that coup, cut off people's heads and put them on poles?

28 A. Yes.

29 Q. In fact, was your own father not executed by Doe?

1 A. Not my father, but the sister that was next to me, not my
2 own father. My father died during the Krahn and the Gio people's
3 war a long time ago, but that was a - they executed my sister in
4 the Lutheran church.

12:54:55 5 Q. As a consequence you hated President Doe, didn't you?

6 A. Exactly.

7 Q. And you were afraid that you yourself might be killed,
8 weren't you?

9 A. Right.

12:55:11 10 Q. Which is why you fled Liberia and went to the Ivory Coast.

11 A. Yes.

12 Q. When in the Ivory Coast you met with Prince Johnson, didn't
13 you?

14 A. Yes.

12:55:28 15 Q. Now, help us please: Why did you thereafter join the NPFL?

16 A. I joined Prince Johnson to help overthrow Doe so that we
17 will be able to return home and also he was continuously killing
18 our people, so we thought we should find the means to overthrow
19 him. That was the reason why I was happy to join Prince Johnson
12:56:04 20 to go and overthrow Doe.

21 Q. At the time you thought that the project upon which the
22 NPFL had embarked was justified, didn't you?

23 A. At that time there was no NPFL. It was freedom fighter.
24 That was right.

12:56:26 25 Q. You thought that you and the other freedom fighters were
26 fully justified in seeking to overturn Doe, didn't you?

27 A. Yes.

28 Q. You felt that the only way of overthrowing him was to take
29 up arms and begin an armed struggle against him?

1 A. Yes.

2 Q. Now, I just want to deal with one detail. Yesterday, when
3 you were being asked questions by the man over there, you said
4 this:

12:57:23 5 "I first met Charles Taylor in Gborplay after I was
6 arrested by Special Forces. I was put in a container. Fire was
7 placed on the top. I was then taken in a wheelbarrow to
8 Charles Taylor's address."

9 Is that right?

12:57:47 10 A. It was not right. That behaviour was not right towards me.

11 Q. It is my fault. It really is not your fault. I need to
12 clarify the question I was asking.

13 A. Okay, okay. Thank you, thank you.

14 Q. Yesterday do you remember explaining that those were the
12:58:09 15 circumstances in which you met Charles Taylor?

16 A. Yes, repeat the question.

17 Q. I will start at the very beginning. Yesterday you told us
18 this:

19 "I first met Charles Taylor in Gborplay after I was
12:58:33 20 arrested by Special Forces. I was put in a container. Fire was
21 placed on the top."

22 Charles Taylor, you explained, was walking past and asked
23 for the container to be opened and when it was opened you were
24 taken in a wheelbarrow to Charles Taylor's address. You told us
12:58:54 25 those were the circumstances in which you first met him; is that
26 correct?

27 A. For the second time, yes.

28 Q. Thank you. Turn to page 2, please, paragraph 4:

29 "In 1985 while still in the Ivory Coast the witness met

1 Prince Johnson with whom he had served in the armed forces of
2 Liberia. The witness stated that Johnson recruited him to join
3 the NPFL, National Patriotic Front of Liberia," and listen to
4 this, "and in 1986 personally introduced him to Charles Taylor."

13:00:10 5 So, what I would like you to help us with, please, is this:
6 Did you meet him - can I finish my question, please. Did you
7 meet him when you were released from a container with fire on the
8 top of it, or were you introduced to him by Prince Johnson in the
9 Ivory Coast? Which of those two is right?

13:00:36 10 A. Thank you very much. I told you I left Liberia in '85
11 after the coup d'etat. While I was there in '86 I came across
12 Prince Johnson and I heard about Charles Taylor, but I had seen
13 Charles Taylor before in Liberia when he took over GSA as
14 director. But since he departed the only time I saw him was in
13:01:11 15 Gborplay. It was not in Ivory Coast, nor Burkina, but the second
16 place I met him was in Gborplay and after he had released me from
17 the container, that was the following day after he had released
18 me from the container.

19 Q. Well, I would like your assistance, please. On the face of
13:01:33 20 it paragraph 4 suggests that you first met Charles Taylor in
21 Ivory Coast in 1986. Is that right, or wrong?

22 A. No, no, no.

23 Q. That is quite wrong, is it?

24 A. No, no. I didn't see Charles Taylor in Ivory Coast, no.
13:01:57 25 It was Prince Johnson who talked about Charles Taylor and I had
26 the confidence that he was able to help us and I met him in
27 Gborplay the second time since he had left Liberia.

28 Q. But help us, please: When someone is locked in a metal
29 container and is at risk of death because fire has been put on

1 the top of it, it is the kind of event one would remember, don't
2 you think, Mr Marzah?

3 A. Yes, that was the reason why I was grateful to him and
4 I carried out the battle for him.

13:02:43 5 Q. One would have thought, given that this man had stepped in
6 to save your life, you would for the rest of your life remember
7 the circumstances in which you met him. So, help me: Why were
8 you telling them that you met him in the Ivory Coast and not in a
9 metal container on fire?

13:03:06 10 A. These of your five paragraphs are misquotation of document.
11 I did not say I met Charles Taylor in the Ivory Coast. I said in
12 Gborplay. The person that I met in Ivory Coast was Prince
13 Johnson, who told me Charles Taylor was going to help us to
14 overthrow Doe and for that I was happy.

13:03:37 15 Q. Can you help me also with this: Why is it that there is no
16 mention of the container at all, or the fire, or the wheelbarrow,
17 in this paragraph? Why is that?

18 A. I did mention about putting me in a container and that was
19 why I was grateful to him and that was why I was serving him, and
13:04:04 20 from there he even gave warnings to his Special Forces that
21 nobody should play around me and that the purpose of coming to
22 Liberia was not to be killing the innocent children.

23 Q. Mr Marzah.

24 A. Yes.

13:04:20 25 Q. Can you give us a credible explanation as to why there is
26 no mention of the container in this document? Why isn't it
27 there?

28 A. You can ask the Prosecutor because I did mention that. You
29 should ask him. It should be in his record there. I did make

1 mention about the time the Special Forces arrested us when we
2 were with Prince Johnson and they even carried out the execution
3 of our brothers on the road. The remaining about 22 or 23 humans
4 who were still alive, they placed us in a container.

13:05:06 5 PRESIDING JUDGE: Mr Witness, you are wandering off the
6 answer again. The question was about why it is not in the
7 document. You have answered that part. Your next question,
8 Mr Griffiths.

9 MR GRIFFITHS:

13:05:20 10 Q. My next question is this --

11 A. I explained it, sir. I explained it.

12 Q. Can you help me, please, as to how it is that mention is
13 made of the Ivory Coast when you never met Mr Taylor there? How
14 does that come about?

13:05:36 15 A. No, I don't know that. What I know and what I explain is
16 what I am saying. I am telling you the truth and I will say the
17 truth and nothing but the truth. So, it will not be something
18 like a lie then I answer to that lie.

19 Q. Now let us try my question again: Where did the reference
13:06:08 20 to the Ivory Coast come from?

21 MR KOUMJIAN: Objection, I think that is vague.

22 MR GRIFFITHS:

23 Q. Where did the reference in that paragraph, which I have
24 read out several times to you, where did that reference come
13:06:27 25 from? I hope that assists my learned friend.

26 A. Thank you. This Ivory Coast mentioned here, yes I did make
27 mention of Ivory Coast with regards the time I was in exile when
28 I met with Prince Johnson there, but I did not make mention of
29 meeting with Charles Taylor in Ivory Coast. I am telling you

1 what I explained, so I will not make mention of what I don't
2 know.

13:07:16 3 Q. But then it goes on to say, do you see, we are still at
4 paragraph 4, "The witness later," that is after the introduction,
5 "entered Liberia as a member of the NPFL." So, it is clear, on
6 the face of that, that you were telling them that you met him in
7 the Ivory Coast. For the last time I am just going to ask you,
8 it is a simple question, where did they get it from if not from
9 you?

13:07:39 10 A. Well, I will not say lies to you. The things that I did
11 not say, I will not agree with them here. I am still telling you
12 that the time Prince Johnson met me for us to cross, we were not
13 even known by a unit called NPFL. At that time they called us
14 freedom fighters. NPFL existed during the arrival of
13:08:02 15 Charles Taylor. Thank you.

16 PRESIDING JUDGE: Mr Witness, that does not answer the
17 question. The question was: Where does the mention, or the
18 reference to Ivory Coast come from? I think, Mr Griffiths, have
19 I paraphrased it correctly?

13:08:17 20 MR GRIFFITHS: That is the question.

21 PRESIDING JUDGE: Please answer that question.

22 THE WITNESS: Yes, Honourable Judge, what I did make
23 mention of about Ivory Coast was the time I went to Ivory Coast
24 and when I was in exile there and there Prince Johnson went to
13:08:38 25 Ivory Coast and met me there. He said to me that there was a man
26 called Charles Taylor that was coming to help us, so that we
27 could overthrow Doe. That was the reason why I made mention
28 about Ivory Coast. Even that time the Charles Taylor came and
29 talked to us about the revolution, it was in Gborplay. I had

1 explained that to the Prosecution twice.

2 MR GRIFFITHS:

13:09:23 3 Q. Turn to page 11, please, in that bundle. So, this now is
4 another interview. Well, in fact it is that - it is in March
5 2008 - sorry, 2006. 8 March 2006. Let us start at the top of
6 the page:

7 "The witness stated that Doe, a Krahn, was afraid of
8 another coup attempt by Nimba soldiers who were ethnic Mano, or
9 Gio. Having been disarmed and fearing arrest and/or execution,
10 the witness deserted and returned to Nimba County. Upon his
11 return, he stayed two days before continuing on into the Ivory
12 Coast. That is at the end of the rainy season in 1983. At this
13 time Doe loyalists in the Liberian army were arresting any
14 able-bodied male Nimba resident who could be seen as a threat.
13:10:54 15 The witness crossed the Liberia/Ivorian border and went to Danane
16 then on to Boake, staying there until 1985. In that year he met
17 Johnson who had also deserted from the Liberian army and sought
18 refuge in the Ivory Coast along with a number of other
19 ex-soldiers who were from Nimba.

13:11:39 20 "The witness stated that he was subsequently contacted by
21 Johnson and told about an organisation that was being formed to
22 fight and free Liberia from the Doe regime. He and 37 others met
23 with Johnson at Benneville" - pause there, in a later interview
24 you correct that name, but note this - "in the Ivory Coast. The
13:12:28 25 witness stated that all but five were former Liberian army
26 officers, the others were property owners from Nimba County who
27 had had land/property in Monrovia confiscated from them by the
28 Doe regime."

29 THE INTERPRETER: Your Honours, can the learned counsel

1 please repeat this question, please.

2 MR GRIFFITHS: "And free Liberia from the Doe regime. He
3 and 37 others met with Johnson at Benneville [sic] in the Ivory
4 Coast. The witness stated that all but five were former Liberian
13:13:19 5 army officers, the others were property owners from Nimba County
6 who had had land/property in Monrovia confiscated from them by
7 the Doe regime. Johnson told the group that there was someone
8 who could lead them back to Liberia and introduced Charles Taylor
9 and an unidentified group of Taylor's associates. The meeting
10 took place on December 13, 1988. Three months later, Johnson
11 called the group together again stating that 'the Old Man' was
12 coming to talk to the group 'one on one'."

13 Then you go on in paragraph 7, you see, to talk about, in
14 the middle of that paragraph, entering Liberia on 24 December
13:14:43 15 1989. So, what we have here, in January - I am sorry. On 31
16 January, I am right, you say that you meet him in the Ivory
17 Coast. On 8 March, again you say you were introduced to him in
18 the Ivory Coast. Help us, please, Mr Marzah, how is it that you
19 come to repeat the same erroneous information twice within the
13:15:22 20 space of a month, or so? How?

21 A. Thank you very much. I explained to the Prosecutor and my
22 lawyer about the coup that took place against Doe. It didn't
23 happen once. The '83 coup was different. That did not affect my
24 leaving Liberia and after the coup failed [indiscernible] went on
13:16:01 25 explaining so many things. So, we left and we --

26 PRESIDING JUDGE: I cannot relate this answer to the
27 question asked. The question asked is about something that was
28 said to investigators for the Prosecution and you are being asked
29 why you said something twice and why you said it and are saying

1 something else now. I hope I have paraphrased it correctly.

2 MR GRIFFITHS: I can't improve on that, your Honour.

3 THE WITNESS: Yes, sir. I want to make some clarification
4 on this document. I told the Prosecutor that the coup d'etat
13:16:49 5 against Doe did not just happen once. We attempted in '83. We
6 attempted to overthrow Doe in '83. I did not escape for that
7 reason. In '85 during the Quiwonkpa coup that was the time
8 I left Liberia finally for the Ivory Coast.

9 PRESIDING JUDGE: You are saying the same thing again,
13:17:13 10 Mr Witness. We are not asking the history of it, or, sorry,
11 counsel is not asking the history of it. He is asking why you
12 said one thing to the investigators and something else here.
13 That is what he is asking.

14 THE WITNESS: But let him make his questions short, but if
13:17:38 15 he explain the things as long as he has done, it will be
16 difficult for me to keep up with him. So, when he explains for
17 some time, he breaks, then I will answer, then we explain again
18 and then I answer.

19 PRESIDING JUDGE: He is following a procedure, but let me
13:17:54 20 suggest - counsel, it would appear the witness is confused.
21 Perhaps, whilst you have put it properly to him, please shorten
22 your question.

23 MR GRIFFITHS: Very well:

24 Q. Mr Marzah, in January 2006 you told the investigators
13:18:12 25 "I met Taylor in the Ivory Coast." In early March 2006 you told
26 the investigators again "I met him in the Ivory Coast." Why are
27 you now telling us you met him in Gborplay in a container?

28 A. No, I did not tell the investigators that I met
29 Charles Taylor in Ivory Coast, no. I said in Gborplay. The

1 person I met in Ivory Coast was Prince Johnson. That has been my
2 statement over and over.

13:19:03 3 Q. Mr Marzah, can you help us as to how it is the
4 investigators have recorded that same information on two separate
5 occasions?

6 A. I can't tell. What I said is what I am repeating. I will
7 not lie against Charles Taylor because today he is in problem.
8 I am telling you still that it was Prince Johnson that told me
9 that Charles Taylor was coming to help us, but I did not see
13:19:29 10 Charles Taylor in the Ivory Coast. I only met him in Gborplay.

11 Q. I am going to ask you once more and then I will move on.
12 Do you have any explanation as to how the investigators have
13 recorded the same wrong information twice in the space of just
14 over a month?

13:19:59 15 A. I don't know. I was not doing the paper job, but I am
16 telling you what I explain and what I knew about.

17 Q. Very well. Let us move on and let us see if we can deal
18 with one other point before we have to rise at 1.30. Yesterday
19 again you told us this:

13:20:25 20 "Foday Sankoh I saw for the first time after CT released us
21 from the container. He, that being Charles Taylor, introduced
22 Foday Sankoh to us as his colleague."

23 Is that right?

24 A. Yes, yes, yes.

13:20:50 25 Q. So you met Foday Sankoh for the first time in Liberia?

26 A. In Gborplay.

27 Q. [Overlapping speakers]

28 A. That was the town I met - yes, there was a border point
29 through which he and Charles Taylor entered.

1 Q. So why then, turning to page 3, did you tell the
2 Prosecutors in January 2006, paragraph 10, "The witness stated he
3 had met Foday Sankoh in Burkina Faso"? Why did you tell them
4 that?

13:21:45 5 A. No, I am repeating my statement. I am telling you what
6 I know about and what I explained to the people. If they did not
7 understand my English, then that was their own business. I told
8 them that I met Foday Sankoh in Gborplay after I had been
9 released from the container and before we received orders to go
13:22:09 10 to the front line he was introduced to us by Mr Charles Taylor.
11 I made that point of correction to the Prosecutor himself.

12 Q. Did you make it to that gentleman sitting there opposite
13 me? Did you make the correction to him?

14 A. Yes.

13:22:30 15 Q. So you told that man there, "You see this bit here about me
16 meeting Sankoh in Ivory Coast, that is totally wrong." You told
17 him that, did you?

18 A. I told him what I am explaining to you. I told him and
19 later he told me that the - but then the people who wrote down
13:22:57 20 these things, they must have done errors.

21 Q. Did you say to that man there, when you pointed out this
22 mistake, "You know that is completely wrong", and did he turn to
23 you and say, "Well, look, we have served this on the Defence,
24 perhaps we ought to change it"? Did he say that to you?

13:23:18 25 A. I told him - yes, yes.

26 Q. So, that man over there told you that he was going to tell
27 us that this ought to be corrected because it was wrong. He said
28 that to you, did he?

29 A. Yes. What I know I told him and what I saw I explained to

1 him. The way I met Sankoh and Taylor, I explained everything in
2 details to them, but I did not meet Sankoh in Burkina Faso, nor
3 Ivory Coast.

13:24:03 4 Q. You anticipate my next question because when we go to
5 page 11, having told the Prosecutors on the 31st that you met him
6 in Burkina Faso, on page 11, which I have just read out at length
7 to you, you told them that you met him in the Ivory Coast. Now,
8 help me, please, Mr Marzah, which is right? Did you meet him in
9 Burkina Faso, Ivory Coast, or Gborplay? Which is right?

13:24:34 10 A. I told you I met Charles Taylor, Foday Sankoh, in Gborplay,
11 but I met Prince Johnson in Ivory Coast. He told me about
12 Charles Taylor coming to help us and to serve as our leader for
13 us to go and overthrow Doe. You can ask the Prosecutor himself.
14 I made that statement, but then he took this document and said -
13:25:05 15 but those who copied these ones, I see so many errors inside.

16 Q. Mr Marzah --

17 A. Yes.

18 Q. -- so not only did they get it wrong when they said you met
19 him in Burkina Faso, lo and behold they got it wrong a second
13:25:27 20 time when they said you met him in the Ivory Coast. Who is
21 responsible for that?

22 A. I did not go to Burkina Faso. I was in Ivory Coast.
23 I told you that I only had training from Israel. That besides,
24 I did not go to Burkina Faso. It was Prince Johnson who told me
13:25:45 25 about Charles Taylor. I met Sankoh and Taylor in Gborplay and
26 I started to know Sankoh through Taylor in Gborplay.

27 Q. Would you agree, Mr Marzah, that the reference to you
28 meeting Sankoh in Burkina Faso, it is either a lie told by you -
29 can I finish my question? It is either a lie told by you, or

1 they have written down wrongly what you have told them. Which is
2 the right answer? What has happened? Is it a lie, or have they
3 recorded it wrongly?

4 A. I cannot take oath on the Bible to come here and lie, no.

13:26:30 5 I am telling you about what I told the people. I told the people
6 that I met with Charles Taylor and to even know Sankoh it was
7 upon the arrival of Charles Taylor in Gborplay, but I cannot
8 swear on the Bible and then lie, no.

9 Q. So, is the answer to my question that the investigators

13:26:54 10 must have got it wrong? It is their fault?

11 A. That is a mistake. It is a mistake, yes.

12 Q. Somehow you said "Gborplay" and they have recorded it as
13 "Burkina Faso", yes?

14 A. No. I said Gborplay, Gborplay in Liberia. Gborplay is not
13:27:23 15 in Burkina, nor in Ivory Coast. Gborplay.

16 Q. Because when we look at page 11 you have even given a date
17 when it took place: 13 December 1988. So, you are being
18 precise. So, help me, how did they get it so wrong?

19 A. I can't tell. I can't read and write for me to correct the
13:27:53 20 document, but what I said is what I am explaining to you.

21 MR GRIFFITHS: Would that be a convenient moment, your
22 Honours?

23 PRESIDING JUDGE: Indeed, Mr Griffiths. We will take the
24 lunchtime adjournment. Mr Witness, as yesterday, we are now
13:28:08 25 going to take a break for lunchtime and we will start again at
26 2.30. Please adjourn court.

27 THE WITNESS: Okay.

28 MR GRIFFITHS: I wonder if I could remind your Honours of a
29 matter raised by your Honour first thing this morning, because

1 I think we need to schedule in a time today when we ought to deal
2 with that matter which is least inconvenient to the witness.

3 PRESIDING JUDGE: The matter is partly in your hands if you
4 are ready to respond to what I have said.

13:28:41 5 MR GRIFFITHS: It is a matter my learned friend Mr Anyah
6 will be dealing with, your Honour. I don't know how long it will
7 take. I am sure it need not detain the witness and it may be
8 that if I sit down and Mr Anyah takes over, we can get, at the
9 least, some time estimate as to how long it will take.

13:29:07 10 PRESIDING JUDGE: Madam Court Attendant, if you wish to
11 escort the witness out, please. Yes, Mr Anyah?

12 MR ANYAH: Yes, Madam President. We have reviewed
13 paragraph 11 of the motion.

14 PRESIDING JUDGE: I was only directing to one bit. It is
13:29:27 15 the entire motion, of course, you must consider.

16 MR ANYAH: We have reviewed the entire motion. In
17 particular, we have reviewed paragraph 11. I think the initial
18 response the Chamber wants from us is whether or not the
19 reference to the scope of what we agreed to in paragraph 11 is
13:29:46 20 accurate.

21 PRESIDING JUDGE: It is whether you - it is whether you
22 will consent to the order sought. That is what we are asking.
23 We bear in mind that this is marked as urgent and if you adopt
24 the stance you took before and neither oppose nor object, we can
13:30:08 25 make an oral order. If you do not, then it must proceed in its
26 normal way.

27 MR ANYAH: Thank you, Madam President. The short answer
28 would be that we do request time to respond. We do not consent
29 to the motion. I would seek leave of the Chamber to elaborate

1 just briefly so that it does not appear that we are being
2 unnecessarily difficult. The particular paragraph in question
3 suggests that in the past the particular measures being sought,
4 we have found them to be appropriate. The answer is yes, indeed,
13:30:47 5 we have found them to be appropriate, but in a particular context
6 and that context was in relation to a response --

7 PRESIDING JUDGE: Yes. I only asked an indication. If you
8 are putting in a response, these are matters more properly dealt
9 with in a response.

13:31:05 10 MR ANYAH: Perhaps I can make one other observation, Madam
11 President, and this might ameliorate some of the concerns the
12 Chamber might have. I noticed when your Honour started this
13 issue, perhaps one of the bases for the urgency to deal with it
14 before the recess is the degree to which it might implicate some
13:31:27 15 of the witnesses that might be testifying after the recess. Just
16 so the Chamber is aware, on Tuesday this week, at about 7.00
17 p.m., we received an email message from the Prosecution which
18 delineated the list of the next 10 witnesses, or the call order
19 of the next 10 witnesses. I do not believe any member of the
13:31:47 20 Chamber was copied on that email. But in going through the list
21 of the next 10 to 11 witnesses they have scheduled, or they
22 anticipate calling in the month of April, only two of those 10
23 witnesses are implicated in this particular motion and the first
24 of those two is listed about fourth on the list of the 11
13:32:12 25 witnesses. So when we come back from the recess, to the extent
26 we allow the usual response and reply times under the rules to
27 deal with this motion, the Chamber will not be faced with a
28 situation where it has to rule on a motion in respect of a
29 witness who is scheduled to testify immediately.

1 PRESIDING JUDGE: I understand. Very well. In the light
2 of that I will make no further comment and we will take the
3 lunchtime adjournment.

4 [Lunch break taken at 1.34 p.m.]

14:23:55 5 [Upon resuming at 2.30 p.m.]

6 PRESIDING JUDGE: Please proceed, Mr Griffiths.

7 MR GRIFFITHS: May it please your Honours:

8 Q. [Microphone not activated] Now, we were just before the --

9 JUDGE SEBUTINDE: Microphone, please.

14:28:44 10 MR GRIFFITHS: I am sorry. I have been told I should put
11 both microphones on now:

12 Q. We were discussing, Mr Marzah, just before the short
13 adjournment your initial meeting with Foday Sankoh. Having dealt
14 with that matter, I want to go on to another matter and I wonder
14:29:08 15 if I may be assisted by Madam Court Officer. Could you turn,
16 please, to page 3. I want to ask you about one or two general
17 matters, please, Mr Marzah. Can you help us as to what Foday
18 Sankoh's intention was when he formed the RUF?

19 A. Thank you. Before the introduction of Foday Sankoh we
14:30:08 20 never knew about the RUF, but after himself and Charles Taylor
21 had a meeting at Harbel Hill they arranged that he was going to
22 Sierra Leone to have a war there.

23 THE INTERPRETER: Your Honours, the last bit of the
24 witness's testimony was not clear.

14:30:27 25 PRESIDING JUDGE: Mr Witness, sorry to interrupt you, but
26 the interpreter didn't hear the last part of what you said.
27 Please start again from where you said, "They arranged that he
28 was going to Sierra Leone to have a war there". Please continue
29 from that point.

1 THE WITNESS: The purpose of Charles Taylor sending Foday
2 Sankoh to Sierra Leone was to go there and take complete control
3 over Sierra Leone and to fight against the government so that the
4 soldiers of Freetown will not continue to help the forces of Doe
14:31:14 5 to continue attacking us.

6 MR GRIFFITHS:

7 Q. Right. Now I am grateful for that, Mr Marzah, and I will
8 come back to that latter aspect of it, but it may shorten matters
9 if I just draw your attention, please, to paragraph 12 on page 3.

14:31:39 10 If we count up seven lines from the bottom of that paragraph we
11 see this, "The 'operation' was for Foday Sankoh to become
12 President of Sierra Leone by overthrowing the government of
13 Sierra Leone", and for completeness you go on to say, "and that
14 Charles Taylor would get something in return for helping Sankoh,
14:32:01 15 to help 'he boys'". So that was Sankoh's intention, wasn't it,
16 to overthrow the government?

17 A. It was not Sankoh's intention. It was Charles Taylor that
18 assigned Sankoh there.

19 Q. So help me, please. Why don't we see in that paragraph,
14:32:32 20 "Charles Taylor's idea was for Foday Sankoh to become President
21 of Sierra Leone"? Why doesn't it read in that way?

22 A. Within this paragraph I did explain to the Prosecutor that
23 the purpose for which Charles Taylor sent Sankoh to go to
24 Freetown and fight against the Freetown government was for him to
14:33:04 25 go and become the President, if he was successful, and moreover
26 so that the forces of Freetown will not merge with the forces of
27 Liberia to continue attacking us.

28 Q. Right. Now I am going to come back to that latter aspect
29 in a moment, but you agree that when Sierra Leone was invaded the

1 intention was to overthrow the then Sierra Leonean government?

2 A. Yes.

3 Q. I now want to turn to the invasion of Liberia, only to this
4 extent. Following incursions by the revolutionary fighters and

14:34:01 5 the formation of the NPFL, a dispute arose which resulted in

6 Prince Johnson splitting off and creating the independent NPFL.

7 That is right, isn't it?

8 A. Please repeat your statement, Mr Lawyer.

9 Q. After Liberia had been invaded by NPFL forces, Prince

14:34:35 10 Johnson split off and formed a rival group called the Independent

11 National Patriotic Liberation Front, didn't he?

12 A. Yes, Prince Johnson left because he escaped death.

13 Q. And it is right, isn't it, that President Samuel Doe was
14 executed by Prince Johnson's Independent NPFL?

14:35:15 15 A. Yes, yes. Due to Charles Taylor's actions, that caused
16 Prince Johnson to kill Doe.

17 Q. What did Charles Taylor do to get the Independent NPFL to
18 kill Doe?

19 A. Thank you. Prince Johnson was not the battle group for the
14:36:00 20 freedom fighters. The freedom fighters battle group was selected
21 by Charles Taylor and that was William Obie, but after Prince
22 Johnson was recruited and there was nowhere to go --

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

14:36:15 25 PRESIDING JUDGE: A wee bit slower, Mr Witness, please, so
26 the interpreter can keep up with you. Thank you.

27 THE WITNESS: Thank you, mother. Prince Johnson was not
28 appointed by Charles Taylor. It was the late William Obie who
29 was appointed by Charles Taylor. But after Prince Johnson had

1 already recruited us in Ivory Coast for William Obie to enter
2 with us, William Obie was considered a coward, he did not cross
3 and so because of our life safety Prince Johnson took the
4 initiative to cross with us on December 24th. And after that
14:37:05 5 when we captured as far as Tiaplay, when Prince Johnson sent a
6 letter about the same Special Forces and the good job they did
7 the same Special Forces took the letter from the envelope and
8 they wrote to Charles Taylor telling Charles Taylor that Prince
9 Johnson wanted to take his position.

14:37:34 10 As a result of that complaint Charles Taylor did not
11 analyse the complaint, nor did he investigate the complaint, so
12 he took his position to give instruction to the Special Forces
13 for them to eliminate Prince Johnson. That was where the split
14 came from. And he too left because he wanted to rescue his life
14:37:52 15 and, even after he left, people were still behind his life.
16 People like Isaac Musa and some of us who were assigned with him,
17 they decided to put us in different areas for us not to go close
18 to him. That was how Prince Johnson came to establish the INPFL
19 and he was based at the Caldwell base. That was where his base
14:38:14 20 was.

21 And in the case of the arrest of Doe he was happy to put
22 the case of Doe to Charles Taylor, because he had a vast
23 experience with regards the government job so that he could
24 interview Doe the reasons why he carried out such atrocities and
14:38:37 25 so that he could give accounts about the activities in Liberia in
26 his time.

27 So during that movement the boys of Prince Johnson were
28 happy and that very day they were about to go to Gbarnga, so
29 Charles Taylor sent us and some of the Prince Johnson men were

1 arrested by us. He ordered us - me personally I executed some of
2 them, so for that reason the following day they were afraid.

3 That was the reason why Prince Johnson decided to execute Doe.

4 Q. Did Charles Taylor give the order to execute Doe?

14:39:21 5 A. No.

6 Q. Thank you.

7 A. No.

8 Q. That will do. Now can we turn to page 13 please, okay?

9 Paragraph 16 and 17, please:

14:40:22 10 "In 1991 [Marzah], along with a number of other NPFL combat
11 commanders - Ato Battua Hungry Lion, Enos Yeawon, 'Yasser
12 Arafat', Pual B Harry, Morrie Kalubo and Anthony Menquenagbeh -
13 were called to Harbel Hill, outside of Monrovia, for a meeting at
14 the Firestone Rubber Plantation".

14:41:03 15 THE INTERPRETER: Your Honours, as we can get a feedback of
16 the Liberian English interpretation, certain things have been
17 left out. Could the counsel be asked to go after that, please?

18 THE WITNESS: Yes, I thought you were still explaining.
19 Yes, that happened in 1991.

14:41:21 20 PRESIDING JUDGE: I think, Mr Witness, what has happened is
21 the interpreter has interrupted and so just pause a moment.

22 Mr Interpreter, I am not clear what the problem is?

23 THE INTERPRETER: The problem is as we are in the standard
24 English booth we normally get feedback from the Liberian English
14:41:36 25 booth, but I realised that so many things were left out there and
26 so could counsel be asked to go over that, please?

27 MR GRIFFITHS: Yes:

28 Q. I am looking, Mr Marzah, at paragraph 16 and 17 on this
29 page. Paragraph 16 --

1 PRESIDING JUDGE: Mr Griffiths, I am sorry. I don't mean
2 to interrupt you.

3 MR GRIFFITHS: Not at all.

4 PRESIDING JUDGE: I am just enquiring if there is any
14:42:05 5 possibility of this being sent to the booth for ease of
6 interpretation. Oh, they have one already. Please ignore what I
7 have said.

8 THE WITNESS: The only mistake that you made there was
9 about Pual B Harry. Pual B Harry died during the Kamplay war
14:42:26 10 between Kelly [phon] and Kamplay. I said Morrie Kalubo, that was
11 the mistake you made there, but the paragraph 16 you are talking
12 about according to your explanation is true that he sent for the
13 group that remain in Harbel Hill for us to go to Freetown for the
14 second phase.

14:42:45 15 MR GRIFFITHS: I think I need to go over these matters
16 again, Madam President, just to ensure that they are on the
17 record:

18 Q. Now, Mr Marzah, it is not your fault that I am having to
19 repeat this. It is just that it was not interpreted properly
14:42:59 20 first time round, okay:

21 "In 1991, the witness, along with a number of other NPFL
22 combat commanders - Ato Battua, Hungry Lion, Enos Yeawon, 'Yasser
23 Arafat', Pual B Harry" - and I hear what you say about that -
24 "Morrie Kalubo and Anthony Menquenagbeh - were called to Harbel
14:43:40 25 Hill, outside of Monrovia, for a meeting at the Firestone Rubber
26 Plantation. The meeting was called by Charles Taylor. The
27 witness stated that when he arrived he met Foday Sankoh (second
28 time he had met Sankoh.) Sankoh was with at least fifteen other
29 Sierra Leoneans, who the witness said were Sierra Leone soldiers

1 who had 'disappeared' during the Momoh presidency. The witness
2 stated that he had been told this by a number of the Sierra
3 Leoneans during conversation with them.

4 The witness stated that Taylor told him that the reason for
14:44:35 5 the meeting was to set an 'agenda' to escort Foday Sankoh to
6 Sierra Leone where Sankoh would remove Momoh from power. The
7 witness stated that all of those present at the meeting were
8 NPFL, including Sankoh and that the term RUF was never used. The
9 meeting was directed by Taylor and the witness and the others
14:45:10 10 were told that by sending Sankoh to take over Sierra Leone,
11 Taylor was ensuring that the Sierra Leone Army would not be in a
12 position to help the Armed Forces of Liberia in the fight with
13 the NPFL (i.e. secure border with Sierra Leone)".

14 Is all of that correct?

14:45:39 15 A. Correct.

16 Q. Thank you.

17 A. Correct.

18 Q. Because the fact of the matter is, if we can summarise all
19 of that, you felt at the time that the NPFL were justified in
14:45:55 20 invading Liberia to overthrow Doe. You did, didn't you?

21 A. Yes.

22 Q. In the fight against the Armed Forces of Liberia the Sierra
23 Leone Army came in on the side of the Armed Forces of Liberia,
24 didn't they?

14:46:22 25 A. Repeat, please.

26 Q. Whilst the NPFL were justifiably seeking to overthrow Doe
27 and were fighting against the Liberian Army, the Sierra Leonean
28 army came in on the side of the Liberian Army, didn't it?

29 A. Yes.

1 Q. And that was causing problems for the NPFL's justified
2 attempt to overthrow Doe?

3 A. Are you saying that was the cause?

4 Q. No, what I am saying is because of what the Sierra Leonean
14:47:02 5 Army was doing it was making the job of the NPFL to overthrow Doe
6 more difficult, wasn't it?

7 A. Yes, yes, all of them were one body. There was no
8 discrimination. All those who came along with Charles Taylor, we
9 came intentionally for us to overthrow Doe. Thank you.

14:47:24 10 Q. The point I am making is this. When Sierra Leone was
11 invaded that was in order to protect the revolution in Liberia,
12 wasn't it?

13 A. Yes, and also to take over government in Sierra Leone.

14 Q. Now I want to move on to another matter, please. Special
14:48:02 15 Forces were those members of the RUF/NPFL who had been trained in
16 Liberia. Is that right?

17 A. The majority of the Special Forces, including the Sierra
18 Leoneans, the Gambians, they were trained in Burkina. They came
19 along with Charles Taylor. But later, after we had succeeded to
14:48:30 20 go as far as Margibi, that was the time they trained both the
21 Liberian citizens, but at that time there were no recruits from
22 Sierra Leone. The group of NPFL, along with those who came with
23 Charles Taylor, went in before they could recruit from Sierra
24 Leone.

14:48:51 25 Q. I am grateful for all of that, but all I wanted to know was
26 what particularly identified them. What about the vanguards?
27 What particularly identified them?

28 A. The vanguards, there was another Liberian group because
29 after the force had entered Freetown and whilst we are in

1 Freetown everybody was just doing things for himself, by himself
2 --

3 THE INTERPRETER: Your Honours, your Honours, could the
4 witness be asked to slow down, please?

14:49:40 5 PRESIDING JUDGE: Again, Mr Witness, we are asking you to
6 speak more slowly so the interpreter can keep up with you,
7 please.

8 THE WITNESS: Sorry, mother. You know, there are some
9 explanations I will be very happy, so I want to make him happy
14:49:58 10 too.

11 PRESIDING JUDGE: In future, I will just put my hand down
12 and you can recognise it.

13 MR GRIFFITHS:

14 Q. Were the vanguards not those who were trained at Camp Naama
14:50:11 15 in Liberia?

16 A. No, those were the people who were mining for themselves in
17 Freetown. They didn't care to report to Sankoh, so these were
18 the people who were considered as the vanguard group and then he
19 turned them over to Charles Taylor and all of them were executed
14:50:39 20 at Gbalatoa [phon] Bridge. They were 162 men.

21 Q. So vanguards had nothing to do with training, but
22 everything to do with diamond mining. Is that right?

23 A. These were the people who did not pay attention to the
24 front line. They did things on their own. We call them the
14:51:06 25 vanguards.

26 Q. What about junior commandos? Who were they?

27 A. The junior commandos were mostly those who did not take -
28 those who did not take instructions, those were the people who
29 did not take - the vanguards were those who did not take command.

1 But we were all junior commandos and those people who did not
2 take orders from Charles Taylor, they only did things on their
3 own, they were the vanguards, but we were all junior commandos.
4 But the group that they killed at Naama it happened during the
14:51:48 5 time the war had gone as far as Pendembu, so the citizens who
6 were captured in Freetown they were sent to Camp Naama to go and
7 take in-service training so they could go back and reinforce the
8 manpower in Freetown. I mean Sierra Leone.

9 Q. Very well, I hear what you say. But is it not right,
14:52:10 10 Mr Marzah, that there was a something of a pecking order, a
11 hierarchy, between the Special Forces, vanguards and junior
12 commandos, wasn't there?

13 A. No, vanguard is not different and junior commando is not
14 different. I told you that those who did not abide by the orders
14:52:35 15 were considered as vanguards. It meant outlaws. People who were
16 outlaws.

17 Q. Okay, I hear what you say.

18 A. Thank you.

19 Q. So it was not the case, was it, that the Special Forces as
14:52:54 20 the name suggests were regarded as being at the top of the
21 pecking order, so to speak?

22 A. No, no Special Forces was called a vanguard. Men who did
23 not abide by instructions were considered as vanguards.

24 Q. Very well. Now, I want to ask you about one or two names
14:53:25 25 and see if you can assist me please. Do you remember a Special
26 Forces officer called Cooper Weah?

27 A. I know Cooper Woyah. He was the MP commander in Gborplay
28 during the time Charles Taylor arrived.

29 MR GRIFFITHS: And that is Cooper C-O-O-P-E-R, your

1 Honours, and the surname is Woyah W-O-Y-A-H.

2 THE WITNESS: I told you I am not educated.

3 MR GRIFFITHS:

4 Q. Do you know a Special Forces member called Edward Melhm?

14:54:12 5 A. Yes, he was my 1st Battalion commander when I was in
6 [indiscernible] in Grand Bassa.

7 MR GRIFFITHS: Edward, your Honours, normal spelling.
8 Mehl m M-E-H-L-M.

9 THE WITNESS: I said Edward Mehl m. Alfred Mehn, who was
14:54:35 10 called Godfather, is different, and Edward Mehl m is also
11 different, but both of them were Special Forces.

12 MR GRIFFITHS:

13 Q. I am only asking you about Edward. So, you accept that
14 Edward Mehl m was a Special Forces officer?

14:54:55 15 A. Yes, yes, yes.

16 Q. Another name now, please. Solomon Seerway [phon]?

17 A. No, not Seerway. Solomon Siawah. He was one of the
18 Special Forces.

19 MR GRIFFITHS: Would your Honours give me a moment? Your
14:55:23 20 Honour, can I just have a moment to check a couple of spellings
21 because I want to be clear. I apologise. Yes, Solomon Siawah.
22 Siawah is spelt S-I-A-W-A-H:

23 Q. And you know him, do you?

24 A. I know Solomon Siawah. He was controlling the BZT in the
14:56:36 25 1st Battalion. I told you he was a Special Forces.

26 Q. Thank you. What about Joe Tuah?

27 A. Joe Tuah also was a Special Forces and he was the first
28 artillery commander under Charles Taylor. He is now the person
29 who is spear heading the rebel group in Ivory Coast.

1 Q. And his surname was T-U-O-H, yes?

2 A. I called him Joe Tuah and his name is Joe Tuah, so I can't
3 read and write for me to spell, please.

4 Q. Very well. What about Peter Siade [sic]?

14:57:19 5 A. Not Siade. I said Peter Saikpedeh. He was one of the
6 Special Forces. Our President, Charles Taylor, knows all the
7 people whose names I am calling. Saikpedeh was one of the
8 Special Forces.

9 MR GRIFFITHS: I will attempt to assist with the spelling
14:57:38 10 in due course, your Honours, rather than delay matters now.

11 MR KOUMJIAN: It was spelled yesterday, just for counsel's
12 benefit.

13 MR GRIFFITHS: I am grateful:

14 Q. What about Alfred Mehn?

14:57:50 15 A. Alfred Mehn, he was a Special Forces. He was commonly
16 called Godfather, yes. He was supposed to be the Minister for
17 Lands and Mines, but he is late. He is dead.

18 Q. What about John Gubbay [phon]?

19 A. John Gubbay was one of the Special Forces who used to train
14:58:19 20 the people about the Arab drill called yesyam.

21 Q. What about Samuel Varney?

22 A. Samuel Varney was one of the Special Forces and the most
23 senior officer from the AFL, commonly known as Colonel Varney.
24 He is dead.

14:58:47 25 Q. What about Tiagen Wantee? T-A-R-G-E-N W-A-N-T-E-E.

26 A. He was one of the Special Forces who was assigned in Guinea
27 as ambassador.

28 MR GRIFFITHS: Now if I can assist with some spellings,
29 your Honour, where I can: Alfred Mehn, M-E-H-N; John Gubbay,

1 G-U-B-B-A-Y; Samuel Varney, Samuel normal spelling Varney

2 V-A-R-N-E-Y; and then Tiagen Wantee T-A-R-G-E-N W-A-N-T-E-E:

3 Q. Now would you agree, Mr Marzah, that all the individuals I
4 have named to you were much more senior to you within the NPFL?

14:59:45 5 A. Yes, because they were introduced by Charles Taylor as his
6 Special Forces and so I considered them as my most senior
7 officers.

8 Q. Now after the invasion of Sierra Leone, friction developed
9 between the Sierra Leoneans and the Liberians, didn't it?

15:00:14 10 A. Yes, the confusion. Yes, the dispute began.

11 Q. And as a result there was a falling out between Sankoh and
12 Charles Taylor, wasn't there?

13 A. No, no, no, the dispute was only between the junior
14 commandos, those who don't abide by the instruction. Those were
15:00:43 15 the people they call vanguards and later they were sent to
16 Liberia. I told you about 162 men that were executed at
17 Gbalatoah Bridge.

18 Q. Very well. I won't dwell on that. But in any event this
19 is right, isn't it? Shortly after or at or about the same time
15:01:07 20 as that friction developed between the Sierra Leoneans and the
21 Liberians in Sierra Leone, ULIMO invaded Liberia, didn't it?

22 A. It was not the dispute that caused ULIMO to invade Liberia.

23 Q. All I am asking is did the invasion by ULIMO occur at about
24 the same time as the friction between the Sierra Leoneans and the
15:01:41 25 Liberians in Sierra Leone? Did that all happen about the same
26 time?

27 A. No, the problem that happened at the front line happened
28 before ULIMO could exist.

29 Q. Very well. Nonetheless it is right, isn't it, that after

1 ULIMO invaded, ULIMO took control of Lofa County? Is that right?

2 A. Yes, yes, before ULIMO could take over Lofa County at the
3 time the Sierra Leone government had taken complete control.

4 That was the time that ULIMO took control of Lofa.

15:02:38 5 Q. And effectively that meant, did it not, that the NPFL was
6 cut off from the RUF?

7 A. Yes, the supply line was cut off completely and that was
8 the time that the RUF were in bushes, but they were still in
9 touch with our leader, Charles Taylor.

15:03:08 10 Q. And during that period when ULIMO invaded, they used to put
11 human heads on sticks as well, didn't they?

12 A. I don't know about ULIMO activity, please.

13 Q. Very well. I want then to go on to another matter. After
14 the election in 1997 which saw Charles Taylor democratically

15:03:58 15 elected as President of Liberia, what was your role within the
16 Liberian government?

17 A. I was assigned directly to transport arms and ammunition to
18 Freetown and at the same time take my salary under the SSS.

19 Q. Is it right that you were an orderly to Benjamin Yeaten?

15:04:35 20 A. Come again.

21 Q. Were you an orderly to Benjamin Yeaten?

22 A. Not to Benjamin Yeaten per se, but directly under Charles
23 Taylor. That is what I am telling you. I was appointed under
24 Ben at the time Charles Taylor had already introduced Ben at the

15:05:00 25 Mansion Ground within the security meeting that whatever Ben says
26 and any instruction coming from Ben were his instructions. It
27 was at the time that he sent me to Ben to be assigned to him.

28 Q. Do you know a Varuma [sic] Sheriff?

29 A. Yes, I know Varmuyan Sheriff. Well done.

1 Q. Were you more or less senior than Varuma Sheriff after
2 Charles Taylor's election?

3 A. After Charles Taylor's election as far as I am concerned
4 only Ben was the most senior officer to me during my operation,
15:05:53 5 but the others I didn't count them. I don't even salute the
6 Chief of Staff not to talk about Varmuyan Sheriff.

7 Q. So, Varmuyan Sheriff was a minion to you?

8 A. He was not my underman. He was not my underman, but
9 equally so all of them gave me their full respect based upon my
15:06:20 10 functions.

11 Q. So, you are --

12 JUDGE SEBUTINDE: Mr Griffiths, I am sorry to interrupt,
13 but I hope you are both talking about the same individual. You
14 refer to him as "Varuma" and the witness refers to him as
15:06:34 15 "Varmuyan".

16 MR GRIFFITHS: Well, I am sure it is my pronunciation.

17 THE WITNESS: No, I said --

18 JUDGE SEBUTINDE: Mr Witness, I am talking please. I am
19 addressing the lawyer, because I want to be sure that he is
15:06:46 20 asking you - he is talking about the same person you are talking
21 about.

22 MR GRIFFITHS: Well, let me clarify it:

23 Q. The person you knew by that surname - and I am not going to
24 try and pronounce his surname, or his first name because I am
15:06:59 25 bound to get it wrong. The person you knew as Sheriff, what role
26 did he discharge following Charles Taylor's election? What was
27 he?

28 A. After Charles Taylor's election Varmuyan Sheriff that you
29 are talking about, all of them were fighting for ULIMO-J. Later

1 all of them turned around and submitted themselves and he was
2 appointed by Charles Taylor I think five, three, close bodyguards
3 to Charles Taylor at the mansion.

4 Q. Was he in the SSS?

15:07:49 5 A. Yes, full colonel.

6 Q. Full colonel. And what was your rank?

7 A. I told you I was not having a specific rank. I was chief
8 of operations and a time came when a problem erupted and they
9 called me, they called me provost master general and I put the
10 situation under control. My salary that I used to take, you
11 know, it was not regular to say I used to take this, or this.

15:08:19

12 Q. So, you didn't have a rank?

13 A. I was having a rank. I was having a rank. I was full
14 colonel in the service after Ben and I had had that conflict and
15 they had raided my house. When Charles Taylor intercepted he
16 turned around and made me captain, but yet still I took my
17 colonel rank and every benefit I had was my colonel rank.

15:08:49

18 Q. I'm sure it's my fault but I'm now totally confused. Were
19 you a captain or were you a colonel?

15:09:13

20 MR KOUMJIAN: Could we specify a time, please?

21 PRESIDING JUDGE: Mr Griffiths, please be more specific.

22 MR GRIFFITHS: Very well:

23 Q. Following Charles Taylor's election as president, what rank
24 did you have at that point? Just pause there. At that point on
25 the election, what rank did you have?

15:09:32

26 A. After the election I was serving as full colonel at the
27 Executive Mansion, but on the military field I was a major
28 general.

29 Q. Thereafter, following the elections, did you remain a major

1 general and a colonel under Charles Taylor?

2 A. The colonel rank was for Charles Taylor's record for me to
3 get salary from finance, but all my rank remained intact until
4 the war was over.

15:10:19 5 Q. So from the point of his election until the end of the war
6 you were a major general and a colonel?

7 A. I was major general in the army, SSS colonel.

8 Q. So, help me, please. Where did the captain come in?

9 A. Thank you. The captain business came in at the time when
15:10:53 10 Ben executed Sam Dokie and then Joe Tuah, Peter Saikpedeh, when
11 they executed Sam Dokie I was not there. I had gone to the
12 front. When I came back I was annoyed and used provocative
13 language against Ben. From there Charles Taylor said I should be
14 dismissed. After three days - after three days they called me
15:11:23 15 back and said from today you are a captain.

16 Q. So you were demoted?

17 A. Yes, on SS side, but on the operation rank I was still a
18 major general.

19 Q. So it would be wrong for anyone to have called you -
15:11:46 20 described you as an orderly to Ben Yeaten, Benjamin Yeaten. That
21 would be quite wrong, would it?

22 A. Thank you.

23 Q. You're welcome.

24 A. Okay, thank you for welcoming me. The Benjamin you see he
15:12:10 25 was SS director, but down to the defence minister and all, they
26 were all subject to him by Charles Taylor's directive. So I too
27 used to be subject to him.

28 Q. I'm using a specific word for good reason. Would it be
29 right to describe you as an orderly to Benjamin Yeaten?

1 A. Yes, yes, yes.

2 Q. Would it be correct to describe you as one of Benjamin
3 Yeaten's bodyguards?

4 A. No.

15:12:50 5 Q. That would be quite wrong, would it?

6 A. It's wrong.

7 Q. You were never Benjamin Yeaten's bodyguard?

8 A. I took instructions from Benjamin Yeaten after Charles
9 Taylor introduced him and he was the chief security, so by rights

15:13:09 10 I had to take instructions from him, but I was not bodyguard to
11 him, to Ben.

12 Q. You have made that clear. Because, you see, what I am
13 going to suggest, Mr Marzah, is that you were never in such a
14 high position within Liberia or the NPFL to ever take orders

15:13:38 15 directly from Charles Taylor. Do you follow me? I am glad you
16 find it funny.

17 A. When something is funny I always laugh, because you are
18 quoting. You were not there. I am telling you the accurate
19 story, sir.

15:13:56 20 PRESIDING JUDGE: Mr Witness, we have had this before. You
21 are not to make facetious remarks. You are to answer the
22 questions. Put the question again, please, Mr Griffiths.

23 MR GRIFFITHS:

24 Q. What I am suggesting is that you were never of such a rank
15:14:15 25 to take orders directly from Charles Taylor?

26 A. I took orders from Charles Taylor from time immemorial up
27 to the finishing part of the NPFL. That is what I am telling you
28 and I will tell you the truth and nothing but the truth. The
29 reason you say - sometimes when you show me some paragraphs I

1 told you it's not my statement. What I did is what I'm telling
2 you.

3 Q. Because what I am suggesting is the truth about you,
4 Mr Marzah, is this: You were born in [indiscernible] in Nimba
15:15:03 5 County, weren't you?

6 A. To what place?

7 Q. How do you pronounce the town in which you were born in
8 Nimba County?

9 A. Yes, Mr Counsellor, I am here to answer your questions.

15:15:18 10 You should ask me questions directly. Don't suggest. You should
11 ask me where you are from.

12 PRESIDING JUDGE: Now Mr Witness --

13 THE WITNESS: Yes, ma'am.

14 PRESIDING JUDGE: Answer the question and don't tell us how
15:15:37 15 to ask them.

16 THE WITNESS: Okay.

17 PRESIDING JUDGE: How do you pronounce the name of the town
18 you were born in in Nimba County in Liberia?

19 THE WITNESS: I was born in Soesenlay, S-O-E-S-E-N-L-A-Y,
15:15:52 20 Soesenlay.

21 PRESIDING JUDGE: Thank you. Please proceed, Mr Griffiths.

22 MR GRIFFITHS:

23 Q. Is it right that between 1990 and you joining the NPFL you
24 were living between Gbarnga, Bong County, Kakata and Margibi
15:16:16 25 County?

26 A. At that time the NPFL were fighting or from the beginning?
27 Make the question clear, sir.

28 Q. After you joined the NPFL and entered Nimba County were you
29 spending most of your time around Gbarnga, Bong County, Kakata

1 and Margibi County?

2 A. I was assigned to the 1st Battalion. I only went to
3 Gbarnga when my commander sent me with a report, but there was no
4 - I had no alternative. I had no authority to go on the main
15:16:55 5 road. The people thought that when I go to the main road I would
6 escape and go to Prince Johnson. So in the 1st Battalion they
7 used to keep me throughout.

8 Q. Is it right that at some stage you were driven from Nimba
9 County for bad behaviour?

15:17:16 10 A. No, under no condition. And at this present time as I am
11 speaking to you it is there that I am residing since the war
12 began. No Nimbalian will tell you any such about me. I left the
13 enemy on the road, I passed through and I went to my home.
14 That's where I'm residing.

15:17:38 15 Q. Would you agree that you joined the NPFL in late 1990?

16 A. I have told you the time that I joined the NPFL. I was one
17 of those who crossed over with Prince Johnson. That is what I'm
18 telling you.

19 Q. Were you with commander Paul Wehyee at Harbel Firestone in
15:18:07 20 Margibi County?

21 A. Yes, before I took assignment with Paul Wehyee, at that
22 time we had come as far as - we had not come as far as Margibi,
23 but before then I changed two or three commanders as battalion
24 commander.

15:18:31 25 MR GRIFFITHS: Paul Wehyee, your Honours, is spelt Paul
26 normal spelling, Wehyee, W-E-H-Y-E-E. Harbel we have encountered
27 before and Margibi I think we have encountered before:

28 Q. Is it right that in 1993 you became part of the Jungle Fire
29 unit within the NPFL?

1 A. Yes, yes.

2 Q. What was the Jungle Fire unit?

3 A. The Jungle Fire unit was a special operation unit for
4 Charles Taylor. Anywhere there was a serious obstacle it was for
15:19:19 5 us to move there and put the situation under control. It was
6 headed by Benjamin Yeaten.

7 Q. And is it right that after you became a part of the Jungle
8 Fire unit you were assigned as MP commander in Tapeta, Nimba
9 County under a commander known as Straightly By the Board?

15:19:47 10 A. No, no, you are talking about 1990 issue. Jungle fire was
11 formed later, almost to the end of the war. But Strictly By the
12 Board you're talking about, let's say '91. Some part of '90 or
13 '91, something like that.

14 Q. So you do recognise the name Straightly By the Board?

15:20:19 15 A. I only know Fanya [phon], the Strictly By the Board I am
16 only hearing from you. Fanya is what I know. General Fanya.

17 JUDGE SEBUTINDE: Mr Interpreter, you are saying Strictly
18 By the Board but counsel said Straightly By the Board.

19 THE INTERPRETER: Your Honours, it's what I'm getting from
15:20:42 20 the witness I am interpreting, not counsel.

21 MR GRIFFITHS:

22 Q. Yes, who is General Fanya, okay. So there was a time when
23 you were commanded by him?

24 A. No.

15:20:57 25 Q. Who commanded you?

26 A. No.

27 Q. General Fanya never commanded you?

28 A. No, under no condition.

29 Q. Did there come a time when you were reassigned as MP

1 commander in Zwedru, Grand Gedeh County?

2 A. No, only Buchanan. From Buchanan I said throughout in the
3 1st Battalion, no.

15:21:36

4 Q. So you were never MP commander in Zwedru, Grand Gedeh
5 County?

6 A. No, I was only sent there to disarm the ECOMOG troops who
7 were there and that was the time that I went there for the second
8 time.

15:21:56

9 Q. Were you arrested in 1993 by General Gbor Vaye and Colonel
10 Gbajulue in Tapeta?

11 A. No, no, I didn't experience anything like that.

12 MR GRIFFITHS: The spellings are, your Honours, G-B-O-R,
13 one word, V-A-Y-E, surname. Second first name G-B-A-J-U-L-U-E:

15:22:29

14 Q. Did those two gentlemen not arrest you for carrying out
15 unauthorised and unnecessary harassment of citizens?

16 A. No. If someone tells you that it's a big lie. What I
17 remember is that Christopher Varmoh, Varmoh's younger brother,
18 after --

15:22:53

19 THE INTERPRETER: Your Honours, can the witness kindly
20 repeat?

21 PRESIDING JUDGE: Mr Witness, you have gone too fast again.
22 Please repeat your answer. Start off where you were saying,
23 "Varmoh's younger brother". Start from there, please.

15:23:08

24 THE WITNESS: Okay. Christopher Varmoh's younger brother
25 who was to be in Lawru [phon] when General Fanya sent his troops
26 to Kamustan [phon], some part of Grand Bassa, he wanted to
27 execute those people. These are the men who encountered problems
28 - I had problems with. Later I freed those guys and sent them
29 back to Tapeta, but these that you are talking about their

1 arrest, maybe that's over my dreams.

2 Q. Were you at any stage put in jail?

3 A. Recently in 2003, the early part of 2003, Benjamin jailed
4 me at the time that he made an attempt to rape my wife, Korpu
15:24:09 5 [phon] and later our leader Charles Taylor intervened and he
6 wanted to cause damage and he did.

7 Q. Were you ever put in jail for harassment of civilians?

8 A. No, no, no, no, I didn't experience that except in my
9 dreams.

15:24:35 10 Q. Did there come a time when as a member of the Jungle Fire
11 unit you were assigned to Lofa County to fight ULIMO?

12 A. Repeat the question, Mr Lawyer.

13 Q. Whilst a member of the Jungle Fire unit, were you ever
14 deployed to Lofa County to fight ULIMO?

15:25:02 15 A. Yes, yes.

16 Q. Were you expelled from the Jungle Fire unit for
17 cannibalism?

18 A. No, no. What happened in Jungle Fire, Ben took me and said
19 that it was Charles Taylor's directive and he sent me to
15:25:30 20 Freetown. While there they called me to come and go to Macenta.
21 That is what I experienced in Jungle fire and I did.

22 Q. Were you expelled from the Jungle Fire unit?

23 A. No, no, I told you most of the units within NPFL I served.

24 Q. But there did come a time even on your account when you
15:26:01 25 ceased to be a member of the Jungle Fire unit?

26 A. At times I took part in the Jungle Fire during times of
27 operations. I took part. In any operation where there is an
28 obstacle they will call me and I will go there.

29 Q. But did there come a time when you left that unit?

1 A. No, no. It still - it existed until the peace talks.

2 Q. You were still a member until then, were you?

3 A. No, later I was sent to Senge to withdraw the remaining RUF
4 soldiers that were embarrassing people in Sierra Leone. So I was
15:27:00 5 deployed in Senge to withdraw the remaining RUF.

6 Q. Is it not case that, having been expelled from the Jungle
7 fire unit, you joined the army division and was assigned in Bomi
8 County?

9 A. That's a lie. I never, ever took up assignment in Bomi
15:27:24 10 County. I never did. I never spent a day in Bomi County. At
11 times I will pass through there to go on a battle, but the person
12 who gave you that information, it's a lie.

13 Q. Were you arrested whilst a member of the army division for
14 acts unbecoming a good soldier and jailed for six months?

15:27:51 15 A. Mr Lawyer, I will not tell lies to you and I will tell you
16 the truth and nothing but the truth. No one detained me for two
17 weeks, three weeks. It was only Ben who did that to me in
18 Monrovia. He said it was Charles Taylor who sent for me for a
19 vehicle. At that time he went to rape my wife and my wife called
15:28:15 20 me and told me and I started to blast him. So when Charles
21 Taylor heard it, at the time the enemy hit Bomi Hill he freed me.
22 It was at that time T Zimi [phon] who was a Special Forces and he
23 was the MP commander at BTC.

24 Q. Do you accept that at the time of the LURD invasion you
15:28:42 25 were in prison?

26 A. No, I remember when Gueckedou - Ben asked me why I left
27 those men to retreat. He detained me and Bovey [phon] in Foya.
28 We spent two days there. From there they brought ammunition and
29 I crossed right back and went to Gueckedou.

1 Q. Is it not the case that you were only released from prison
2 after the outbreak of the LURD invasion?

3 A. No, no, no, if anybody tells you that that means they are
4 misquoting the document.

15:29:30 5 Q. Very well. I am going to move on to another topic now.
6 Yesterday you told us this, that you would mostly need to sign a
7 paper whenever you received arms. That would be given to Kai who
8 would take it to Charles Taylor. Is that right?

9 A. Yes, yes.

15:29:59 10 Q. Can we go now, please, to page 8 of the bundle. It is page
11 00100144 at the top, okay. Paragraph 35, last three lines:

12 "The witness stated that he was in possession of copies of
13 the manifests he signed for the weapons and ammunition and was
14 prepared to turn these over to the Office of the Prosecutor."

15:31:06 15 Did you say that to the investigators?

16 A. Yes, I told them, but later when I went, I came back and
17 had them informed that the thing I left - the things that were in
18 my home, like the documents, in 2003, most of them were destroyed
19 and I was at the battle front when I left the city. I didn't go
15:31:37 20 to my house when I left the city.

21 Q. That's why I was asking you about what documents you gave
22 to the Prosecutor earlier, you see, and at one stage during those
23 questions you appeared to suggest that you had given just such a
24 document to them. Have you ever given any such documentation to
15:32:00 25 either an investigator or a lawyer in this case?

26 A. I showed them some papers, but they were concerned about
27 the papers that concerned Sierra Leone, but mostly assignment for
28 those weapons, those were not documents that were given to me.
29 The things were taken from the warehouse, G4 Moses will sign for

1 them he will take them to Kai and then Kai will take the document
2 to Charles Taylor.

3 Q. What documents were you talking about when you told them
4 you were in possession of copies of the manifest you signed for
15:32:43 5 the weapons and ammunition? What documents were you talking
6 about?

7 A. Thank you. The document that I was talking about was the
8 assignment that took me from Liberia to Freetown and the truck
9 that was entrusted in my care for the ammos to be transported
15:33:11 10 inside. All of those documents were what I was talking about.

11 Q. Where are those documents now?

12 A. They were being destroyed since 2003. I told you I was at
13 the war front. I never went to my house. I was at Gbarnga
14 Highway and then when the enemy forces - then I went back to my
15:33:36 15 home.

16 Q. When did you go back to your home and discovered that this
17 treasure trove of evidence has been destroyed? When did you go
18 back to your address?

19 A. I went back to my area and at that time the lady who gave
15:34:00 20 me the place that I was stopping --

21 Q. Can we just try and stick to the question. Time is running
22 out. When did you go back to your address, please?

23 A. I went to my own home town in 2003.

24 Q. So why are you telling the Prosecutors in February 2006
15:34:27 25 that you were in possession of copies of the manifests? They had
26 been destroyed three years before. So what business have you got
27 telling them you have still got them in your possession?

28 A. Because I was sure that if I returned to Monrovia I will
29 see some of my documents or some properties that I needed intact,

1 but later when LURD invaded all the area most of those things
2 were destroyed. Some were destroyed. The ones that I showed to
3 them were not related to Sierra Leone.

15:35:14 4 Q. Let me ask you a very simple question. In February 2006
5 did you have such documents in your possession; yes or no?

6 A. I will say yes and I will say no.

7 Q. No, you can't have both. Try one or the other. In that
8 month of 2006 did you have those documents in your possession?

9 A. No, no, no, no.

15:35:47 10 Q. So if you didn't have them in your possession what were you
11 hoping to gain by telling the investigators that you did?

12 A. Because I hope - I was hoping that the residence in which I
13 resided, some of my documents or some of my needed properties
14 would be intact.

15:36:12 15 Q. But if what you're telling us is the truth, Mr Marzah, that
16 would have required you to resurrect them from the ashes; they'd
17 been burnt. So why are you telling them this in February of
18 2006? It's a simple question.

19 A. Mr Counsellor, I will tell you the truth and nothing but
15:36:38 20 the truth. I told you whilst we were fighting I left and went to
21 my home. I did not get to my house in Caldwell. I remained on
22 Gbarnga Highway and then I went to the town where I was born in
23 Nimba County. And my coming to Monrovia was at the time when one
24 of my friend an officer called Stinger went for me. And I had
15:37:10 25 the hope that the people who were the people in the community
26 there would have been able to take some of my properties and keep
27 them safely to me. But when I finally went there to find out I
28 realised everything was destroyed. And it was really that my
29 house was breaking down.

1 Q. Were you telling the investigators that in order to enhance
2 your own importance as a witness?

3 A. Yes, I told them that when I return I will check to see if
4 some of these documents that relate to this issue - if I see any
15:38:01 5 one of them I will bring them for you. I told them that.

6 Q. I am going to try the question differently, because you may
7 have misunderstood me. Did you tell the investigators that you
8 had such documents in your possession in order to big yourself up
9 as an important witness?

15:38:33 10 A. Yes, I am important, but I told them that the documents in
11 question, hopefully when I return I will check properly, if I
12 will be able to see any one I will bring them for you to be sure.

13 Q. And you recognised that by telling them that you would
14 increase your importance as a witness in their eyes. You knew
15:38:58 15 that, didn't you?

16 A. Yes.

17 Q. Because if we go over to page 27 - your Honour, can I pause
18 for a moment to seek some guidance. I am very conscious of the
19 fact that through my own slip yesterday particular information
15:39:33 20 went into the public domain which should not have done. Now
21 there are matters linked to that which I would like to deal with
22 at some stage with this witness and as your Honours will see on
23 the penultimate line on that page. Now I don't know whether
24 through an excess of caution it might be proper to deal with such
15:40:00 25 matters in a way in which enhances the purpose behind the
26 protective measures imposed.

27 PRESIDING JUDGE: Yes, Mr Koumjian, I think you are clear
28 on what counsel is saying.

29 MR KOUMJIAN: I think especially considering what has just

1 been said it would be wise to go into private session for those
2 questions.

3 MR GRIFFITHS: What I propose to do then, your Honour, is
4 this: I will deal with this point without making reference to
15:40:30 5 any material and then at a later stage when I am dealing in more
6 depth with that particular point it would be logically easier for
7 us to deal with all the matters together then.

8 MR KOUMJIAN: I'm not exactly sure what counsel's plan is
9 but I am just concerned whether, because of the conversation we
15:41:04 10 just had, if he proceeds in the manner that I understood him to
11 say we wouldn't still have the same problem.

12 MR GRIFFITHS: No, what I am saying is we are going to have
13 the problem at some stage, but rather than deal with it piecemeal
14 I will deal with this point without making any particular
15:41:21 15 reference and at a later stage I can deal with all matters in
16 relation to this issue compendiously.

17 MR KOUMJIAN: Yes, thank you very much.

18 THE WITNESS: I want to use the restroom.

19 MR GRIFFITHS: I also think your Honours are alert to the
15:41:59 20 point brought to your attention by the Court Officer.

21 PRESIDING JUDGE: Yes, indeed, and we will deal with that
22 point right away.

23 [In the absence of the witness]

24 In the absence of the witness, the witness has made it
15:42:28 25 clear he can't read English in any event. So perhaps we will
26 circumvent this by not displaying the pages.

27 MR GRIFFITHS: [Microphone not activated].

28 PRESIDING JUDGE: How much of this page will you be
29 referring to, Mr Griffiths?

1 MR GRIFFITHS: I being your pardon, your Honour?

2 PRESIDING JUDGE: Will it be much of this particular page
3 that you will be putting to the witness?

4 MR GRIFFITHS: Your Honour, no. If your Honour goes over
15:43:46 5 the page and sees the fourth line from the top of the page, you
6 will see how this topic relates to the questions I have been
7 putting to date about documentation and I feel I can ask this
8 question without reference to the name. Then at a later stage
9 when I am dealing with other matters in relation to that
10 particular topic I can deal with all the matters together.
15:44:14

11 JUDGE SEBUTINDE: Mr Griffiths, the point we are trying to
12 grapple with is whether the problem can be overcome by redacting
13 - blacking out the name on the public display, or whether we
14 should refrain completely from putting the page up on the display
15 for the public.
15:44:35

16 MR GRIFFITHS: Well, your Honour, I think purely in terms
17 of the logistics involved, and given the time constraints we are
18 all operating under, I don't see that it is going to be practical
19 for us to redact the particular references I have in mind in time
15:45:00 20 to be able to continue expeditiously with this witness and it may
21 be that the quickest way of dealing with this is not to put it on
22 the overhead at all, because I think those that need to know and
23 grapple with this particular point can deal with it without it in
24 any way prejudicing the interests which the Court necessarily has
15:45:21 25 in having the proceedings as open as possible.

26 [In the presence of the witness]

27 Q. Mr Marzah, on 11 March 2006 you were seen by investigators
28 and you told them that when you used to take arms to Sierra
29 Leone, when you handed over the arms before the material was

1 handed over to the person taking custody of it that person would
2 have to sign a receipt acknowledging the type and quantity of the
3 arms and ammunition that person had been given. Is that right?

4 A. That is right.

15:46:54 5 Q. Now help me with this, please: Those receipts that you
6 were given, where are they now?

7 A. The government that we were running, everything went by
8 procedure. At any time I brought the receipt to show the
9 authorities that I have - I will hand deliver it to G4 Moses and
10 then he will take it to Kai and then Kai will take it to our
11 leader Charles Taylor's office.

12 Q. If putting all together what I have asked you about documents
13 so far, when you received material at White Flower or anywhere in
14 Liberia you would be given documentation, wouldn't you?

15:47:55 15 A. Who will give me paper?

16 Q. I don't know, I'm asking you. Would you be given
17 documentation?

18 A. Thank you. Thank you. Before I went to White Flower
19 whether there were 50 boxes or 150 boxes to be signed for I will
20 always sign for them and then I will leave the document with the
21 G4 and then - then when I took them from there they will give me
22 a document whether it was the time of Mosquito or at this time
23 Issa was there. When I took them to them, when they received it
24 they will sign the document that they have received it, certain,
15:48:44 25 certain amount from me, and then when they give me the
26 documentation I will bring it back to the G4 office.

27 Q. So when you go to the warehouse at White Flower you are
28 given 100 boxes of AK-47 ammunition, you sign and give that
29 receipt to Kai so that Kai can say, "I have given this to

1 Zigzag", all right?

2 A. Yes, yes.

3 Q. You then load up your trucks or your pick-ups and you drive
4 to Sierra Leone?

15:49:20 5 A. Yes.

6 Q. You arrive in Buedu, Kono or wherever, you hand them over
7 to Mosquito?

8 A. Yes.

9 Q. Mosquito or Sesay then signs a document to say, "I have
10 received this 100 boxes of ammunition from Zigzag", yes?

11 A. Yes.

12 Q. You, Zigzag, would then take that receipt and go back to
13 Monrovia and say, "Here you are. This is to show that I properly
14 delivered the 100 boxes all the way in Sierra Leone". Is that

15:49:59 15 right?

16 A. Yes, yes, it used to happen.

17 Q. But, Mr Marzah, if that's right, you wouldn't end up with
18 any documents in your possession to give to anyone. So, help me,
19 which documents were burnt in your house?

15:50:20 20 A. Thank you very much. That was why I said it used to
21 happen. When I was carrying out this process, it came to a time
22 when I was highly trusted and they had confidence in me so at any
23 time I took ammos or arms like that when Mosquito signed and at
24 that time Moses never used to ask and when I get there I will
15:50:51 25 call directly to Charles Taylor and then I will tell him that,
26 "Old man, I have now reached" and then he will talk to Mosquito
27 through the Thuraya satellite phone and sometimes when I came
28 back I would have the paper with me in my pocket and I think I
29 had so many papers like that, up to 15 that were in my file that

1 I can recall. Those were the ones that I wanted to show them
2 out.

3 Q. But given the system you described as being in operation,
4 under what circumstances would you end up with relevant
15:51:28 5 documentation in your possession. I am glad you find this funny.

6 A. You know, when our leader Charles Taylor had trust and
7 confidence in somebody and, moreover, when I always arrived and
8 then he did direct communication with Mosquito, at times he never
9 cared about paper. And sometimes in fact when my wife was ready
15:51:58 10 to go and launder my clothes she will just say, "Here are some of
11 your papers here in your pockets" and I will tell her just keep
12 them in my file because I'm not educated.

13 Q. Well, if sometimes he didn't bother with paper because he
14 trusted you, even more so you wouldn't have any documentation to
15:52:19 15 hand over. So when you were saying that to the investigators
16 what documentation were you talking about?

17 A. Mr Counsellor, if it was the case that LURD was not going
18 to destroy my house then the documents I am talking about, I will
19 have been able to bring them out to prove to the Prosecutors.
15:52:48 20 But now I am telling you that there were some documents that were
21 in my possession. It was not always that I used to take all the
22 documents to him - to him. Sometimes when he had direct contact
23 with him he never asked me in fact again.

24 Q. I am going to move on. Yesterday you told us this, "After
15:53:23 25 ULIMO disarmed I made many trips to Sierra Leone at the time
26 Mosquito was there up to the time that Sesay was in charge". Is
27 that true?

28 A. Yes, yes.

29 Q. "I made 20 to 40 trips". Is that true?

1 A. More than that, yes.

2 Q. So would it be fair to say then that your arms carrying
3 trips to Sierra Leone began in about 1996?

4 A. Repeat the question, Mr Lawyer.

15:54:11 5 Q. Would it be fair to say that you only began transferring
6 arms to Sierra Leone in 1996?

7 A. I started transporting arms when ULIMO was in Lofa and when
8 the Government of Sierra Leone took over and that was the time I
9 started passing through Yekepa. That was what I said. And I
10 said at that time Tiagen Wantee was the ambassador.

11 Q. Let me see if I can assist you in being more specific.

12 A. Yes.

13 Q. Can you remember now when was the first time, which year
14 that is, you made an arms carrying trip to Sierra Leone?

15:55:11 15 A. The first arms that I carried to Sierra Leone was the first
16 time we were called upon to send to Sierra Leone. The name that
17 you have just called --

18 THE INTERPRETER: Your Honours, the names are not clear to
19 the interpreter.

15:55:30 20 PRESIDING JUDGE: Pause, Mr Witness. The interpreter has
21 not heard the names clearly. Please repeat the names.

22 THE WITNESS: I said at the time the Sierra Leone
23 government drove the Special Forces and when Charles Taylor sent
24 for us at Harbel Hill to go back for the second phase, that was
15:55:54 25 the time I started travelling with weapons and ammunition. And
26 after ULIMO had taken over Lofa County and the Sierra Leone
27 government had taken over Freetown, there was no way to supply
28 the RUF. So he started using me to pass through Guinea. So I
29 considered myself to be a businessman and I was buying kola nuts

1 and I would pass through Guinea with kola nuts and ammos for me
2 to take them to Kissidugu along with Musa Cisse's friend.

3 MR GRIFFITHS:

15:56:44

4 Q. Let me see if I can try once more. Can you give me a year
5 when you first transported arms to Sierra Leone?

6 A. I told you that since the first phase the people whose
7 names I have just called it was when we were first moving and
8 that was the time, but at the time the Special Forces hit Sierra
9 Leone they had enough weapons there.

15:57:14

10 Q. Let me try again.

11 A. Yes.

12 Q. Apart from the initial NPFL/RUF invasion of Sierra Leone,
13 once that had happened when was the first time you transported
14 arms, consignments of arms, to Sierra Leone?

15:57:42

15 A. After the invasion, at that time Eddie Kanneh and all of
16 the others they were with us. I can't recall the dates, but I
17 transported many times, but I can't recall the dates and the
18 year.

15:58:04

19 Q. Maybe I am being unfair to you, Mr Marzah, so what I will
20 do is I will refer you to page 25 in that bundle, please.

21 A. Okay.

22 Q. This is a record of an interview conducted with you on 10
23 March 2006. Paragraph 21, please:

15:58:49

24 "The witness stated that the first time he shipped or
25 transported arms and ammunition from Liberia to Sierra Leone was
26 in late 1996."

27 Is that true or false?

28 A. This one is false. I started transporting arms and
29 ammunition before this time, but in 1996 - and at that same time

1 I was transporting the arms and ammunition. I start transporting
2 since the second phase when we entered from Buedu and Koindu.

3 Q. So what we see there and I have just read out to you, it's
4 false, is it?

15:59:37 5 A. No, this is true, but some of the statements were left -
6 were omitted. They did not write everything.

7 Q. Let me start again. Did you make your first shipment,
8 transportation of arms and ammunition from Liberia to Sierra
9 Leone in late 1996; true or false?

16:00:07 10 A. That's true. This '96 is true. But this '96, at this
11 particular time I was transporting arms and ammunition.

12 THE INTERPRETER: Your Honours, could the witness be
13 advised to slow down his pace, please?

14 PRESIDING JUDGE: A bit slower for the interpreter,
15 Mr Witness.

16 THE WITNESS: Okay. Thank you, sir. This '96, it happened
17 lately. I started transporting arms and ammunition let's say
18 from '91 up to the time when the people closed the road and it
19 was after they closed the road and ULIMO had taken over in '96 I
16:01:02 20 started again. That was the third phase that you are talking
21 about. But the first phase that I told them about, you know the
22 white people who were treating me at that time actually they
23 didn't understand my English well and they were just there with
24 me, just they and I, so they were unable to write all the
16:01:26 25 statements I gave them.

26 Q. Well, it's somewhat unfortunate that you said that to them
27 on the 10 March and, guess what, on the following day, 11th
28 March, you said the same thing to them again. Turn to page 27,
29 please. The second paragraph, interview of 11 March 2006,

1 paragraph 2: "He stated that from late 1996" - let's just flick
2 back to 25, late 1996, what a coincidence - "onwards he was
3 personally involved in up to three shipments a month from Charles
4 Taylor's White Flower residence to Monrovia."

16:02:26 5 Is that true, or false?

6 A. Yes, from White Flower. But from Gbarnga, they did not
7 mention it there. My statement did not record it all. Some
8 statements here did not go in line with my statement. But from
9 Gbarnga the transporting that I was doing, they did not put it
10 there. They only mentioned the time Charles Taylor was
11 president. That's what I am talking about. I am trying to make
12 some sort of clarification, sir.

16:02:46 10

13 Q. So help me, please, why is it then that when we go to the
14 interview conducted with you on 31 January, the very first

16:03:08 15 interview - let's go to page 8, please, page 00100144 at the top,
16 paragraph 36:

17 "The witness further stated that he himself was on at least
18 20 runs from Monrovia to the Sierra Leone border area, Lofa
19 County, in which arms or ammunition were transported. These
20 occurred in 1996, 1997."

16:03:46 20

21 And then over the page, please, paragraph 39 on page 9,
22 00100145:

23 "The witness stated that he had no further Sierra Leone
24 related activity from 1998 on."

16:04:17 25 Is all of that true or false?

26 A. I said it is true, but the one they forgot about is the
27 first explanation from Gbarnga before we could go to Monrovia
28 when Charles Taylor was entering into government, the one that I
29 used to do they did not mention here. They only based it upon

1 '96, '97 and that is not my complete statement.

2 Q. Now the arms that you were transporting, how did they get
3 into Liberia according to you?

16:05:16

4 A. The weapon that I used to receive, many a time we used to
5 go to the airport to receive it at the Roberts International
6 Airfield. That was where the Russian air cargo plane used to
7 come with this ammunition overnight. And at one time one of the
8 planes had an accident and as a result of the damage to the
9 runway President Taylor stopped all the international security
10 not to go there except us. It was through Roberts field, but
11 there was one that I used to receive from Monrovia at White
12 Flower. Some used to come through Ivory Coast.

16:05:44

13 Q. How many flights of Russian aeroplanes carrying arms do you
14 know about going into Roberts International Airfield?

16:06:18

15 A. Yes, it has made so many trips, but I did not see any
16 different plane. The one that I recalled is what I am explaining
17 to you and I am here to say the truth and nothing but the truth.

18 Q. Well, give us an idea as to the number of flights which
19 came in, please. Are we talking about one flight, a dozen
20 flights? What are we talking about?

16:06:45

21 A. Many times.

22 Q. How many?

23 A. Yes, sir, that's what I'm coming to. Sometimes when the
24 flight comes it will take over a month or two or three months

16:07:10

25 then it will come again. At times most times, the one that I
26 myself went and saw was at nine different times. Nine different
27 times, including the one which Mosquito went and collected. That
28 made it 10.

29 Q. I just want to be clear about your last answer, because I

1 was helpfully being distracted with another matter. So what are
2 you telling us; that you recall somewhere in the region of nine
3 flights or so?

16:08:02 4 A. You know, at times I will be at the front and the supply
5 would come in my absence. I can't be on the scene all of the
6 time. The ones that I experienced and the ones that I am able to
7 give account of, your Honour, that's what I'm telling you.

8 Q. So that the ones you can give account of are about, let's
9 be generous to you, about 10 or so? Would that be fair? Would
16:08:31 10 that be fair that you were involved in about 10 air shipments of
11 arms into Roberts airfield?

12 A. Thank you very much, Mr Counsellor. The 10 trips did not
13 come - did not come as one. They did not come within one year.
14 It is a usual something. Sometimes I can't be on the scene all
16:08:58 15 the time. Sometimes I will receive some through Buchanan port.

16 Q. That's why I'm asking you. I am only interested in you
17 being able to tell us how many flights you were present at and
18 involved with. That's all I'm asking you. Just give me a
19 figure, please?

16:09:18 20 A. Oh, okay. I experienced - I myself - the one Mosquito
21 brought summed it up to 10, but after that most of the arms and
22 the ammos, some I used to receive from the Buchanan port from one
23 white man that used --

24 Q. Mr Marzah, I'm sorry to interrupt you but I would like us
16:09:42 25 to stick to the point, please, because I am anxious to get on
26 with this. Let's just restrict ourselves to Roberts
27 International Airfield. How many flights of arms into Roberts
28 International Airfield were you, Zigzag Marzah, involved with?

29 A. I told you I experienced a Russian --

1 Q. No, just give me a number, please?

2 A. Okay, all in all it's about 10.

3 Q. Turn to page 26, please. Paragraph 25:

4 "The witness stated that he was involved in over 100 trips
16:10:45 5 of ammunition/weapons that were flown into Roberts and taken to
6 Schefflein and White Flower."

7 What does that mean?

8 A. I told the investigator and the lawyer that the one that I
9 was aware of is the nine and Mosquito's own summed it up to 10,

16:11:13 10 but mostly I used to receive these from the Buchanan port in a
11 ship. Many times. But the trip they made with those weapons, it
12 was more than a hundred plus trips. That is what I said.

13 Q. But it would be quite wrong to say that you were involved
14 in over 100 trips involving flights into Roberts International
16:11:41 15 Airport. That would be wrong, wouldn't it?

16 A. I said to the Prosecutor that by transporting I made more
17 than 100 plus trips, but the plane came several times at the
18 Roberts International Airport, but the one that I experienced is
19 about 10 and apart from that, my weapons - the weapons that I
16:12:11 20 received were through Buchanan port, over 20 to 30 times in a
21 ship.

22 Q. So the truth of the matter is that most of the arms you
23 were dealing were coming in by ship and not by plane. Is that
24 right?

16:12:28 25 A. More came through the plane, but I was not present at the
26 time that the plane arrives. The one that happens in my presence
27 when I can describe the plane, that's what I am telling you
28 about, but most of it comes through the ship.

29 Q. Would it be right that you were never involved in over 100

1 trips of ammunition flown into Roberts International Airport?

2 That's quite wrong, isn't it?

3 A. No, my statement is I made a trip - I made trips to
4 Freetown over a hundred, but the plane that landed at the Roberts
16:13:17 5 International Airport that was so many times that the one I
6 myself went and took part in and took some of the arms boxes from
7 inside the plane, it was about 10, but most of it when Gowa
8 [phon] was assigned to the Buchanan port I think I made over 30 -
9 over 30 plus trips from the ship at Grand Bassa.

16:13:55 10 Q. [Microphone not activated]?

11 A. No, from here there was a certain thing - a certain
12 statement that you read here. When they left some out I told you
13 that they left some out. You know, I am not able to lie. I am a
14 soldier.

16:14:09 15 Q. Mr Marzah, what grade did you reach in school?

16 A. I told you I didn't go to school. I am not educated. I
17 can't read and write.

18 Q. Mr Marzah, you know what, I am going to suggest you're
19 lying about that. You're suggesting that President Samuel Doe
16:14:29 20 sent an illiterate man all the way to Israel to train. How did
21 you read the training manuals and everything else?

22 A. Thank you very much. You know, I can assure you my brain
23 is natural. I have got a natural brain. I can assure you of
24 that. You can even check my entire background. No one will tell
16:15:01 25 you that I ever entered a school campus. But being that I have
26 stayed long with the Kongo people, moreover Richard Henry, that
27 caused me now to be speaking some English that is encouraging you
28 to think that I can read or write, or something like that, but
29 nothing like that, yes.

1 Q. But, Mr Marzah, tell me how did you cope with the training
2 for three months in Israel without being able to read or write?

3 A. Yes, Mr Counsellor, if to say I can read, because I was
4 going to run away from that place --

16:15:49 5 THE INTERPRETER: Your Honours, can the witness kindly
6 repeat his answer?

7 PRESIDING JUDGE: I'm sorry, Mr Witness, to interrupt you,
8 but the interpreter hasn't heard all you said. Can you repeat
9 the last part of your answer, please.

16:16:01 10 THE WITNESS: Okay, thank you. You know, my being to
11 Israel was because I am very intelligent in doing anything. To
12 say I was able to read and write, if I was able to read or write
13 I was going to gain a position right from there, but I can't read
14 and write at all. Those who know me, even from Charles Taylor's
16:16:32 15 time, those days, and Ben with whom we have been together know I
16 can't read and write. When you see me speaking you would think -
17 when you see me dressed in a suit you would consider me to being
18 a minister. I have nothing except my natural brain.

19 Q. How were you able to spell the name of the village in which
16:16:54 20 you were born yesterday then? Remind us of how it is spelt,
21 please. Tell us how it is spelt?

22 A. Thank you. You know, every day they do one thing in your
23 presence over and again you must keep it in mind. Yes, you must
24 keep it in mind.

16:17:15 25 Q. Spell the name of your village for us, please?

26 A. The name of my village - the name of my village, it has
27 nothing to do with investigation.

28 PRESIDING JUDGE: Now, we have been through this. No
29 facetious answers. Answer the question.

1 MR GRIFFITHS:

2 Q. Spell it, please?

3 A. Repeat.

4 Q. It was a simple question, but I will oblige.

16:17:43 5 A. I say S --

6 Q. Spell the name.

7 A. I said S-E-N-L-A-Y. Senlay. It is my birth town. From
8 time immemorial even my church, my documents on which they wrote
9 my names, they did this. I am not used to writing my own name at
10 all.

16:18:13

11 JUDGE SEBUTINDE: Mr Witness, you say you can't read or
12 write. Can you count? Can you count?

13 THE WITNESS: I can count one, two, three. Yes, sometimes
14 I can count from one sometimes to - sometimes I can go above 75.

16:18:35

15 Yes, I can count. I can count one, two, three.

16 JUDGE SEBUTINDE: If you took 100 and you subtracted 10,
17 what would you have left?

18 THE WITNESS: You would be left with - no. But let me
19 check it one after the other so that I will know how much will
20 remain. I beg. Please. Let me check it one after the other.
21 Then I will take it from that and then I will know exactly what
22 will remain.

16:19:02

23 JUDGE SEBUTINDE: Mr Witness, the reason I am asking is
24 what is written here. When you say you were involved in over 100
25 trips I want to make sure that the number 100 is literally 100
26 and does not mean many trips. Did you mean 100 as in one zero
27 zero.

16:19:16

28 THE WITNESS: Okay. Okay, it means one zero zero. It
29 means the things you do, plenty of them, plenty of them. One

1 zero zero. Yeah.

2 JUDGE SEBUTINDE: There you have it, Mr Griffiths.

3 MR GRIFFITHS: I am grateful, your Honour:

4 Q. So arms were coming in through Roberts International
16:20:05 5 Airfield and they were also coming in through Buchanan port, yes?
6 Is that right?

7 A. I can't get you, sir.

8 Q. Arms were being shipped into Liberia through Roberts
9 International Airport and Buchanan port. Is that right?

16:20:26 10 A. Yes, it's right.

11 Q. You were collecting arms from both locations and taking
12 them for storage in Monrovia?

13 A. Yes. Not in a store. To my president's house at White
14 Flower, Charles Taylor, but not in a store. A store, it is a
16:20:53 15 place where they sell a lot of wares. I was not carrying arms
16 there. I was carrying arms to my president Charles Taylor's
17 house.

18 Q. And you know the arms that were coming in through Roberts
19 International Airport, where were they coming from?

16:21:16 20 A. Sometimes I can hear from Benjamin Yeaten at the time that
21 the white man went there with the chaser, they said this is our
22 chief boss man's friend who has been bringing those things, some
23 from Burkina, some from the white people's country, you can see
24 the white people coming here. So I too was convinced. But I did
16:21:50 25 not know the particular country. But what I learnt from Ben,
26 they said some was from Burkina, some was from Libya and the
27 white man came with the chaser from America. That was the time
28 he went to inspect the old World War I base behind the Roberts
29 International Airport for it to be renovated.

1 Q. So from what you were being told the arms were coming from
2 Burkina Faso, Libya and the United States?

3 A. I heard that, but I did not go to those areas to know
4 whether they can produce arms on their own. I heard that and I
16:22:38 5 saw it with my eyes. The one that I saw and the one that I heard
6 is what I am telling you.

7 Q. Did you hear about arms coming from anywhere else?

8 A. Yes, yes, yes, these three areas that I have named, they
9 are the ones I am calling. During the [indiscernible] they
16:23:03 10 brought some kind of arms which Charles Taylor said they were
11 operating in Monrovia, said they had come through Ivory Coast.
12 They were in a big truck. He himself was operating it. From
13 there his artillery commander Joe Tuah, before he could train
14 Martina Johnson, but I don't know the name. The name that I
16:23:32 15 heard them call was A Dragon. They say it's a terrorist peace.

16 Q. Mr Marzah, I am asking you simple questions and I would
17 like a simple question?

18 A. Yes.

19 Q. You were told, and I don't care who you were told by, where
16:23:53 20 these arms originated from and you told us Libya, Burkina Faso
21 and the United States?

22 A. Yes.

23 Q. Please can I finish. Did you hear of arms coming from
24 anywhere else?

16:24:14 25 A. No, no, no, no.

26 Q. Can we go to page 25, please. Paragraph 22:

27 "When asked the source of the weapons/ammunition the
28 witness said from all over Europe, but declined to say how he
29 knew this."

1 Who told you that?

2 A. Yes, sir, the way the thing was closed, the first time I
3 knew Europe is this trip that I have made. We consider America
4 to be Europe.

16:25:18 5 Q. I am not talking about what journeys you have made. Please
6 just concentrate on the question. We have got two minutes or so
7 left. Help me. Who told you that the arms came from Europe?

8 A. One it was Benjamin Yeaten, two Joe Tuah, three Peter
9 Saikpedeh. I can't name most of them, you know.

16:25:54 10 Q. Mr Marzah, why did you tell me a couple of sentences ago
11 that you were told that the arms were coming only from Burkina
12 Faso, Libya and the United States and I gave you ample
13 opportunity to tell us about other places? Why didn't you tell
14 me that Europe was the source?

16:26:15 15 A. America is the same as Europe. The Americas - white
16 people's home that I knew is America, whether they were in a
17 strange place - this is my first time to travel on this other
18 side. So the white people's home that I know is Europe - I mean
19 is America. So I take America people to be European people.

16:26:39 20 Q. Where I live they say all black people look alike. So I
21 guess you're suggesting all white people look alike, yes, whether
22 they come from Europe or America. Is that what you're telling
23 us?

24 A. The way I saw you standing, you saw me telling you that you
16:26:54 25 are an African, because you are a black man. Whether there are
26 other black people in some part of the white people's country, I
27 don't know.

28 Q. Well, I'm going to ask you about countries of origin one
29 more time. We have now got from Burkina Faso, Libya, America and

1 Europe. Anywhere else?

2 A. No.

3 Q. I'm going to give you once more chance.

4 A. In Europe --

16:27:31 5 Q. Anywhere else?

6 A. Yes, Mr Counsellor, when you ask me you can't wait for me
7 and you say I should take my time to answer for me to take my
8 time I will be talking and you cut me off. That is why I talk
9 faster.

16:27:54 10 Q. I am just going to put one last passage to you because I am
11 anxious to finish this point this evening. Page 87, please,
12 paragraph 29: "The witness stated the Taiwanese used to send
13 arms, ammunition and uniforms"?

14 A. Yes, yes, yes, yes. I'm sorry I forgot about that. Yes,
16:28:20 15 you know these things, it is a lot of things in those books so
16 you must - you should throw light on it so that I can remember.
17 Yes.

18 MR GRIFFITHS: Would that be a convenient point, your
19 Honours?

16:28:37 20 PRESIDING JUDGE: I think that would be an appropriate
21 time, Mr Griffiths. We will now adjourn until tomorrow morning.

22 Mr Witness, we are now adjourning until tomorrow morning.
23 I remind you as before that you are not to discuss your evidence
24 with anyone else as you are under oath. Do you understand?

16:28:55 25 THE WITNESS: Okay.

26 PRESIDING JUDGE: Please adjourn Court.

27 [Whereupon the hearing adjourned at 4.30 p.m.
28 to be reconvened on Friday, 14 March 2008 at
29 9.30 a.m.]

I N D E X

WITNESSES FOR THE PROSECUTION:

TF1-399 5961

CROSS-EXAMINATION BY MR GRIFFITHS 5961