



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 11 MAY 2010
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Ms Erica Bussey

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Ms Kathryn Howarth
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Silas Chekera
Ms Logan Hambri ck

1 Tuesday, 11 May 2010

2 [Open session]

3 [The accused not present]

4 [Upon commencing at 9.30 a.m.]

09:29:10 5 PRESIDING JUDGE: Good morning. We'll take appearances
6 first, please.

7 MS HOLLIS: Good morning, Madam President, your Honours,
8 opposing counsel. This morning for the Prosecution, Mohamed A
9 Bangura, Kathryn Howarth, Maja Dimitrova and myself Brenda J
09:33:29 10 Hollis.

11 MR MUNYARD: Good morning, Madam President, your Honours,
12 counsel opposite. For the Defence this morning, Silas Chekera,
13 Logan Hambriek and myself Terry Munyard.

14 PRESIDING JUDGE: Mr Munyard, I do not see Mr Taylor in
09:33:56 15 court.

16 MR MUNYARD: Madam President, there is a practice on
17 Tuesdays that Mr Taylor is not usually here for reasons that are
18 purely administrative that the Court is familiar with and that is
19 the situation this morning. However, there is a matter I would
09:34:12 20 like to raise with the Court and it is probably best dealt with
21 in private session. It arises from matters that were discussed
22 yesterday in private session.

23 PRESIDING JUDGE: Okay. Then, Madam Court Officer, we will
24 go into a brief private session. I do not know if you wish for
09:34:27 25 the witness to be excused.

26 MR MUNYARD: I think it's probably best that the witness is
27 excused, thank you.

28 PRESIDING JUDGE: Then, Mr Zaymay, I do apologise once
29 again. I'll ask you to excuse yourself briefly, but we will call

1 you back shortly.

2 [In the absence of the witness]

3 [At this point in the proceedings, a portion of
4 the transcript, pages 40728 to 40737, was
5 extracted and sealed under separate cover, as
6 the proceeding was heard in private session]

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1 [Open session]

2 MS IRURA: Your Honours, we're in open session.

3 PRESIDING JUDGE: Ms Hollis, the Chamber needs to hear from
4 the Prosecution in light of Mr Griffiths's submissions yesterday
09:57:56 5 relating to the likely closure of the Defence case that you are
6 familiar with. You weren't in court yesterday, but we need to
7 hear from you before the Bench takes a decision one way or the
8 other when to have the summer break.

9 MS HOLLIS: Thank you, Madam President. Madam President,
09:58:16 10 the Prosecution's position remains the same and that is the
11 summer break should not be scheduled until the conclusion of the
12 Defence evidence. In that regard, your Honours, we suggest and
13 again request that your Honours exercise your authority and set a
14 date by which the Defence case should be concluded. And we ask
09:58:39 15 that for reasons we have briefed in the past.

16 First of all, it is within your authority to do so in the
17 management of the trial. Secondly, as we have argued in the
18 past, the Defence has no burden of proof, so they, we suggest, do
19 not even have the right to have a case the length to equal that
09:59:04 20 of the Prosecution. But let us say that your Honours determine
21 they should be given the same length as the Prosecution for
22 presenting their evidence, the Prosecution began its evidentiary
23 trial on 7 January 2008 and concluded its last witness on
24 30 January 2009. So some year and three weeks. The Defence
09:59:32 25 began the presentation of its evidence, and I'm excluding opening
26 statement, the presentation of its evidence on 14 July of last
27 year. So if your Honours were to give them the same amount of
28 time as the Prosecution had for its case in chief, then their
29 case should be concluded by about the end of the first week in

1 August.

2 Should your Honours determine that it is appropriate to set
3 an end date, which we believe it is, then we believe it should be
4 no longer than the time that was given to the Prosecution. And
10:00:10 5 we suggest that setting an end date at this point has the
6 advantage of early notice to both parties so that adequate
7 preparation and planning for the remainder of the Defence case
8 can begin today. A later notice of an end date would give them
9 less of a notice, less opportunity to plan. It would give both
10:00:34 10 parties and the Trial Chamber the ability to plan for the next
11 phase, whatever that may be, and it would give your Honours the
12 opportunity to set a definite date for the recess. And, again,
13 we suggest that the recess should be at the conclusion of the
14 Defence evidence.

10:00:52 15 Now, obviously the date you would set, in our view, would
16 be a, if you will, no-later-than date and the Defence could
17 certainly finish earlier than that. But if on the date your
18 Honours had ordered the Defence were beginning or in the middle
19 of a witness, then of course there is the flexibility to conclude
10:01:11 20 that witness. But we would suggest that giving a date for the
21 end of the Defence case would give certainty; it would give
22 adequate notice for planning the next phase as well as give a
23 date for the summer recess, which we believe should follow the
24 closure of the Defence case. And those would be our additional
10:01:37 25 submissions, Madam President.

26 PRESIDING JUDGE: Thank you. Mr Munyard, do you have
27 anything additional to say in reply?

28 MR MUNYARD: Can I, I hope, assist to this extent:
29 Yesterday Mr Griffiths gave you an estimation of the Defence case

1 concluding around the middle of August. But for practical
2 reasons, one couldn't guarantee that it might not just tip into
3 September. After we left Court yesterday, we then had a very
4 lengthy discussion about the remaining witnesses. We reduced our
10:02:13 5 list of core witnesses considerably and filed the new list of
6 core witnesses. We gave very careful consideration to the
7 estimated length of the whole of the evidence of each witness and
8 we came to the conclusion that we were likely to finish in the
9 middle of August - sorry, by the middle of August, which was a
10:02:43 10 rather more scientific approach to the end date than had hitherto
11 been conducted. I said we filed. I think we're due to file it
12 tomorrow. But, in any event, we agreed yesterday between
13 ourselves a much reduced list of witnesses and, therefore, we are
14 more confident that the estimated time that Mr Griffiths gave you
10:03:09 15 yesterday is correct.

16 Now, quite by coincidence it turns out that that's about
17 the same period of time that my learned friend Ms Hollis has just
18 mentioned. She talked about the first week of August. Frankly,
19 the difference between the first and second week of August is
10:03:27 20 negligible in terms of the length of the case. The question
21 therefore arises, if we are right, and I think we can be quite
22 confident, we've erred on the side of caution in coming to the
23 estimates. We've allowed as much time as possible rather than
24 try to be optimistic. If that's right, then we would be sitting
10:03:52 25 for four months without a break during an intensive part of the
26 case, and I don't think that there was any stage during the
27 Prosecution evidence when we sat for four months without a break.
28 And when I say a break, I don't mean a few days out of Court
29 because something else is going on, for example, the plenary. I

1 mean a break when you can just pause for at least a week knowing
2 that you don't have to do anything to recharge your batteries, as
3 it were.

4 We're not asking for a lengthy break. It seems to us that
10:04:30 5 if we all work on the assumption that we're looking at a date
6 around the middle of August, then a summer break of some
7 reasonable length between now and then would give everybody an
8 added impetus to finish the case in good time. As I've
9 indicated, we're not asking for a lengthy break but just some gap
10:04:59 10 probably slightly shorter than any of the breaks that occurred
11 during the course of the Prosecution evidence. I don't think I
12 can assist any further, unless there's something specific that
13 your Honours would like me to address.

14 PRESIDING JUDGE: Thank you, Mr Munyard. We will
10:05:16 15 deliberate on this outside of the Court of course and return with
16 a decision on when to have the summer break. In the meantime, I
17 think we'll call back the witness and get on with the trial.

18 [In the presence of the witness]

19 PRESIDING JUDGE: For the record, the Defence has indicated
10:06:56 20 that Mr Taylor has voluntarily absented himself and is content
21 for the trial to proceed in his absence until the break when he
22 is able to be present, and therefore the trial will proceed
23 pursuant to Rule 60(B) of the Rules of Procedure and Evidence.

24 Mr Witness, good morning. You are going to continue with
10:07:29 25 your evidence this morning and I remind you that you are bound by
26 the oath that you took initially to tell the truth.

27 WITNESS: DCT-226 [on former oath]

28 EXAMINATION-IN-CHIEF BY MR CHEKERA: [Continued]

29 Q. Good morning, Mr Zaymay.

1 A. Morning.

2 Q. I would just remind you where we ended off last week. We
3 ended off when you were discussing the time that you were in Bomi
4 and we'll continue from there. In your answers, I would like you
10:08:10 5 to assist the Court by keeping your answers very brief, very
6 clear and very concise. I just want you to remember that when
7 you give your evidence.

8 Now, when you were in Bomi, as you said you took over
9 command from Oliver Varney of the 6th Battalion, which areas were
10:08:32 10 you in control of?

11 A. The 6th Battalion that I served as commander for controlled
12 Lower Lofa now called Gbarpolu County, Bomi County and Cape
13 Mount. Three counties.

14 Q. Now, besides Bomi and Cape Mount, where you came from, was
10:09:01 15 the NPFL in control of any other areas in Liberia?

16 A. Yes. The NPFL was in control of all counties except
17 Mount Serrato County in Liberia.

18 Q. Now, who was in control of Lofa?

19 A. Lofa was controlled by Anthony Mekunagbe.

10:09:35 20 Q. Now, when you were in Bomi, where were you based?

21 A. My headquarters was in Tubmanburg, the capital of Bomi
22 County.

23 Q. For how long were you in Bomi?

24 A. I was in Bomi from the end of February up to - I was in
10:10:07 25 Bomi for a year up to the time ULIMO attacked.

26 Q. Sorry, end of February of which year? If you can just
27 remind us again.

28 A. February 1991.

29 Q. Now, you mentioned an attack by ULIMO. The time that you

1 went to Bomi, was there any fighting going on in Bomi?

2 A. No.

3 Q. And you said when ULIMO attacked. Do you remember exactly
4 when it was that ULIMO attacked?

10:10:55 5 A. ULIMO attacked mid-May 1991.

6 Q. And which part of - which part of Liberia did ULIMO attack?
7 You said they attacked Bomi. Which part specifically of Bomi did
8 ULIMO attack?

9 A. ULIMO first attacked Bomi and the Sierra Leone border, Bo
10:11:28 10 Waterside in the Cape Mount County.

11 Q. And when ULIMO attacked, do you know where they were
12 attacking from?

13 A. ULIMO attacked from Sierra Leone.

14 Q. And why was ULIMO attacking your position in Bomi?

10:11:54 15 A. I don't know the reason.

16 Q. You mentioned what you referred to as the first attack by
17 ULIMO. Was there any other attack after the attack you mentioned
18 in mid '91?

19 A. Yes, the second attack - it was during the second attack of
10:12:19 20 ULIMO that they were able to take complete control.

21 Q. And when was it that ULIMO took complete control?

22 A. '91.

23 Q. Sorry, are you able to be more specific? Which part of
24 1991, if you can assist us?

10:12:45 25 A. I cannot tell the exact date, but it was almost towards the
26 end of 1991.

27 Q. Did you take part in any fighting against ULIMO, either the
28 first or the second attack?

29 A. Yes, during the first attack I was in command. They

1 attacked and came to a city call Tiene and I repelled the attack.
2 They retreated back to Sierra Leone.

3 Q. I think the spelling of Tiene is T-I-E-N-N-E-H. And Tiene
4 is on which side of the boarder?

10:13:44 5 A. Tiene is in Cape Mount. It's one of the district
6 headquarters in Cape Mount, close to the border.

7 Q. And the second attack, did you take part in that - in the
8 fight against ULIMO in the second attack?

9 A. Yes.

10:14:02 10 Q. And which fighting forces in the NPFL took part in the
11 fight against ULIMO in the second attack?

12 A. The 6th Battalion soldiers.

13 Q. Was it only the 6th Battalion that was involved in the
14 fight against ULIMO during the second attack?

10:14:26 15 A. A reinforcement came from Maryland called Zimbabwe. They
16 came as a reinforcement to help the 6th Battalion.

17 Q. Who was heading the reinforcement that came from Zimbabwe?

18 A. The commander for the unit was called Peter Bea but he was
19 supervised by Oliver Varney.

10:15:13 20 PRESIDING JUDGE: Peter who?

21 MR CHEKERA:

22 Q. Sorry, the name you mentioned, Peter. You said Peter
23 someone. A name that started with a B?

24 A. The reinforcement unit was commanded by Peter B-E-A Bea.

10:15:36 25 And front line was generally supervised by General Oliver Varney,
26 V-A-N-N-E-Y.

27 Q. At this point what was General Oliver Varney's position in
28 the NPFL?

29 A. General Oliver Varney, when I relieved him, he went --

1 THE INTERPRETER: Your Honours, could the witness be asked
2 to slow down and repeat that last answer.

3 PRESIDING JUDGE: Mr Witness, you are going too quickly for
4 the interpreter. You have to repeat your answer slowly.

10:16:16 5 THE WITNESS: Yes, ma'am.

6 PRESIDING JUDGE: Perhaps you can ask your question again
7 please.

8 MR CHEKERA:

9 Q. The question was what was General Oliver Varney's position
10:16:26 10 at this time?

11 A. When I replaced General Oliver Varney he went to the
12 southeastern region as commanding general, but when the second
13 attack occurred he came back as the general supervisor for the
14 front line.

10:16:48 15 JUDGE DOHERTY: Mr Chekera, can we confirm through the
16 witness, he has spelled Oliver Varney's name as V-A-N-N-E-Y. The
17 Varney that we have heard about was V-A-R-N-E-Y. Are they one
18 and the same person or is this a new person?

19 MR CHEKERA: Maybe I could clarify through the witness:

10:17:07 20 Q. Mr Zaymay, did you have more than one person by the name of
21 Oliver Varney?

22 A. There was only one Oliver Varney. We had Oliver Varney and
23 Samuel Varney. There was only one Oliver Varney.

24 Q. Now besides the fighting that you had with ULIMO when you
10:17:40 25 were in Cape Mount, was there anything else of note that happened
26 in Cape Mount while you were in Cape Mount?

27 A. Yes.

28 Q. Yes, what was that?

29 A. When I was in command as the 6th Battalion commander, that

1 was before the first attack by ULIMO, during the ceasefire, there
2 were captured arms in my arms room that were sent to Mr Taylor in
3 Gbarnga, and Anthony Mekunagbe and Timothy connived and sold
4 those arms to the RUF in Freetown through Lofa.

10:18:45 5 Q. How do you know that Anthony Mekunagbe and Timothy Mulibah
6 sold those arms to the RUF through Lofa?

7 A. Anthony came to me in Bomi and told me that he received a
8 supply that was sent - he said, "Did you receive the supplies
9 that were brought to you by Timothy?" He said yes. And he said,
10:19:13 10 "But don't worry. Those same arms that I talked to you about
11 were the arms I sold to our friends" - no, to his friends in
12 Sierra Leone. He came and confirmed that to me, that I shouldn't
13 worry that nothing was going to happen and that he sold the arms.

14 Q. Now, were they arms or arms - were they arms only or there
10:19:44 15 were other things involved other than arms?

16 A. There were arms and ammunition.

17 Q. And what quantities were they in?

18 A. The arms were about a hundred plus but I cannot actually
19 give the exact quantity, but it was a good number of arms.

10:20:10 20 Q. And just before I go any further, are you able to estimate
21 the time frame when this arms transaction occurred?

22 A. Immediately I took over in February, that was in April. In
23 April.

24 Q. And do you know specifically who in the RUF these arms were
10:20:51 25 being traded with?

26 A. He told me that he sold the arms to one of his friends
27 called CO Super.

28 Q. Did you know CO Super?

29 A. I saw him once when he brought him as a friend to my base

1 and introduced him to me. I saw him one time.

2 Q. Who brought Super to your base?

3 A. Anthony Mekunagbe.

10:21:42

4 Q. And when he introduced Super to you, how did he introduce
5 him as? That is how did Anthony Mekunagbe introduce Super as to
6 you?

10:22:14

7 A. There was information and intelligence report was filtering
8 in from Freetown that there were runaway AFL soldiers who were in
9 exile in Freetown who had been organised by the Sierra Leone
10 government and the Guinean government and that they had organised
11 them and they regrouped and called themselves ULIMO and that they
12 were planning to invade Liberia at any time. So within that
13 process Anthony brought this fellow to me and he told me that,

10:22:44

14 "This is my friend in Sierra Leone. He's my good friend. I
15 would want us to strike a deal. They will be in there as
16 friendly forces in there. ULIMO is planning" --

17 Q. Before you continue, they will be in there as friendly
18 forces, when you say "in there", where do you refer to as "in
19 there"?

10:23:06

20 A. They will be - it was an agreement between he and Anthony,
21 and Anthony told me that they will be inside Sierra Leone. They
22 will be inside Sierra Leone in order that the unit they referred
23 to as ULIMO, if they wanted to fight against us, they will be
24 able to attack ULIMO from the rear. So that was the help he
25 wanted them to render us. That was how he introduced him to me
26 as a commander on that side.

10:23:35

27 Q. Now, during this meeting was there any transaction that was
28 conducted?

29 A. No, I told him I had been in the army before and I had not

1 seen any soldier selling arms in the army. He said - I told him
2 I'm a soldier. I was afraid, so I refused him.

3 PRESIDING JUDGE: Mr Chekera, this person or individual
4 called Super, is this his real name or pseudonym or full name?

10:24:17 5 MR CHEKERA: Let me clarify, thank you, Madam President:

6 Q. The person you refer to as Super, did you know him by any
7 other name?

8 A. No, he called him CO Super. Maybe that was his fighting
9 name. I did not know. But he called him CO Super.

10:24:40 10 Q. Did you get to know what position he held in the RUF?

11 A. No, I did not know him at all.

12 MS HOWARTH: I'm only rising because I don't believe it's
13 been said that he was a member of the RUF, if indeed he was.

14 PRESIDING JUDGE: I didn't hear that he was a member of the
10:25:02 15 RUF at all, Mr Chekera. Where did you get that notion from?

16 MR CHEKERA: Trading arms with the RUF, introduced Super.

17 PRESIDING JUDGE: That doesn't mean he is a member of the
18 RUF necessarily. Please desist from putting evidence from the
19 bar.

10:25:23 20 MR CHEKERA: Yes, Madam President:

21 Q. Now, the arms trading - the arms deal that you referred to
22 earlier, when was it? When did it happen in relation to the
23 meeting where Super was introduced to you?

24 A. It happened in April - in the same month of April in Bomi
10:26:22 25 when Anthony Mekunagbe came.

26 Q. Was that before or after the meeting?

27 A. Anthony first came with the man, and after they had left,
28 then I dispatched the arms to Gbarnga.

29 Q. And why were you dispatching the arms to Gbarnga?

1 A. I got information that - from he, Anthony himself, that
2 there were new arms that Mr Taylor had got and that all the
3 captured arms were to be sent to Gbarnga. If anybody sent one
4 arm, he will give you two arms. He said one arms will go in
10:27:23 5 return for two arms. So I informed my headquarters commander to
6 take those arms to Gbarnga.

7 Q. And did those arms reach Gbarnga?

8 A. No.

9 Q. Specifically, how do you know that those were arms - those
10:27:54 10 were the arms that were then traded with the RUF?

11 A. Anthony came --

12 Q. Just pause.

13 MS HOWARTH: I'm sure I'll be corrected if I have this
14 wrong. I hadn't seen a prior reference to the RUF other than
10:28:18 15 following the previous objection, but if I'm wrong, I'm sure I'll
16 be given the reference from the other side.

17 PRESIDING JUDGE: No, you're right. I haven't seen a
18 previous reference. And, Ms Howarth, do forgive me, I'm sitting
19 in the shadow of Judge Lussick's screen, so when you do stand up,
10:28:37 20 I don't immediately see you, that coupled with the rim of my
21 glasses completely puts you in a blind spot. I do apologise.

22 MR CHEKERA: Madam President, I'm ably assisted by
23 Mr Munyard and I would refer you to page 24, line 15 onwards and
24 page 25, line 14 onwards as well. There is definite reference to
10:29:08 25 the RUF and Super. And it goes to the previous objection by my
26 learned friend as well, which was upheld.

27 PRESIDING JUDGE: Yes, there is a reference on my page 24,
28 lines 16, 17, 18 to Anthony Mekunagbe and Timothy Mulibah selling
29 arms to the RUF in Freetown through Lofa. This is the reference

1 from which the question emanates.

2 MR CHEKERA: That's the original reference. There is
3 another reference as well at page 25, line 14, which makes
4 reference to arms trading specifically with someone by the name
10:30:41 5 Super, who was a member of the RUF.

6 PRESIDING JUDGE: Right. Yes. Then the question will be
7 permitted. Please ask the question again.

8 MR CHEKERA:

9 Q. Mr Zaymay, the question was: The arms that you were
10:31:00 10 sending to Gbarnga, how do you know that those were the arms that
11 were traded with Super in Freetown?

12 A. Anthony Mekunagbe came later to me in Bomi and asked, he
13 said, "Did you see the supply that Timothy brought?" And I said,
14 "Yes." And he said, "Okay. Those are the proceeds from the arms
10:31:32 15 that you sent to Gbarnga. I told you that those old arms are not
16 needed." He said, "I sold the arms to the RUF to CO Super in
17 Sierra Leone." And he said, "That is your own proceed that I
18 sent here to you." So Anthony came himself and confirmed to me
19 that he sold the arms to people in Sierra Leone and that the arms
10:32:03 20 did not reach Gbarnga. That was how I got to know.

21 Q. And what proceed was he referring to that he sent Timothy
22 with?

23 A. He sent me 150 bags of rice and some pigs feet, about five
24 barrels, three motorbikes and some foodstuff and he told me that,
10:32:43 25 "Those are your own proceeds from the deal." He said, "But don't
26 worry. Don't be afraid. I sold the arms, not you. We are
27 fighting a rebel war. If there is nowhere, then we can improvise
28 by doing barter system." So that was how I got to know that he
29 sold the arms in Freetown and that the arms did not reach their

1 destination.

2 Q. Yes. Now, do you know whether Mr Taylor was aware of this
3 arms deal?

4 A. I got to know later from Mr Taylor himself.

10:33:28 5 Q. What did you learn from Mr Taylor about his knowledge of
6 the arms deal?

7 A. It was later when Anthony was arrested that Mr Taylor told
8 me, saying, "Zaymay, do you see the reason why I transferred you
9 from Bomi Hills to Maryland? There had been a clandestine
10:34:04 10 operation going on there. Do you know that - you know that you
11 sent certain arms to me before you were relieved." And he said,
12 "Those arms were sold by Anthony in Sierra Leone and that was why
13 I arrested him. He's in jail." That was the time I got to know
14 that Mr Taylor never received the arms.

10:34:31 15 Q. Now, besides Anthony and Timothy, which other parties in
16 the NPFL, if any, were involved in the arms - in the arms deals
17 with the RUF - in the arms deal, let me put it in singular.
18 Which other parties beside Anthony and - Mekunagbe, if any, were
19 involved in the arms deal with the RUF?

10:35:04 20 A. Anthony Mekunagbe and Timothy were involved in an illegal
21 transaction of arms with the RUF. Not another arms deal with the
22 RUF, but there were other people who connived with ULIMO that
23 were also arrested.

24 Q. Now, besides the arms deal that you mentioned, was there
10:35:40 25 any other arms deal between the - between NPFL members and the
26 RUF?

27 A. No, it was only the ones by Timothy and Anthony.

28 Q. You also mentioned other parties who were arrested, you
29 said for conniving with ULIMO. Who were those parties who were

1 arrested for conniving with ULIMO?

2 A. At that time I was not in command of the 6th Battalion any
3 longer. I had been transferred to Maryland, and I was called by
4 Mr Taylor for me to report in Gbarnga. And when I got to
10:36:44 5 Gbarnga, Mr Taylor told me that all the outstation commanders in
6 the field had been called and that we are having a meeting that
7 day. We went to the meeting and that was the time he told me, he
8 said, "Zaymay, do you know the reason why you were transferred
9 from Bomi?" I said, "No." He said, "It was because a
10:37:08 10 clandestine deal was going on in Bomi Hills and many of your
11 Special Forces colleagues have been arrested. One is Yegbeh
12 Degbon; two, Oliver Varney." He said, "These guys connived with
13 the enemies, ULIMO."

14 Q. You mentioned Yegbeh Degbon. What was Yegbeh Degbon's
10:37:42 15 position at this time?

16 A. Whilst the second war was going on - I mean, the second
17 attack was going on, Mr Taylor - the tension had actually mounted
18 on us and Mr Taylor decided to send in more Special Forces to
19 join me in Bomi Hills. Yegbeh Degbon was Minister of Lands and
10:38:19 20 Mines. Yegbeh Degbon came to me in Bomi and - thinking that Lofa
21 Bridge was the largest mining area in Liberia. And Degbon's
22 coming as lands and mines was coming there to deal with his mines
23 area, but he started engaging himself at the front. And
24 information came about Degbon and intelligence information came
10:38:56 25 out about Degbon that Degbon was arresting arms from fighters at
26 the front line and nobody knew where he was taking those arms to.
27 And it appeared as though Degbon was then conniving, because
28 being a minister and a higher ranking officer above us, it was
29 difficult for us then to get to him and ask him. But we set a

1 surveillance over him.

2 Q. And did you manage to establish anything with respect to
3 the intelligence that you had gotten?

4 A. Yes.

10:39:50 5 Q. What was established?

6 A. When I was told, I went to his residence myself, and by
7 then I came from the front line from 3 o'clock in the morning.

8 And when I went there, I saw that he had arrested a lot of arms
9 from the fighters, about 200 rifles, and they were in his Land

10:40:16 10 Cruiser jeep. And I said, "But, chief, give me these arms. I

11 want to go to the front." But - and he said, "No." He said the
12 men were not fighting. He said, "I myself will take the arms to

13 the front." And nobody knew which of the fronts he was taking

14 the arms to. And as he disarmed the boys, the enemies started

10:40:36 15 advancing on us.

16 Q. And which enemy was advancing on you?

17 A. ULIMO.

18 Q. And what happened to Degbon and the other parties with
19 respect to this conniving charges?

10:41:03 20 A. Degbon and Oliver Varney fell in one group. So when I was
21 transferred from Bomi to the southeastern region in Maryland, the
22 old man called me and I went to the meeting. And he said --

23 Q. Who is the old man? If you could just put a name to the
24 old man.

10:41:36 25 A. Mr Taylor.

26 Q. Very briefly, if you could just explain what happened when
27 Mr Taylor called you. And, again, I remind you to be very brief
28 in your narrative.

29 A. When Mr Taylor called me he called all the commanders. We

1 all went into the administrative building for a meeting at his
2 residence. That was the time he brought Timothy Mulibah and the
3 other amongst the group and he said, "Gentlemen, these two -
4 these of your two brothers have betrayed our cause. They have
10:42:13 5 connived with the enemies. I have evidence. Degbon disarmed the
6 front line and nobody knew where he took the arms to. And as a
7 result, the enemy started advancing on you. So Degbon is the
8 cause."

9 THE INTERPRETER: Your Honours, could the witness be
10:42:30 10 advised to slow down.

11 PRESIDING JUDGE: Please, Mr Witness, pause. You are
12 rushing again with your evidence and the interpreter can't keep
13 up with you.

14 THE WITNESS: Yes, sir.

10:42:42 15 PRESIDING JUDGE: Conscientiously slow down. Repeat your
16 evidence where you said, "Degbon disarmed the front line and
17 nobody knew." Continue from there.

18 THE WITNESS: He took the arms to an unknown destination.
19 So as a result, ULIMO started advancing on our men. So Degbon,
10:43:17 20 Oliver Varney were arrested. So he said, "I want to turn them
21 over to you people so that you can ask them. So if I left you
22 the commanders out and decided to take action on either of these
23 people you will feel that I brought you people so that I will be
24 killing you people one after the other. This is the reason why I
10:43:50 25 have called you for you to see what your colleagues have done to
26 our organisation." And I asked Degbon, I said, "Degbon, what
27 actually happened?" Because when the information came, people
28 were --

29 THE INTERPRETER: Your Honours, could the witness be asked

1 to repeat that bit.

2 PRESIDING JUDGE: Mr Witness, you have to repeat what you
3 just said. Just let me see where you stopped. You said you
4 asked Degbon what actually happened, "because when the
10:44:35 5 information came", you continued, "people were". Repeat from
6 there.

7 THE WITNESS: Because when the information came at that
8 time, I was in command in Bomi Hills. I used to approach Degbon
9 aggressively. So he did not pull with me. So when I saw him in
10:45:08 10 that meeting in Gbarnga I asked him, I said, "Degbon, what
11 actually happened?" And Degbon told me to get out of his face.

12 MR CHEKERA:

13 Q. Now, before we go any further, I just want you to list the
14 names of the persons who were brought to the meeting. Not the
10:45:28 15 commanders who were summoned, but the persons who were brought to
16 the meeting on charges of conniving?

17 A. Degbon - Yegbeh Degbon was one accused. Oliver Varney was
18 the second accused.

19 Q. Earlier on you also - you mentioned Timothy. Was he also -
10:45:59 20 was he party to these proceedings?

21 A. No, not at that time. At that time it was only Degbon and
22 Oliver Varney that I saw there. I did not know the location of
23 Timothy and Anthony at that time. It was only Oliver and Degbon.

24 Q. Now, when you confronted Degbon, did he confirm that he was
10:46:28 25 guilty of the charges or not?

26 A. He told me to get out of his face. And then I went to
27 Oliver. I asked Oliver. And Oliver said - he told me a parable,
28 saying that if your hands were like a plum the bats will eat you.
29 So I said, "What do you mean by that?" He said that was all he

1 had to tell me. He said, "If you are a coward, I am not a
2 coward."

3 Q. Now, do you know what eventually happened to Degbon and
4 Oliver Varney following these charges of conniving?

10:47:24 5 A. There was a - they were court-martialed and executed for
6 betraying the cause along with Timothy and Anthony, the four of
7 them.

8 Q. Do you know why Timothy was executed?

9 A. Timothy was also charged for trading arms along with
10:48:02 10 Anthony.

11 Q. During the time that you were in Cape Mount you talked
12 about the RUF. What do you know about the RUF?

13 A. Oh, in 1990 I heard over Network Africa that rebel forces
14 had entered Sierra Leone called the RUF.

10:48:45 15 Q. Did you hear where they had entered Sierra Leone from?

16 A. I learned that they entered through Lofa, through Anthony
17 Mekunagbe's controlled area.

18 Q. And do you know where they were coming from?

19 A. I don't know.

10:49:09 20 Q. Did you hear what they were fighting for in Sierra Leone?

21 A. I did not know their cause of fighting.

22 Q. Did you know who their leader was?

23 A. It was over the Network that Sankoh was their leader.

24 Q. The same Foday Sankoh you knew from Libya?

10:49:50 25 A. Yes.

26 Q. Now, from the time you saw Foday Sankoh in Libya, did you
27 ever see him again after Libya?

28 A. Nowhere else.

29 Q. Did you see any other person from the special - sorry. Did

1 you see any other person from the Sierra Leonean group that
2 trained in Libya anywhere else outside Libya from the time you
3 left Libya?

4 A. No.

10:50:27 5 Q. Do you know a place called Naama?

6 A. Yes, I know Naama.

7 Q. In 1990 do you know who was in control of Naama?

8 PRESIDING JUDGE: Mr Chekera, the witness has said he knows
9 Naama, but we don't know what he knows of Naama.

10:50:57 10 MR CHEKERA: Yes, Madam President. I get the point:

11 Q. Can you describe what Naama is?

12 A. Camp Naama was the artillery base for the AFL - for the
13 AFL, the Armed Forces of Liberia, during normal days in Liberia.

14 Q. When you say normal days, what do you mean? If you can

10:51:28 15 just be specific without going into any long explanation.

16 A. During Samuel Kanyon Doe's government. That was before the
17 war in Liberia.

18 Q. And in 1990 do you know who was in control of Naama?

19 A. No, I can't be exact. No, Camp Naama was also under the
10:52:05 20 control of the NPFL.

21 Q. Did the NPFL have any deployment at Camp Naama in 1990?

22 A. No, I don't know.

23 Q. And do you know whether there were any other persons at
24 Naama who were not the NPFL?

10:52:25 25 A. No.

26 Q. When you left Bomi, where did you go?

27 A. I was transferred to Maryland County.

28 Q. And when exactly was it that you got to Maryland?

29 A. It might have been in March or February 1992.

1 Q. And very briefly, why were you transferred, if you know?

2 A. Mr Taylor told me that there were certain things going on
3 in Bomi and he did not want me to be killed. And he said he got
4 information that I'm not part of it, so he said I should be
10:53:36 5 transferred from there. Since there were too much of commandos
6 at that one target, he said I should be transferred from there.

7 Q. What was your position in Maryland?

8 A. I was the commanding general for four counties.

9 Q. Which counties were those?

10:53:58 10 A. Grand Gedeh County, Sinoe County, Grand Kru County and
11 Maryland County.

12 Q. And in Maryland were you in control of any unit in the
13 NPFL?

14 A. Yes.

10:54:28 15 Q. Which unit was that?

16 A. The unit was called Strike Force.

17 Q. Did anyone take your place in Cape Mount when you moved to
18 Maryland?

19 A. Yes, Oliver Varney took over the command as commanding
10:54:53 20 general.

21 Q. Now, you earlier on mentioned the time that ECOMOG - that
22 you were fighting - rather, the time that ECOMOG was in Monrovia
23 and was bombarding you and forced you to retreat. When you were
24 in Maryland, was ECOMOG still deployed in Liberia?

10:55:27 25 A. Yes, the ECOMOG entered in August and they started
26 bombarding us.

27 Q. Sorry, if you can - when you mention a date, if you can
28 just state the year for the record to be clear. When ECOMOG
29 entered in August of what year?

1 A. ECOMOG entered in August of 1990 and I am talking about
2 Maryland. That was 1992. So there is a big gap there.

3 Q. And my question is when ECOMOG entered, did they remain in
4 Liberia?

10:56:04 5 A. When ECOMOG entered and pushed us back, they set up their
6 defences and then later they deployed in Maryland in 1992.

7 Q. And when they were deployed in Maryland in 1992, did you
8 have any dealings with ECOMOG?

9 A. Yes, I was ordered to disarm ECOMOG.

10:56:32 10 Q. Who ordered you to disarm ECOMOG?

11 A. Mr Taylor.

12 Q. And why were you disarming ECOMOG?

13 A. I didn't know the reason. I executed the order, but later
14 I got to know when I came to Kakata.

10:56:58 15 Q. What did you learn the reason was when you were in Kakata?

16 A. I got information from the battle group - from the joint
17 chief of staff that ECOMOG --

18 Q. If you could just give us the name of the joint chief of
19 staff before you continue with your explanation.

10:57:27 20 A. Isaac Musa.

21 Q. What did Isaac Musa tell you?

22 A. He told me that the reason ECOMOG was disarmed was because
23 ECOMOG decided to attack all the NPFL-controlled areas all over
24 to get rid of the NPFL from this soil.

10:58:02 25 Q. Now, from 1992 to the time that you were ordered to disarm
26 ECOMOG, had you been engaged in combat with ECOMOG?

27 A. No.

28 Q. And do you know how then the NPFL got the intelligence that
29 ECOMOG was planning to attack all NPFL positions?

1 A. At that time I was transferred, ECOMOG - at that time
2 ECOMOG had deployed all over the NPFL-controlled areas called
3 Greater Liberia. So ECOMOG had a free flow of traffic moving up
4 and down, so the ECOMOG put a faction called the LPC.

10:59:10 5 Q. Sorry, just before you continue. When ECOMOG was deployed
6 all over NPFL territory, what was their mission?

7 A. To restore peace.

8 Q. And how were they going to do that?

9 A. What do you mean how they were going to do that? Please
10:59:40 10 make it clear to me.

11 Q. You said ECOMOG was there to restore peace. Were they
12 restoring peace by aligning with any warring party or by taking
13 part in combat or by maintaining - I hesitate to explain because
14 I would then be leading evidence.

10:59:57 15 PRESIDING JUDGE: Yes, but in the first place, Mr Chekera,
16 if this man was not part of ECOMOG, how do you expect him to
17 answer that question?

18 MR CHEKERA: Possibly as a senior member in the NPFL.

19 PRESIDING JUDGE: Why don't you ask him first if he knows
11:00:18 20 how they were supposed to carry it out instead of assuming that
21 he did know or he does know.

22 MR CHEKERA:

23 Q. Mr Zaymay, do you know what ECOMOG's mission was when they
24 were deployed in NPFL territory?

11:00:37 25 A. I heard over Focus that ECOMOG was on the ground for
26 peacekeeping. I know their mission was to keep peace.

27 Q. When I interrupted you, you were explaining ECOMOG's - you
28 were explaining of a unit or - called LPC. Can you please
29 continue from there?

1 A. My chairman of the joint chief told me that - he told me
2 the reason for disarming ECOMOG. He said that ECOMOG had
3 deployed in Greater Liberia for peacekeeping, but that ECOMOG had
4 violated by bringing in a new faction that they have created
11:01:37 5 called the LPC in our controlled area and that the LPC attacked
6 NPFL. So ECOMOG's plan was to get rid of the NPFL.

7 Q. The order that you were given to disarm, what did it
8 entail? What were your specific instructions with reference to
9 the disarmament of ECOMOG?

11:02:05 10 A. ECOMOG was to be disarmed and after disarming them, we were
11 to call the headquarters and the headquarters was to advise
12 later.

13 Q. Sorry, before I move on, do you know what LPC stands for?

14 A. Liberian Peace Council.

11:02:42 15 Q. And what was the Liberian Peace Council? What was it?

16 A. Liberian Peace Council was also a faction that was created.

17 Q. Do you know who created the faction?

18 A. George Boley. He was the leader.

19 Q. Do you know for what purpose it was created?

11:03:18 20 A. LPC was created to get rid of the NPFL under Amos Sawyer's
21 regime.

22 Q. When you say to get rid of the NPFL, what do you mean get
23 rid of?

24 A. To attack NPFL positions along with ECOMOG in order to
11:03:49 25 dissolve the NPFL from Liberia.

26 Q. Now, when you got the order from Mr Taylor to disarm
27 ECOMOG, did you execute the order?

28 A. Successfully.

29 Q. And how did the disarmament process go?

- 1 A. I was ordered that all the - for all the three counties
2 where my battalions were assigned, ECOMOG was assigned there
3 within the various battalions. So I should order all my
4 battalion commanders to call the ECOMOG commander in the radio
11:04:48 5 room in order to receive the instruction from Mr Taylor first.
6 If we rushed on them, it would end up in firing and he didn't
7 want any ECOMOG to be killed.
- 8 Q. Who did not want any ECOMOG to be killed?
- 9 A. Mr Taylor gave me the instruction.
- 11:05:18 10 Q. Yes. And what was ECOMOG's reaction, if any, to the order
11 to disarm?
- 12 A. At first I was to deal with the commander that was with me,
13 commander to commander. I called him in my office. I invited
14 him to the radio room. I told him that there was a message from
11:05:50 15 Mr Taylor for him to come and receive the message. We went, but
16 he refused. Mr Taylor told him to wait and not to endanger the
17 rest of the ECOMOG's lives. The distance that he was from
18 Maryland to Monrovia, it will take him two days. So if he were
19 to put up any violence, he wouldn't make it. He wouldn't make
11:06:29 20 it. He didn't know the terrain. He didn't know where he was.
21 So he told him to go and tell all his commanders to disarm, to
22 turn the arms over to Commander Zaymay. Then he will give the
23 last order for them to proceed to their ECOMOG headquarters in
24 Monrovia.
- 11:07:02 25 Q. [Microphone not activated] following that discussion, were
26 the arms turned over to you?
- 27 A. Later the arms were turned over to me peacefully.
- 28 Q. And what happened to the ECOMOG forces who were disarmed?
- 29 A. Every one of them at the headquarters - before you go to

1 Maryland - before you go to --

2 THE INTERPRETER: Your Honours, can the witness kindly
3 repeat his answer clearly.

4 PRESIDING JUDGE: Pause, Mr Witness. Please pause. You
11:07:44 5 need to go slowly again. The question to you was: "What
6 happened to the ECOMOG forces who were disarmed?" Please answer
7 that question slowly.

8 THE WITNESS: Every one of them was summoned to Grand
9 Gedehe, the central point, and I proceeded with them to Gbarnga
11:08:10 10 and they were escorted to Monrovia. They reported to their
11 ECOMOG headquarters in Monrovia.

12 MR CHEKERA:

13 Q. And for how long did you remain in Maryland after the
14 disarmament?

11:08:28 15 JUDGE LUSSICK: Just before you leave that point,
16 Mr Chekera, I would be interested in knowing how many ECOMOG
17 troops were disarmed.

18 MR CHEKERA: Thank you, your Honour, for the reminder.

19 Q. Mr Zaymay, how many ECOMOG troops did you disarm in
11:08:45 20 Maryland?

21 A. One brigade went to southeastern region. That's the
22 brigade that I disarmed.

23 Q. And for those of us who are not - with no knowledge of
24 military terms, how many people constitute a brigade?

11:09:09 25 A. During the days of the Liberian army that I joined, a
26 brigade - a battalion comprises 600 men - 625 men. So if you
27 multiply 625 by four, that will give you the total.

28 JUDGE DOHERTY: Mr Witness, does that mean that the ECOMOG
29 battalions were exactly the same numbers as the AFL battalions?

1 THE WITNESS: I am not ECOMOG, so I did not know how many
2 men they have got in their squad. I did not know the strength,
3 but I knew that a brigade was deployed in the area.

4 JUDGE LUSSICK: So am I correct in assuming from what the
11:10:16 5 witness has said that he does not know how many ECOMOG troops
6 were disarmed?

7 MR CHEKERA: I'm just going to quickly ascertain that,
8 your Honour:

9 Q. Mr Zaymay, did you make an inventory of the ECOMOG troops
11:10:30 10 that you disarmed?

11 A. I disarmed the 1st Battalion, the 2nd Battalion, the 3rd
12 Battalion and the 4th Battalion. Four battalions were sent to my
13 area. I did not know their squad number. I did not know the
14 strength of their brigade, but four battalions were sent to my
11:10:54 15 area.

16 PRESIDING JUDGE: Mr Chekera, what I would like to know is
17 what happened to the arms that the witness recovered.

18 MR CHEKERA: Thank you, Madam President.

19 Q. Mr Zaymay, you said when you disarmed ECOMOG the arms that
11:11:13 20 they were in possession of were turned over to you. What
21 happened to those arms?

22 A. The arms were reported to NPFL higher headquarters in
23 Gbarnga to the Defence Minister.

24 JUDGE LUSSICK: Does the witness know how many arms were
11:11:34 25 recovered?

26 MR CHEKERA:

27 Q. Again, Mr Zaymay, are you able to tell us how many arms
28 were collected and turned over to Gbarnga?

29 A. No, I did not know the total.

1 Q. And who specifically did you turn those arms to in Gbarnga?

2 A. The arms were turned over to the Defence Minister in
3 Gbarnga.

4 Q. And at that time who was the Defence Minister?

11:12:07 5 A. Tom Woveiyu.

6 MR CHEKERA: I don't know whether that clarifies the issues
7 from the Bench on the matter?

8 JUDGE LUSSICK: It doesn't clarify anything for me,
9 Mr Chekera.

11:12:34 10 PRESIDING JUDGE: Perhaps also the time frame for this
11 disarmament.

12 MR CHEKERA:

13 Q. Mr Zaymay, two issues, if you may assist the Chamber.
14 Firstly, when was it that you disarmed ECOMOG?

11:12:55 15 A. ECOMOG was disarmed in August 1992.

16 Q. And if you had to assist the Court by approximating the
17 number of arms that were confiscated and turned over, what number
18 could you possibly assist us with, even if it were very rough,
19 just for the Court to have an idea?

11:13:28 20 A. I said I don't want to tell lies. I did not know the total
21 of the arms.

22 PRESIDING JUDGE: Mr Witness, can we assume that every
23 single troop - every single soldier, ECOMOG soldier, was carrying
24 an arm that you disarmed and therefore the arms you acquired from
11:13:55 25 ECOMOG were the equivalent number of a brigade?

26 THE WITNESS: Yes.

27 PRESIDING JUDGE: Did the whole brigade - every man in the
28 brigade, did they have an arm?

29 THE WITNESS: Yes.

1 PRESIDING JUDGE: And you recovered every arm in the
2 brigade?

3 THE WITNESS: Every ECOMOG soldier was carrying arms and
4 every soldier was disarmed and those arms were put in a truck and
11:14:36 5 sent to Gbarnga, but I did not know the total of the arms.

6 PRESIDING JUDGE: Lastly perhaps the witness said the
7 Defence Minister Tom Woveiyu. Defence Minister in what regime?

8 MR CHEKERA: Yes, I was going to come to that. We also had
9 a Minister of Lands and Mines and I'm going to deal with that:

11:14:56 10 Q. Now, quickly, Mr Zaymay, you mentioned Mr Tom Woveiyu whom
11 you said was the Defence Minister. Tom Woveiyu was Defence
12 Minister in what regime?

13 A. Tom Woveiyu was the Defence Minister in the NPFL.

14 JUDGE DOHERTY: So possibly this reference on the record of
11:15:25 15 the arms being handed over to the AFL may not be correct. Let me
16 find the correct reference. On my font it is page 46, line 6.

17 PRESIDING JUDGE: Certainly.

18 MR CHEKERA: Yes:

19 Q. Mr Zaymay, in your answer when you were responding to whom
11:16:00 20 the arms were turned over you said that the arms were reported to
21 the AFL - the arms were reported to AFL in Gbarnga. You made
22 reference --

23 PRESIDING JUDGE: He said, "AFL higher arms in Gbarnga to
24 the Defence Minister."

11:16:21 25 MR CHEKERA: Yes.

26 PRESIDING JUDGE: That was his answer.

27 MR CHEKERA:

28 Q. Now, when you made reference to the AFL in higher arms in
29 Gbarnga, what were you referring to?

1 A. I said the captured arms from Bomi Hills that the AFL were
2 using, those were the arms that I was sending to Gbarnga when
3 Anthony and Timothy sold it. I did not say AFL arms were turned
4 over to Gbarnga. It was ECOMOG arms --

11:17:00 5 PRESIDING JUDGE: Stop, Mr Witness. Perhaps you didn't
6 understand the question. Earlier on a few minutes ago the lawyer
7 asked you, "Mr Zaymay, you said when you disarmed the ECOMOG the
8 arms that were in their possession, what happened to those arms?"
9 You said in your answer, "The arms were reported to AFL higher
11:17:31 10 arms in Gbarnga to the Defence Minister." Now, what did you mean
11 by "reported to the AFL higher arms in Gbarnga"?

12 THE WITNESS: No, then I made a mistake. I said NPFL. The
13 ECOMOG arms were turned over to the Defence Minister of the NPFL.

14 MR CHEKERA:

11:18:03 15 Q. Now, for how long did you remain in Maryland after the
16 disarmament of ECOMOG?

17 A. After ECOMOG had been disarmed, I stayed in Maryland until
18 October - October Octopus, and I was called to proceed to Gbarnga
19 with manpower during Octopus in October.

11:18:38 20 Q. October of which year?

21 A. October 1992.

22 Q. And when you refer to Octopus, what was Octopus?

23 A. Octopus was an operation to clear Monrovia. That was the
24 name of the operation.

11:19:07 25 PRESIDING JUDGE: Clear Monrovia of what? Garbage?

26 MR CHEKERA: That's where I'm actually heading:

27 Q. Now, when you say Octopus was an operation to clear
28 Monrovia, what were you clearing Monrovia of?

29 A. I was called to report to the chairman of the joint chiefs,

1 Isaac Musa, for instruction. When I got there, Isaac Musa told
2 me that Mr Charles Taylor says if we stayed in Greater Liberia,
3 Gbarnga, this war would not end. Monrovia is the seat of the
4 President. Amos Sawyer was planning to attack us, so we should
11:20:14 5 attack Monrovia and take Monrovia immediately. So that was the
6 name of the operation, Octopus.

7 Q. Yes. Before you continue with your explanation, who was
8 Amos Sawyer?

9 A. Amos Sawyer was the interim President, the first interim
11:20:42 10 President.

11 Q. Interim President of what?

12 A. Of Liberia.

13 Q. Do you know under what arrangement Amos Sawyer was interim
14 President?

11:20:59 15 A. Amos Sawyer was sent there by ECOWAS - from ECOWAS. It was
16 the ECOWAS states that put him this as interim President.

17 Q. Now, when you were planning on attacking Monrovia, were
18 there any forces in Monrovia that you were planning to attack?

19 A. We were planning - we only planned - when I got there I met
11:21:45 20 the plan and I was instructed to move on the target.

21 Q. And my question was were there any fighting forces in
22 Monrovia that you were targeting?

23 A. Yes.

24 Q. Which fighting forces were those?

11:22:00 25 A. The LPC was in Monrovia; ULIMO-J was in Monrovia; ULIMO-K
26 was in Monrovia; the AFL was in Monrovia; Black Beret was in
27 Monrovia. Those five forces.

28 Q. And who were the Black Berets?

29 A. The Black Berets were a special group that - who were

1 trained in Guinea, Kankan. In Guinea in a town called Kankan.
2 They were trained by Brannie Samuka.

3 THE INTERPRETER: Your Honour, can he kindly repeat the
4 name of the person who trained them.

11:23:12 5 PRESIDING JUDGE: Can you repeat the name of the trainer?

6 THE WITNESS: Brannie Samuka.

7 MR CHEKERA:

8 Q. Are you able to help us with the spelling of that name?

9 A. I can only try Samuka. I do not know Brannie's spelling.

11:23:37 10 Q. Is it Brannie or Brownie?

11 A. Brannie Samuka.

12 Q. I'll probably spell Brannie as in B-R-A-N-N-I-E. It sounds
13 more closer to the phonetic pronunciation than Brownie. And
14 Samuka I think is properly spelled. Now, on whose side were they

11:24:05 15 fighting?

16 A. They were fighting on Amos Sawyer's side.

17 Q. After you were summoned by Isaac Musa did the NPFL launch
18 an attack on Monrovia?

19 A. Yes.

11:24:28 20 Q. And which fighting units in the NPFL were involved?

21 A. The entire NPFL.

22 Q. And who was in overall command during that attack?

23 A. The overall chief was the battle group commander.

24 Q. And the attack on Monrovia, is that what you referred to as
11:25:19 25 Operation Octopus?

26 A. Yes.

27 Q. How long did this attack last?

28 A. It lasted for about a month.

29 Q. And what was the result?

1 A. ECOMOG came in with their jet fighters from Sierra Leone
2 and started bombarding us, and we hadn't the weapons to continue
3 the fighting, so we retreated to Gbarnga.

11:26:22

4 Q. Yes. And when you sieged Monrovia, which specific areas
5 did the NPFL target?

6 A. We targeted Duala. That was my target, but I did not know
7 the other people's targets. The mission failed and we returned.

8 Q. And which unit were you fighting under at Duala?

9 A. The same NPFL.

11:27:00

10 Q. Sorry, the question was which unit within the NPFL? Which
11 fighting unit within the NPFL were you fighting under?

12 A. There was no specific name, but there was a group. The
13 target was given to a group and I moved with that group. It had
14 no name.

11:27:24

15 Q. And when ECOMOG intervened and started bombarding, what
16 happened to the NPFL?

17 A. We retreated to Gbarnga.

18 Q. Now, when was it that you retreated to Gbarnga? Just to
19 put this in time frame.

11:27:47

20 A. November 1992. November 2002 [sic].

21 Q. At this time where was Mr Taylor?

22 A. November 1992? '92 Mr Taylor was in Gbarnga.

23 Q. Do you know when Mr Taylor moved to Gbarnga?

24 A. When? For the first time?

11:28:32

25 Q. Yes. The last we heard of Mr Taylor was at Gborplay.

26 A. Oh, Mr Taylor moved to Gbarnga in 1991 and stayed in
27 Gbarnga. It was in 1991.

28 Q. Are you able to assist with the month in 1991, or at least
29 which part of the year he moved to Gbarnga?

1 A. No, I can't be exact with the month, but it was in 1991.

2 In the year 1991 he moved to Gbarnga. I can't be exact with the
3 month.

11:29:26

4 Q. Middle - sorry. Beginning of '91, middle, end of '91? Can
5 you assist us at least with that?

6 A. Maybe in August 1991. I can't be exact.

7 Q. And when you retreated to Gbarnga, for how long were you in
8 Gbarnga?

9 A. We stayed in Gbarnga until '95.

11:30:05

10 Q. And --

11 A. Until '95, when Taylor moved to Monrovia.

12 Q. Yes.

11:30:38

13 PRESIDING JUDGE: Mr Chekera, perhaps this is a good time
14 to take the morning break. The tape has come to its end. We
15 will take a break until 12 noon.

16 [Break taken at 11.30 a.m.]

17 [Upon resuming at 12.04 p.m.]

18 [The accused present]

12:05:00

19 PRESIDING JUDGE: I note for the record that Mr Taylor is
20 present in court. Good afternoon, Mr Taylor. Mr Chekera, please
21 continue with your witness.

22 MR CHEKERA: Thank you, Madam President. Just to also note
23 that we are joined by Mr Hawi Alot:

12:05:24

24 Q. Mr Zaymay, when we adjourned for the tea break we were
25 discussing the time that you were in Gbarnga. Now, when you were
26 in Gbarnga you mentioned - or, rather, let me rephrase. You have
27 told us in your evidence that Tom Woveiyu was the Minister of
28 Defence. Earlier on when we were discussing what was happening
29 in Cape Mount you also mentioned that Degbon was the minister of

1 mines and minerals if I remember correctly - land and mines,
2 sorry. Under what arrangements within the NPFL were those
3 persons appointed to the positions of ministers?

4 A. Who? Degbon or Tom Womeiyu?

12:06:18 5 Q. You've mentioned the positions of ministers and my question
6 is: Under what administrative mechanisms were those persons
7 appointed ministers?

8 A. I don't know. I was not at the headquarters. I was at the
9 front. I only heard that we had ministers.

12:06:42 10 Q. Yes, what was the nature of the administration during the
11 time that they were appointed ministers?

12 A. What do you mean by hierarchy?

13 Q. Sorry, I did not mention hierarchy. I said what was the
14 nature of the administration in Gbarnga during the time that they
15 were appointed ministers?

12:07:07 16 JUDGE DOHERTY: Mr Chekera, with respect I find that a
17 rather confusing question. Do you mean whose administration was
18 it? How was it run? When you say what is the nature --

19 MR CHEKERA: Maybe let me try to rephrase:

12:07:26 20 Q. The ministers, they were ministers of what government?

21 A. Tom Womeiyu was Defence Minister of the NPRAG government.
22 Later the NPFL was changed to NPRAG. Degbon was Minister For
23 Lands and Mines for NPRAG. Tom Womeiyu was Minister for NPRAG.

24 Q. Are you able to assist us with the meaning of NPRAG. What
12:08:02 25 did NPRAG stand for, if you know?

26 A. National Patriotic Reconstruction Assembly Government,
27 NPRAG.

28 Q. And who was the head of that government?

29 A. Mr Taylor.

1 Q. And did he have a deputy?

2 A. Yes.

3 Q. Who was in that position of deputy?

4 A. Enoch Dogolea.

12:08:54 5 Q. Besides the two persons you have already mentioned who were
6 ministers, were there other ministers in this government?

7 A. Those are the only people I can remember now.

8 Q. My question was were there other persons who were also
9 ministers other than those two?

12:09:18 10 A. There were other ministers, but these are the only two
11 people I can remember now.

12 Q. Now, do you know when it was that the NPFL took over
13 control of Gbarnga?

14 A. Where who what?

12:09:43 15 Q. When was it that the NPFL took over control of Gbarnga?

16 A. No, I was not involved in the attack.

17 Q. Are you therefore saying you do not know when NPFL took
18 over control of Gbarnga?

19 A. Yes. At that time - at the time that the NPFL fighting
12:10:14 20 force took over Gbarnga I was not there.

21 Q. Do you know which unit in the NPFL took over control of
22 Gbarnga?

23 A. I don't know. I was not there.

24 Q. Now, are you able to assist this Court with the military
12:10:39 25 structure of the NPFL in 1990, the battalions or units that were
26 within the NPFL and who was in command of the respective units?

27 A. Can you get me a piece of paper and a pen?

28 MR CHEKERA: Madam President, may I?

29 PRESIDING JUDGE: Madam Court Officer, please pass a pen

1 and paper to the witness.

2 THE WITNESS: Yes, I have got number one, the military
3 structure.

4 MR CHEKERA:

12:12:00 5 Q. Yes?

6 A. The Executive Mansion Presidential Guard force, EMPGF.

7 Q. Yes, and who was in charge of that unit?

8 A. Michael Paygar, P-A-Y-G-A-R.

9 PRESIDING JUDGE: Mr Chekera, I think the witness is
12:13:46 10 looking to you.

11 MR CHEKERA:

12 Q. Have you finished listing down the names of the commanders
13 of the respective units?

14 A. No, I cannot list them in full. When I call a - you tell
12:14:00 15 me what to do.

16 Q. Okay. Sorry. Besides - sorry, Madam President. Besides
17 Michael Paygar, what other units were there and who was in
18 command? Maybe you could list them all down and then read them
19 out.

12:14:17 20 A. Okay. I have got eight here now.

21 Q. If you could just run through the eight that you have, the
22 unit and then the name of the commander.

23 A. Okay. Number two: SS, Special Security Service;
24 commander, Benjamin Yeaten. Number three --

12:17:54 25 Q. Sorry, could we have number three?

26 A. Number three, Special Task Force; Gonwou Gonpou.

27 Q. Could you help us with the spelling?

28 A. G-O-N-G-O-W-O-U. G-O-N-G-O-R-W-O-U. No, no, no, no.

29 G-O-N-W-O-U, Gonwou. First name G-O-N-W-O-U. Gonpou.

1 G-0-N-P-0-U. Gonwou Gonpou, Special Task Force commander.

2 Q. Number four?

3 A. Number four: 1st Battalion, Edward K Mineh.

4 Q. Yes, please continue.

12:20:01 5 A. Number five: 2nd Battalion, Edward T Zaymay. Number six:

6 3rd Battalion, George K Tokpah. T-0-K-P-A-H, Tokpah.

7 PRESIDING JUDGE: Sorry, the first name was George, was it?

8 THE WITNESS: Yes. George K Tokpah. 6th Battalion --

9 PRESIDING JUDGE: From 3rd Battalion you have 6th

12:21:26 10 Battalion?

11 THE WITNESS: Yes, we did not have 4th battalion in the

12 NPFL. We did not have the 4th Battalion.

13 PRESIDING JUDGE: 5th Battalion.

14 THE WITNESS: Okay, I forgot that. 5th Battalion. I have

12:22:10 15 forgotten the name of the 5th Battalion commander. Then we go to

16 6th. 6th Battalion, Oliver Varney.

17 MR CHEKERA:

18 Q. Is that all? Are those the ones you have?

19 A. No. The Navy Battalion, Johnson T Leaman, L-E-A-M-A-N.

12:23:32 20 Then the Special Strike Force Lofa, Anthony Mekunagbe. Then the

21 Chairman of the Joint Chiefs of Staff, Isaac Musa. Deputy

22 Chairman of the Joint Chiefs of Staff, General John L Teah.

23 Battlefront commander, Sam Larto, L-A-R-T-0. These are the names

24 that I can remember now.

12:25:39 25 Q. Now, just one issue that we need to clarify. You mentioned

26 Gonpou, and you said he was Special Task Force commander.

27 A. Yes.

28 Q. Do you know which area he was assigned to?

29 A. The Special Task Force was a special unit that was assigned

1 to the mansion in Gbarnga. It reports and takes direct orders
2 from Mr Taylor.

3 Q. Now --

4 A. And it was a special bodyguard to Mr Taylor.

12:27:01 5 Q. These were the units in 1990. In 1991 - let me put a date
6 to it. Mid-1991, July, were there any changes to these units?

7 PRESIDING JUDGE: Yes, Ms Howarth.

8 MS HOWARTH: I'm only rising in as far as he was asked to
9 draw a diagram in relation to 1990, but there hasn't as such been

12:27:31 10 any evidence from the witness that people remained in these
11 positions throughout 1990 or they did not. So perhaps that
12 matter might be appropriate to clarify.

13 PRESIDING JUDGE: What do you say?

14 MR CHEKERA: The question was were there any changes, which
12:27:49 15 was exactly what my learned friend is asking.

16 PRESIDING JUDGE: Yes, I would agree, Mr Chekera. I don't
17 think there is an objection to that kind of question.

18 MS HOWARTH: Yes, only in terms the question related to
19 1991 rather than changes potentially within 1990 itself, but I
12:28:10 20 will leave it there.

21 PRESIDING JUDGE: The question started this way: "These
22 were the units in 1990 - in 1991, say mid-1991, July, were there
23 any changes to these units." There is nothing objectionable
24 about that kind of question.

12:28:29 25 MS HOWARTH: Very well.

26 PRESIDING JUDGE: Please proceed. But, Mr Chekera, I want
27 to be absolutely sure that the witness understands that what he
28 has listed are the units as they existed in 1990.

29 MR CHEKERA: Let me just be sure:

1 Q. Mr Zaymay, these units as you have enumerated them, were
2 they the units that were obtaining in 1990?

3 A. In 1990, when we entered Liberia, there was no unit like
4 this. There was only one fighting unit. Later on these units
12:29:16 5 were created, when we advanced.

6 Q. In what year were these units created?

7 A. These units were created when ECOMOG bombarded us and when
8 we retreated to Gbarnga, 1990, the end of 1990, these units were
9 created.

12:29:49 10 Q. And did they remain as they were the entire 1990?

11 A. Later they were changed. Changes were made.

12 Q. When were those changes made?

13 A. When or how?

14 Q. Maybe let's start with when.

12:30:21 15 A. 1991.

16 Q. Let's go back to the units that you listed and if you can
17 show us which units were changed and the date when they were
18 changed.

19 A. EMPGF, the commander was changed and replaced. SS --

12:31:00 20 Q. Just before you go to the SS. The commander was changed,
21 you say the commander was Michael Paygar. Who succeeded Michael
22 Paygar?

23 A. Cassius Jacob.

24 Q. And when was that?

12:31:19 25 A. '91.

26 Q. Which other unit was changed in terms of the either the
27 unit itself or the command?

28 A. The Special Task Force commander Gonpou died in an accident
29 and was replaced by Martina Johnson. No, no, he was replaced by

1 - oh, by a lady, but I have forgotten her name.

2 Q. Do you remember when it was that that change was made?

3 A. '91.

4 Q. Any other changes?

12:32:18 5 A. The 2nd Battalion unit was changed from 2nd Battalion to
6 army division. From 2nd Battalion to army division and the
7 command - it was commanded by Albert G Paye.

8 Q. Sorry, Albert G?

9 A. P-A-Y-E.

12:33:15 10 Q. And when was that change made?

11 A. '91.

12 Q. Any other changes?

13 A. The navy was changed to a division, navy division.

14 Commander Johnson T Leaman remained.

12:33:49 15 PRESIDING JUDGE: Mr Chekera, the name, the man in charge
16 of the army division, what is his first name?

17 MR CHEKERA: I will just ask:

18 Q. The army division, the first name of the commander, you
19 said Paye, G Paye. What was the first name?

12:34:10 20 A. Albert, A-L-B-E-R-T. Albert G Paye.

21 Q. And other changes after the navy battalion which became the
22 navy division?

23 A. The strike force was changed to strike force division.

24 Q. When with was that?

12:34:42 25 A. '91. All changes were made in '91.

26 Q. And was there a change in command in the strike force
27 division?

28 A. I have forgotten the name of the commander.

29 Q. Now, any other changes?

1 A. At the time - it was at that time that the chairman of the
2 joint chiefs was established, when all these were changed to
3 divisions, when all battalions were changed to division, that was
4 the time that the chairman of the joint chiefs was established in
12:35:33 5 '91 together with his deputy.

6 Q. Now, the chairman of the joint chief of staff was Isaac
7 Musa, you said. Before he became chairman of the joint chief of
8 staff, what was Isaac Musa's position?

9 A. Isaac Musa was a - the battle group.

12:36:07 10 Q. And what was John L Teah's position before he became deputy
11 to Isaac Musa?

12 A. John was the deputy battle group.

13 Q. Now, in terms of military hierarchy, who was the highest
14 official in the NPFL in 1991?

12:36:45 15 A. Isaac Musa, the chairman of the joint chiefs, was the
16 highest. We all reported to him and from him to Mr Taylor, the
17 leader at that time.

18 Q. When you say from him to Mr Taylor, who was senior to the
19 other, Mr Taylor or Isaac Musa?

12:37:14 20 A. In the army?

21 Q. No, in terms of military decisions. You said you reported
22 to him, that is Isaac Musa, and from him to Mr Taylor. What is
23 not clear is who was on top of the other, Mr Taylor or Isaac
24 Musa.

12:37:35 25 A. We, those of us in the field, execute orders from Isaac
26 Musa and Isaac Musa executed orders from Mr Taylor and he passed
27 it on to us in the field. The chain of command.

28 Q. And below Isaac Musa, the command would come down to the
29 deputy?

1 A. From Isaac Musa to the deputy John Teah. And from John
2 Teah to the battlefield commander. From the battlefield
3 commander down. John Teah was the one that we liaised with from
4 the field to Isaac Musa.

12:38:31 5 Q. Now, from the time that the NPFL occupied Gbarnga to the
6 time that you said Mr Taylor moved to Monrovia, was the NPFL in
7 continuous control of Gbarnga?

8 A. No.

9 Q. When was that control interrupted?

12:39:08 10 A. '94 when Mr Taylor left and when for a meeting in Ghana.
11 Gbarnga fell in the hands of the ULIMO and LPC.

12 Q. And for how long was Gbarnga in the hands of ULIMO and the
13 LPC?

14 A. Three months.

12:39:32 15 Q. And during that three months, where was the NPFL based?

16 A. NPFL retreated to Nimba.

17 Q. Which particular - was there a particular place in Nimba
18 that the NPFL retreated to?

19 A. In Ganta city and they set up a defensive between

12:40:03 20 Lofa - between Bong and Nimba.

21 Q. And after Ganta, where you were for three months, where did
22 you go?

23 A. From Ganta, NPFL recaptured Gbarnga.

24 Q. Which unit in the NPFL fought to recapture Gbarnga?

12:40:37 25 A. The entire NPFL fell within a unit called Jungle Fire.

26 Q. And who was in control of that unit?

27 A. The unit was headed by Benjamin Yeaten.

28 Q. And when you recaptured Gbarnga, where was Mr Taylor?

29 A. He came back. When we recaptured Gbarnga, he moved to

1 Gbarnga and stayed there.

2 Q. And for how long did Mr Taylor remain in Gbarnga before you
3 moved to Monrovia?

4 A. From '94 to '95, one year.

12:41:44 5 Q. And when Mr Taylor moved to Monrovia, why was he moving to
6 Monrovia, if you know?

7 A. Mr Taylor said - he told us that the NPFL has now been
8 transformed into the NPRAG, so we cannot win the war by fighting.
9 We cannot win. I cannot take the presidential seats by fighting.

12:42:19 10 We have to go through election, I have been told. We were to go
11 through elections, so a government had to be established called a
12 seven-man council. All faction leaders were to go there to
13 establish a government, so I have to move to Monrovia. That was
14 the reason why he moved to Monrovia.

12:42:44 15 Q. You mentioned a seven-man council. Do you know what the
16 seven-man council was?

17 A. It was about all factions at that time in Liberia
18 collectively.

19 Q. And did Mr Taylor have any position in the seven-man
12:43:10 20 council?

21 A. Yes. Mr Taylor was one of the members of the seven-man
22 council.

23 Q. Do you know who the other members were?

24 A. LPC's George Boley, he represented the LPC; Alhaji GV
12:43:44 25 Kromah represented the ULIMO-K; Roosevelt Johnson represented
26 ULIMO-J; Mr Taylor represented the NPRAG. These are the ones I
27 can remember now.

28 Q. Was there anyone who was heading this seven-man council?

29 A. The seven-man council, I have forgotten the name of the

1 leader at that time.

2 Q. And during this seven-man council, was there any fighting
3 going on in Liberia?

4 A. No. No, no, no, wait. Yes.

12:45:03 5 Q. Where was the fighting going on?

6 A. Within the seven-man council, Roosevelt Johnson - I cannot
7 be exact. I can't remember that. I can't explain that. I can't
8 remember everything. I can explain what I can remember.

9 Q. Very well. We will just move on. For how long did
12:45:52 10 Mr Taylor remain in the seven-man council?

11 A. Mr Taylor remained in the seven-man council until the
12 elections.

13 Q. And when were the elections held?

14 A. I am coming. Something happened during the reign of the
12:46:43 15 seven-man council.

16 Q. Do you now remember what happened during the seven-man
17 council?

18 A. Yes.

19 Q. Very briefly, could you tell the Court what happened during
12:46:53 20 that time?

21 A. During the reign of the seven-man council, in '96 there was
22 an assassination attempt on Charles Taylor at the mansion.

23 Q. Who tried to assassinate Charles Taylor at the mansion?

24 A. A group from the LPC headed by George Boley.

12:47:24 25 Q. Now, let's go back to the time of the election.

26 A. Yes.

27 Q. The question was: Do you remember when it was the
28 elections were held?

29 A. Yes. 1997.

1 Q. And who was elected in those elections?

2 A. Charles Taylor was elected President.

3 Q. And when Charles Taylor was elected President, where did
4 you go?

12:48:13 5 A. When he was elected President, he took up office at the
6 mansion and stayed in Monrovia.

7 Q. My question was: What happened to you - I refer to you
8 individually - when Charles Taylor was elected President? Where
9 did you go?

12:48:32 10 A. My order was published and I returned to the army as a
11 major and took over the military police commander. I took over
12 the military police command as commander of the military police
13 AFL.

14 Q. Do you know what happened to the other fighters within the
12:49:02 15 NPFL?

16 A. Those were the army, every one of us returned to the army.
17 John Teah - John Teah returned as deputy commanding general.

18 THE INTERPRETER: Your Honours, can he kindly take the
19 names slowly.

12:49:21 20 PRESIDING JUDGE: Please pause. The interpreter couldn't
21 keep up with you. What was the name of the navy commander?

22 THE WITNESS: Johnson T Leaman went as navy commander in
23 the army.

24 MR CHEKERA:

12:49:43 25 Q. Were you going to mention any other names, or those were
26 the names that you remember?

27 A. Others took assignment in the army; others went in the SS
28 and some others went to the mansion; some people went to maritime
29 and others went to the Freeport; others went to the LPRC,

1 et cetera.

2 Q. Just to clean up the record, others went to the SS. What
3 was the SS?

4 A. The Special Security Service assigned to the President.

12:50:35 5 Q. Who headed the SSS, the Special Security Service, at that
6 time?

7 A. It was still Benjamin Yeaten.

8 Q. And you said "others went to the mansion". What do you
9 mean when you say "others went to the mansion"?

12:50:54 10 A. There was a unit at the mansion called the Executive Guard.
11 They went to the Executive Mansion Guard Battalion. There was a
12 unit called Executive Mansion Guard Battalion. They went to the
13 Executive Mansion Guard Battalion.

14 Q. And you say "some people went to maritime". What was the
12:51:21 15 maritime?

16 A. Maritime Affairs controlled all ships in Liberia. They
17 called it maritime.

18 Q. You also referred to Freeport. What was the Freeport?

19 A. Freeport is the National Ports Authority, NPA. The
12:51:47 20 National Ports Authority in Monrovia.

21 Q. And when you went back to the army, for how long did you
22 remain in the army?

23 A. I remained in the army until I was honourably retired by
24 the present Ellen Johnson-Sirleaf government in 2005.

12:52:16 25 Q. Now, during the time that you were in the army, were you
26 involved in any combat?

27 A. Yes.

28 Q. When was it that you were involved in combat during this
29 time?

1 A. First in 1998 after the elections in 1997. When
2 Charles Taylor was elected President, the first attack in 1998 by
3 Roosevelt Johnson on Camp Johnson Road September 18.

12:53:05 4 Q. What was the attack about? And again, just be very brief
5 in your description of the attack.

6 A. Roosevelt Johnson from the ULIMO-J, where he was living at
7 Camp Johnson Road was declared by him as the Executive Mansion
8 for ULIMO-J. They established a roadblock there. Nobody could
9 pass through. So Mr Taylor ordered the ECOMOG commander that was
12:53:37 10 assigned with Mr Taylor to go and tell Roosevelt Johnson to come
11 to him. Why should he put a roadblock in the city?

12 Roosevelt Johnson refused, so his man opened fire on the ECOMOG.
13 The ECOMOG executed the man who opened fire on
14 Roosevelt Johnson - on ECOMOG from Roosevelt Johnson. Then
12:54:05 15 Taylor ordered Roosevelt Johnson's arrest. That was what brought
16 the war, September 18.

17 Q. And how did that war end?

18 A. We fought the war. From the arrest, it turned into a war
19 and we fought the war. Roosevelt Johnson escaped into the
12:54:38 20 American embassy. That was where the war ended.

21 Q. And when you say "we fought the war", were you involved in
22 the fighting?

23 A. Yes.

24 Q. And which unit in the AFL were you fighting under?

12:54:57 25 A. We had a combined AFL now. I had taken over my military
26 police unit. All of us joined. The entire AFL, we attacked
27 Roosevelt Johnson.

28 Q. Other than this incident, were you involved in any other
29 military activity in terms of combat during the time that you

1 were in the AFL after Mr Taylor had become President?

2 A. Yes.

3 Q. What other combat activities were you involved in?

4 A. I was involved in the first and second attacks by LURD.

12:55:48 5 Q. LURD - do you know what LURD stands for?

6 A. I don't know what LURD stands for.

7 Q. And what was LURD?

8 A. LURD was in Liberia. They attacked us.

9 Q. Where did they attack from?

12:56:18 10 A. LURD first attacked from Lofa area, and they got complete
11 control of Lofa County and they planned to move from Lofa to
12 Bomi, from Bomi to Monrovia.

13 Q. Now, when LURD first attacked, do you remember when this
14 was in terms of - in time frame terms?

12:56:57 15 A. The first attack by LURD was in 1999.

16 Q. And was the attack successful?

17 A. No. We pushed them and they retreated from the city to
18 Bomi.

19 Q. And did they remain in Bomi?

12:57:32 20 A. The AFL pushed them from Bomi. I don't know where they
21 went to last.

22 Q. And when was the second attack?

23 A. The second attack was in 2003, when LURD attacked Liberia
24 and MODEL too attacked Liberia. That was in 2003. It was the
12:58:05 25 last attack.

26 Q. And again do you know what MODEL stands for?

27 A. I don't know what MODEL stands for.

28 Q. And who or what was MODEL?

29 A. MODEL was another faction like the LURD.

1 Q. Do you know where they originated from?

2 A. MODEL came from Grand Gedeh. From Ivory Coast they entered
3 Grand Gedeh.

4 Q. And was the attack successful?

12:58:54 5 A. No. MODEL attacked along with LURD until MODEL entered
6 Nimba and LURD entered Monrovia.

7 Q. And did they succeed in taking over Monrovia?

8 A. No. We blocked them and prevented them not to enter
9 because there was a bridge and it was only that bridge you could
12:59:36 10 cross before you entered Monrovia city. That was where we put up
11 a defensive and they were not able to cross the bridge until the
12 arrival of the United Nations peacekeeping force and there was a
13 total ceasefire.

14 Q. And after this attack by LURD, did you take part in any
13:00:04 15 other military activity?

16 A. After the attack?

17 Q. [Microphone not activated] this attack by LURD, were you
18 involved in any other military activity in terms of combat?

19 A. No. That was the end of the war and when the United
13:00:31 20 Nations arrived, everybody ceased fire.

21 MR CHEKERA: Madam President, I am just going to move into
22 a completely different area that spans the entire evidence of the
23 witness if you could just give me a minute.

24 PRESIDING JUDGE: Before you move, when you say before the
13:00:51 25 United Nations arrived, what does he mean by United Nations
26 arriving?

27 MR CHEKERA: Let me clarify:

28 Q. Maybe firstly, when was it that United Nations arrived?

29 A. The United Nations peacekeeping unit that is at present in

1 Liberia arrived in 2003.

2 MR CHEKERA: Does that assist, Madam President? If I could
3 just have a minute before I move into a different --

4 PRESIDING JUDGE: Yes, Ms Howarth.

13:01:39 5 MS HOWARTH: Perhaps while Mr Chekera is having his minute
6 I could have a look at the diagram that the witness drew if
7 that's okay?

8 PRESIDING JUDGE: Mr Chekera?

9 MR CHEKERA: Sorry, you want to have sight of the diagram?

13:01:59 10 MS HOWARTH: Yes.

11 MR CHEKERA: Of course. By all means.

12 Madam President, with your permission I am just going to
13 consult with Court Management for an exhibit that I would like to
14 use.

13:03:16 15 PRESIDING JUDGE: Ms Howarth, are you done with that piece
16 of paper?

17 MS HOWARTH: I believe Ms Hollis is just taking a look at
18 it behind me.

19 MR CHEKERA: Madam President, may I at this point deal with
13:03:43 20 a specific evidence that was introduced by the Prosecution and I
21 would like to make reference to exhibit P-54 and if that exhibit
22 may be shown to the witness.

23 PRESIDING JUDGE: In the meantime what happens to the piece
24 of paper on the other side?

13:04:02 25 MR CHEKERA: Yes, after the Prosecution I was going to ask
26 for it to be shown to your Honours, if you --

27 PRESIDING JUDGE: Do you intend to exhibit this piece of
28 paper?

29 MR CHEKERA: That it is on the record, I do not wish to

1 refer to it as an exhibit, to the extent that everything has been
2 captured on record.

3 MS HOWARTH: Likewise we wouldn't wish to MFI it.

13:04:28

4 PRESIDING JUDGE: Well, the Bench doesn't wish to look at
5 it. If you wish to look at it, certainly, by all means.

6 MR CHEKERA: Yes, please. Maybe it would assist if the
7 witness were to move over to the other chair:

13:05:32

8 Q. Mr Zaymay, I am going to ask you to just briefly look at
9 the diagram before you. I will just give you about a minute for
10 you to familiarise yourself with the diagram and I will ask you
11 specific questions relating to the diagram. Do you see the
12 diagram before you?

13 A. Yes.

13:05:52

14 PRESIDING JUDGE: Mr Chekera, have you ascertained that the
15 witness is able to understand - read and understand what is
16 written in this diagram in the language in which it is written?

17 MR CHEKERA: Thank you. Let me clarify that:

18 Q. Mr Zaymay, do you understand the diagram as it is written
19 in English?

13:06:14

20 A. Yes.

21 Q. And you can follow what is represented in that diagram?

22 A. Yes.

13:06:38

23 Q. Now, this diagram represents evidence that was brought
24 before this Court concerning the command structure of the NPFL
25 between 1990 and 1991. If you look right at the top, the box
26 right at the top, you will see "NPFL leader", you will see
27 "Charles Taylor". Do you see that?

28 A. Yes. Yes, I have seen it.

29 Q. Just below the diagram to your right you will see there is

1 a box that says "military advisers". Do you see that box?

2 A. On the right, yes.

3 Q. Now, just for you to be clear, this was evidence that was
4 adduced in this Court by the Prosecution through a Prosecution
13:07:35 5 witness representing what they say was the command structure of
6 the NPFL in 1990 and 1991. I am going to ask you to comment on
7 the diagram to the extent that you know with respect to the
8 command structure in the NPFL. Now, did Mr Taylor in 1990, 1991
9 have military advisers?

13:08:07 10 A. Yes. The one that I know was Godfather.

11 Q. And did you know Mr Taylor's advisers or did you hear
12 Mr Taylor's advisers to include Foday Sankoh who is represented
13 in that diagram?

14 A. Negative.

13:08:33 15 Q. Do you know anyone by the name Dr Manneh?

16 A. I heard about Dr Manneh, but I never saw him. I did not
17 even know how he looked like.

18 Q. What did you hear about Dr Manneh?

19 A. I heard from some of the Senegambians that were assigned to
13:09:07 20 Mr Taylor that their leader was called Dr Manneh, but I never saw
21 him.

22 Q. Now, you mentioned Senegambians that were assigned to
23 Mr Taylor. Let's briefly discuss those Gambians you referred to.
24 When were these Gambians assigned to Mr Taylor?

13:09:37 25 A. The Gambians came in in 1990 but by then I was at the
26 front, but I saw them.

27 Q. When you say they came in in 1990, where did they come in?

28 A. There was fear by Mr Taylor because of the lots of
29 activities, the escape of Prince Johnson and at the base there

1 was conspiracy, so the majority of us were Gios so Mr Taylor was
2 afraid that he was not safe in our midst so he decided to bring
3 the Senegambians as special bodyguards. So he brought a few
4 guys. That was what Godfather told me.

13:10:27 5 Q. Do you know how many Gambians were brought in?

6 JUDGE DOHERTY: Mr Chekera, you refer to Gambians and the
7 witness refers to Senegambians. Are they one and the same?

8 MR CHEKERA: Let me clarify:

9 Q. The persons you refer to as the Senegambians, do you know
13:10:46 10 which country they came from?

11 A. They were the same Gambians but we used to call them
12 Senegambians, but they were the same Gambians.

13 Q. And do you know how many Gambians came in?

14 A. I don't actually know their number. They were a few men.

13:11:20 15 Q. Can you remember some of their names?

16 A. Yes.

17 Q. Which Gambians do you still remember?

18 A. I remember Jackson. He was aide-de-camp to Mr Taylor. We
19 used to call him Superfly. And I also recall another guy who was
13:11:53 20 called Lamin, but I was not too familiar with them.

21 Q. Do you know where Mr Taylor was when the Gambians came in?

22 A. They came in in '90 in Gborplay, but I came across them in
23 '91 in Gbarnga and I was not in Gborplay.

24 Q. When you were giving evidence about training at Tajura, you
13:12:35 25 say there were Gambians at Tajura. Do you know whether there was
26 any connection between the Gambians at Tajura and these Gambians
27 who joined Mr Taylor at Gborplay?

28 A. There was only one Gambian group that was at Tajura, and it
29 was some of those who came to Gborplay.

1 Q. Do you know under what arrangement the Gambians came to
2 Gborplay to provide security for Mr Taylor?

3 A. It was not at my level, so I don't know.

13:13:24

4 Q. Besides providing security to Mr Taylor, did the Gambians
5 play any other part in the NPFL?

6 A. No. They were only serving as bodyguards to Mr Taylor.

7 Q. And for how long did they remain in that capacity as
8 bodyguards to Mr Taylor?

9 A. They remained there until Mr Taylor's resignation in 2003.

13:13:58

10 Q. And besides the Gambians, was there any other nationality
11 that joined the NPFL at Gborplay?

12 A. No.

13 Q. Now, let's go back to the diagram that I was referring you
14 to. If you look below "Mr Taylor" to the left - immediately

13:14:29

15 below "Mr Taylor" to the left, you will see "Executive Mansion
16 guard" and you will see the commander, "Michael Peagar". Is this
17 a correct representation of the command structure that Michael
18 Paygar reported directly to the NPFL commander Mr Taylor?

19 A. Yes. This group, Michael Paygar, aide-de-camp and Benjamin
20 Yeaten, they all reported directly to Mr Taylor. It's correct.

13:15:04

21 Q. Now, if you look in that box, it's written that Michael
22 Paygar was the commander of the Executive Mansion guard, and
23 members of the Executive Mansion guard included aide-de-camps and
24 Benjamin Yeaten. Now, did the aide-de-camps form part of the
25 Executive Mansion guard reporting to Michael Paygar?

13:15:37

26 A. No. The aide-de-camp was senior to Michael Paygar. The
27 aide-de-camp was assigned directly to the President, and he was
28 senior to Michael Paygar. And to Mr Taylor, it was the
29 aide-de-camp that came first. The aide-de-camp was the most

1 senior and was senior to Michael Paygar.

2 Q. And did Benjamin Yeaten fall under the Executive Mansion
3 guard reporting to Michael Paygar?

4 A. No. Benjamin Yeaten was reporting directly to Mr Taylor.

13:16:29 5 Q. Directly below "Mr Taylor" in the middle you will see a box
6 where it's written "battlefield commander (BFC), Isaac Musa". Is
7 that a correct representation of the hierarchy, that below
8 Mr Taylor you had the battlefield commander?

9 A. Yes. But this was later changed to the chairman of the
13:16:59 10 joint chiefs. It is correct.

11 Q. And is it correct that below - immediately below the
12 "battlefield commander" you had the "battle group commander
13 (BGC)", who was Sam Larto?

14 A. Yes.

13:17:26 15 Q. Earlier on when I asked you to list the units in the NPFL,
16 you said that below the Joint Chief of Staff you had a Deputy
17 Joint Chief of Staff, who was John L Teah. Do you remember that?

18 A. Yes.

19 Q. Now, in terms of this chain of command, you have got
13:17:58 20 Mr Taylor at the top, Isaac Musa following after Mr Taylor.

21 Where would John L Teah fall?

22 A. Battlefield commander had a deputy, deputy battlefield
23 commander, and the battle group was in the field with us. We
24 reported to the battle group, and the battle group would take you
13:18:26 25 to the battlefield. So in between here there is supposed to be
26 the deputy to Isaac Musa. Sam Larto was not the deputy. Here
27 there is supposed to be a deputy to Isaac Musa before Sam Larto.

28 Q. You said Sam Larto was in the field with us. What do you
29 mean when you say Sam Larto was in the field with us?

1 A. Sam Larto supervised in the field, so he was our chief.
2 And from the front, it was to Sam Larto and from Sam Larto to
3 John Teah, and from John Teah to Isaac Musa. So in between Sam
4 Larto and Isaac Musa, it was John Teah who was supposed to be in
13:19:27 5 between there as deputy.

6 Q. Thank you. Now, if you go back to your left, Executive
7 Mansion guard, you will see below the "Executive Mansion guard"
8 immediately below there is two units. The first one is Strike
9 Force Unit. Did you have a Strike Force Unit falling directly
13:19:53 10 under the Executive Mansion guard?

11 A. No. The strike force did not fall directly under the
12 Executive Mansion guards. The Special Task Force fell under
13 Executive Mansion guards. Special Task Force, we had the NPGF
14 commander, the SS director and the Special Task Force, which fell
13:20:28 15 directly under the Executive Mansion guards, not the strike
16 force. And the strike force was deployed in Lofa. That was
17 commanded by Anthony Mekunagbe, not under the Executive Mansion
18 guards.

19 Q. And what was the purpose of the Special Task Force under
13:20:54 20 the Executive Mansion guard?

21 A. Special Task Force. I said Special Task Force. I am not
22 talking about strike force. The strike force was the fighting
23 unit. The Special Task Force fell under the Executive Mansion
24 guards.

13:21:19 25 Q. And what was its purpose?

26 A. They were also serving as a special bodyguard unit to
27 Mr Taylor. They were responsible for conducting arrests in the
28 field if anyone violated. They implemented law and order.

29 Q. Under "Strike Force Unit" you will note that the commander

1 there is depicted as Sam Tuah. Was that Sam Tuah's position
2 between 1990 and 1991, commander of the Strike Force Unit?

3 A. I knew Sam Tuah, but I did not know him to be a commander.
4 But he died in 1990, and then Anthony Mekunagbe took over the
13:22:20 5 command.

6 Q. What was Sam Tuah's position, if you know, before Anthony
7 Mekunagbe took over command?

8 A. Sam Tuah was given a command before entering Monrovia with
9 a group of NPFL. He was given a group of platoon that he moved
13:22:47 10 with, and all of us entered Monrovia that same day. He was
11 heading a platoon that he attacked Monrovia with on that same
12 day.

13 Q. And do you know someone by the name Charles Timber?

14 A. I heard about him, but I was not familiar with him. NPFL
13:23:16 15 was the largest organisation. I heard about Charles Timber, but
16 I never saw him in person.

17 Q. Do you know whether he was the deputy commander of the
18 Strike Force Unit?

19 A. I don't know.

13:23:32 20 Q. Under "Executive Mansion guard" you will also see there
21 another unit in a separate box "Ghankay Tigers (SBUs)". Did you
22 have a unit that was called Ghankay Tigers?

23 A. No.

24 Q. Did you have a unit that was called SBUs?

13:24:01 25 A. SBU was not a trained unit. I also had SBUs. All
26 commanders had SBUs on the field within your area of assignment.

27 Q. Now, firstly, those persons you referred to as the SBU
28 unit, who were they?

29 A. The one that I know about is that there was a displaced

1 centre at Fendall and I was in command over that certain
2 battalion and you passed through there. Fendall is between there
3 and Monrovia. Some times I used to receive orders from Mr Taylor
4 to go and collect relief supplies from Buchanan and take it to
13:25:03 5 the displaced centre, and I always took food there for the
6 displaced. There was a lot of children there suffering. So some
7 of them knew me and they came to me because always I took food to
8 them. So they knew me, they came to me and told me that chief -
9 they wanted to go with me, so I accepted one.

13:25:23 10 Q. Just pause there. Before you go, I will ask you
11 specifically to talk about the SBUs who were under your charge.
12 My question was: The persons who were referred to as SBUs, who
13 were they?

14 A. The ones I know about, the child that I took from the
13:25:55 15 displaced camp was with me in my house. He used to help with
16 cooking. He used to help to fetch water. He used to help sweep
17 the house, so I call him SBU. But it was not a trained unit.

18 Q. Just pause there. We will come back to that. There is
19 just one issue I want to you to clarify from your answer. You
13:26:19 20 said sometimes you would receive orders from Mr Taylor to go and
21 collect relief supplies from Buchanan to take to the displaced
22 centre? Did you say displaced centre?

23 A. Yes.

24 Q. What do you refer to as displaced centres?

13:26:36 25 A. Those who had escaped from the war - and by then the NPFL
26 area was the only safe area for the civilians - that you will
27 come, you get food, you eat, and there you sleep well. So
28 everybody decided to run and come down to the NPFL-controlled
29 area. So there was a big camp that we created, and those camps

1 in which people live, we would call the places the displaced
2 camps, so the displaced areas and displaced people.

3 Q. Did you say "displaced" or "display" centre?

4 A. D-I-S-P-L-A-C-E-D. Displaced centre.

13:27:25 5 Q. And why were you taking food to those displaced centres?

6 A. I was ordered by Mr Taylor that those people who came to
7 our area we should keep them in one particular place and we will
8 be feeding them. So I went to Buchanan. There was a ship that
9 had been captured. There were --

13:27:59 10 THE INTERPRETER: Your Honours, could the witness go over
11 that number again.

12 PRESIDING JUDGE: Please pause, Mr Witness. You have to
13 repeat the answer partly because you are going too quickly. You
14 said there was a ship that had been captured at Buchanan. Please
13:28:14 15 continue from there.

16 THE WITNESS: There was a rice ship that was captured in
17 Buchanan. The navy group that was patrolling over the sea
18 captured the sea [sic] and they brought it to the port at
19 Buchanan. And now the food was for the NPFL now, so commanders
13:28:37 20 will go there and sign for any quantity of rice and you will
21 collect it and bring it to the areas for your men. So I was
22 responsible to supply the displaced centres in Fendall. So
23 each - I always took food there twice a week. So the children
24 who were there, sometimes when I went there, I took footballs for
13:29:03 25 them. They had a football field. So the boys got to know me.
26 And the place was called Harbel. So they got to know me. So I
27 went there, I took the boy and he came to my camp and he was with
28 me.

29 MR CHEKERA:

1 Q. We haven't gotten to the boy yet. I just want to clarify a
2 few issues around the ship. Do you know what quantities of rice
3 were captured from the ship?

4 A. Over 20,000 bags of rice. The rice was plenty.

13:29:39 5 Q. Now, you said you had SBUs. How many SBUs did you have?

6 A. I had three.

7 Q. And where were you based when you had these three SBUs?

8 A. I was based in Kakata during the first ceasefire.

9 Q. What were the ages of the three SBUs you had with you?

13:30:12 10 A. One was 6, the other was 7 and the - one was 9.

11 Q. I do not want you to go into a long explanation, but can
12 you please tell the Court the circumstances under which you got
13 each one of those three. Don't go into an elaborate explanation.
14 Just briefly explain to the Court how you got the three of those

13:30:40 15 SBUs.

16 A. I got one from Fendall from the displaced centre, because
17 there were a lot of children there who were suffering from
18 malnutrition, so I got one from there. And I got one from Bong
19 Mines and I got one also from Monrovia.

13:31:01 20 Q. When you got the one from Fendall, what was the purpose of
21 you getting that SBU from Fendall? Why did you get that SBU at
22 Fendall?

23 A. Each time I went there with supplies, that boy always run
24 to meet me and said he was going to go with me. So I asked him
13:31:32 25 where his people were. And always I went there, when I took
26 supplies there, he will come to me and say, "I will go with you
27 today." And that day I told him, I said, "Okay, get into the
28 car." At that time he was already at the back of the pick-up.
29 So that was how I got him and brought him to Kakata.

1 Q. And how did you get the second SBU? And, again, I want you
2 to be very brief in your explanation.

3 A. The second - for the second one, it was when we first
4 attacked Monrovia, that was around Sinkor, when we got a flat
13:32:10 5 tyre. We were trying to change the tyre. There was a boy that
6 was lying down. I thought it was a corpse and I told my
7 bodyguards, I said, "Oh, chief" - my bodyguards said, "Oh, chief,
8 the body is moving." And I told them to collect the body and
9 bring it into the car and we drove off and took him to the house.
13:32:29 10 That was how I got the second one.

11 MR CHEKERA: Madam President, I am not sure whether the
12 tape is still running.

13 PRESIDING JUDGE: The tape is running, but the time has
14 come for our luncheon break. We will reconvene at 2.30.

13:32:52 15 [Lunch break taken at 1.32 p.m.]

16 [Upon resuming at 2.33 p.m.]

17 PRESIDING JUDGE: Good afternoon. Yes, Mr Munyard?

18 MR MUNYARD: Good afternoon, your Honours. Might I at this
19 point just seek some clarification about sittings for the rest of
14:33:53 20 this week, because we've received at different times but what
21 appears to be inconsistent information and I just wonder if we
22 can work out - tomorrow morning I understand we're not sitting,
23 but we will be sitting in the afternoon from 2 to 6.30. I don't
24 think there's any misunderstanding about that. Thursday is a
14:34:18 25 public holiday. We've had information that we won't be sitting
26 on Friday, but on the current calendar we've got a normal full
27 sitting day, 9.30 to 4.30. And I wonder if the Court is able to
28 help as to what exactly is anticipated to be happening on Friday?
29 If it helps, the information we did receive in this

1 dizzying flurry of plans A, B, C and all the rest of it that
2 we've been getting from the Registry is that there was going to
3 be a moot court without your Honours tomorrow at the Lebanese
4 Tribunal and there was going to be a moot court with your Honours
14:35:04 5 on Friday. That was one set of information we received. Again,
6 I'm seeing some puzzlement on the Bench. I'm simply asking for
7 clarification so that we can plan our witnesses.

8 PRESIDING JUDGE: Mr Munyard, I don't know what to say
9 officially because, like you, we also are very uncertain about
14:35:23 10 the rest of this week. What is certain is what is officially on
11 the calendar, the sitting calendar, which is tomorrow we sit the
12 half day or we sit afternoon; Thursday is designated as a public
13 holiday; and Friday is designated as a full sitting day. And we
14 were told that unless and until we hear otherwise that remains
14:35:49 15 the schedule.

16 MR MUNYARD: But we have even been told that we may not be
17 celebrating the feast of the ascension on Thursday but rather
18 we'll be swapping it for some Lebanese national holiday on 24
19 May. That was one of the options that was given to us in an
14:36:05 20 email I think at the end of last week or the beginning of this
21 week.

22 PRESIDING JUDGE: Frankly speaking, Mr Munyard, and the
23 parties, I don't know what to say because I don't think that
24 Mr Gregory, the head of the office, will know any different until
14:36:25 25 close of business tomorrow, Wednesday. In my opinion, that's a
26 little late.

27 MR MUNYARD: Well, it is if you're going to suspend one
28 religious holiday and substitute it with a national holiday some
29 two weeks later.

1 PRESIDING JUDGE: I do agree. But I think --

2 MR MUNYARD: But as your Honours are in as much of a state
3 of limbo, if I can pursue the religious analogy, as we are, then
4 I will simply shut up and sit down.

14:36:56 5 PRESIDING JUDGE: I think, for the purposes of court, we
6 shall assume that the week remains as has been officially put on
7 the calendar. If there are changes, I will let the parties know
8 as soon as those changes are and then we can take a decision
9 that's comfortable for everybody. Thank you.

14:37:17 10 Mr Chekera, please continue with your witness.

11 MR CHEKERA: Yes, Madam President, thank you:

12 Q. Mr Zaymay - maybe if the witness could move back to the
13 original seat, with your permission.

14 PRESIDING JUDGE: Mr Zaymay, are you okay? Are you feeling
14:38:16 15 okay?

16 THE WITNESS: Yes, sir. Yes.

17 MR CHEKERA:

18 Q. Mr Zaymay, just before we continue with the evidence of
19 your second SBU, I just want you to give us the name again of the
14:38:32 20 displaced centre, just the name. The name we have is not
21 correctly spelt, so if you could say the name again.

22 A. The second SBU's name is --

23 Q. The name of the displaced centre where you got your first
24 SBU. You mentioned a displaced centre. What was the name of
14:38:58 25 that centre?

26 A. I said Fendall. Fendall.

27 Q. The spelling I have is F-I-N-D-E-L-L. Now, do you know how
28 many persons were at Fendall displaced centre?

29 A. Over 20,000.

1 Q. And were all those people getting supplies in terms of food
2 provisions from the NPFL?

3 A. Yes. Everybody in Fendall used to get food supplies.

4 Q. And in demographical terms, who were these 20,000 people?

14:39:59 5 If you can tell us the ages of the persons who were at the
6 displaced centre approximately. I don't want you to commit a
7 particular age for, but from what age to age were at the
8 displaced centre?

9 A. From babies, pregnant women, to the aged.

14:40:20 10 Q. Yes, thank you. Now let's go back to second SBU you were
11 talking about. You said one of your soldiers - one of your aides
12 found him lying down, and then you asked them to take them with
13 you. Why did you decide to take this SBU you found lying down?

14 A. Because it was out of humanitarian feeling. I saw a child
14:41:00 15 lying down on the ground in the street among corpses, so I took
16 him.

17 Q. And where did you take him to?

18 A. To my house in Kakata.

19 Q. Yes. The third SBU - under what circumstances did you get
14:41:21 20 the third SBU?

21 A. The third SBU, he was one of my girlfriend's younger
22 brother that was staying with her.

23 Q. And how did that SBU get to be your - to be under you?

24 A. All the three children were with me. They hadn't parents,
14:42:04 25 so they were with me at my house and I was feeding them out of
26 humanitarian feelings. I was taking care of them. I was feeding
27 them and so on.

28 Q. Now, when you were living in Kakata, were you living with
29 your family?

1 A. Yes, I had my wife and children.

2 Q. What were the ages of your children who were living with
3 you at the time?

14:42:46

4 A. I had a three-year-old child - a three-year-old boy and I
5 think a 15-year-old boy too.

6 Q. And when you took in those three SBUs, did you take them
7 into your family, or they were living separately from your
8 family?

9 A. I said they were living with me in my house with my family.

14:43:12

10 Q. And in relation to your own family, how were you treating
11 the SBUs?

12 A. I told my wife to take care of the children, that they were
13 her adopted children, and she was taking good care of the
14 children. They were with my children.

14:43:40

15 Q. Were you treating these SBUs any different from your own?

16 A. No, I treated them equally.

17 Q. Did you give them any tasks or chores when they were with
18 you, the SBUs?

14:44:10

19 A. They all joined my children to clean the floor, to wash the
20 dishes. They used to help with the domestic work, like, for
21 cooking.

22 JUDGE LUSSICK: Mr Chekera, perhaps you could explain this.
23 I'm having just a little bit of difficulty here with the status
24 of these children. The witness has said that he treated them
14:44:32 25 just as he treats his own children. At what stage, then, did
26 they adopt the mantle of SBUs? When did they change from being
27 ordinary children into officially SBUs?

28 MR CHEKERA: I was coming to that, your Honour. I might as
29 well deal with it immediately. That was actually going to be my

1 next line of questioning.

2 JUDGE LUSSICK: All right, if you were going to cover that.
3 Don't change your schedule for me, then, if you're going to come
4 to it.

14:45:02 5 MR CHEKERA: I might as well. This could be as good as any
6 other time to deal with the matter:

7 Q. Now, Mr Zaymay, you were treating these SBUs as your own
8 children. How did they then become known as the SBU? Why did
9 you refer to them as SBU?

14:45:27 10 A. They were displaced children whom I had taken to my house.
11 Because each time I visited any of my comrades, any of my
12 battalion commanders' area, I see them with children. They sewed
13 uniform for them and they were with them, and they called them
14 Small Boys Unit. That's how I started calling mine as well.

14:45:50 15 But they were not a fighting unit.

16 Q. If you could just pause there and let us just clarify a few
17 issues. You are saying that there were other commanders who also
18 had SBUs, yes?

19 A. Yes. Number one, I went to Johnson Leaman. For instance,
14:46:14 20 when I went for my supplies to Buchanan, Johnson Leaman at the
21 navy --

22 THE INTERPRETER: Your Honours, can he kindly repeat his
23 answer slowly.

24 PRESIDING JUDGE: Please repeat your answer again. You
14:46:26 25 said when you went to Johnson Leaman for supplies. Continue from
26 there.

27 THE WITNESS: Each time I went to Buchanan, Johnson Leaman,
28 my comrade, I always spent a night with him in his house. The
29 area in which he was living, when I went there I saw some of

1 those boys with him. And he said, Oh, I saw those boys in
2 uniform. And I asked him who the children were, and he said they
3 were his SBUs, a Small Boys Unit that he created. So other
4 commanders as well, when I went to their areas I saw the same
14:47:06 5 thing, and I too started creating mine.

6 MR CHEKERA:

7 Q. We'll come to the part where you created your own. And --

8 PRESIDING JUDGE: The witness did say, and I don't see it
9 on the record, he said, "I saw those boys in uniform." Okay,
14:47:20 10 that word doesn't appear. However, I would like him to explain
11 what kind of uniform were these boys wearing.

12 MR CHEKERA: Yes, that's exactly what I wanted him to
13 clarify before we go to his own unit that he says he created.

14 Q. You mentioned the SBUs who were with Johnson Leaman. You
14:47:46 15 said they were in uniform. What uniform are you talking about?

16 A. He sewed military uniform for them. He said he himself
17 sewed it for them.

18 Q. And why did you sew military uniform for the SBUs?

19 JUDGE SEBUTINDE: Excuse me, again the record does not show
14:48:10 20 "military" uniform. The witness said, "He sewed military uniform
21 for them." Please continue with your question.

22 MR CHEKERA:

23 Q. Did you ascertain why he sewed military uniform for the
24 SBUs?

14:48:27 25 A. Yes, he told me just for fun.

26 Q. Do you know whether John - whether Leaman also lived with
27 his children other than the SBUs? If he had children or - let me
28 rephrase. Let me rephrase, Madam President. Do you know whether
29 Leaman had children of his own?

1 A. Yes, I saw him with children and his wife in the same home.

2 Q. Sorry, I'm talking about children of his own. Did he have
3 children of his own when you went to see him?

14:49:18

4 A. Yes, Johnson Leaman's wife that was with him in exile, I
5 saw the woman and children with Leaman in Buchanan.

6 Q. And in relation to the - how was he treating the SBUs in
7 relation to his own children?

14:49:49

8 A. The time that I spent there, I used to see them, he and the
9 children - he and the SBU children and Johnson Leaman's own

10 children, they were all playing together and they were all
11 sleeping together in the same children's room.

12 Q. And when you sewed the military uniform, for whom did you
13 sew the uniform?

14 A. He sewed the uniform for the children.

14:50:06

15 Q. When you say children --

16 PRESIDING JUDGE: Which?

17 MR CHEKERA:

18 Q. Which children did he sew the uniform for? We have two
19 categories, his children and the SBUs.

14:50:20

20 A. I saw Johnson Leaman's first son, the first son, in the
21 same uniform as the SBUs. So they were all called SBUs. SBUs.
22 Including Johnson Leaman's own children.

23 Q. Do you know under what circumstances Johnson Leaman
24 acquired the children he referred to as his SBUs?

14:50:50

25 A. Just for fun. He told me it was just for fun.

26 Q. Sorry, my question is do you know how he came about to have
27 those children with him?

28 A. He told me that he had gotten them from the displaced camp,
29 the children who were without parents.

1 Q. And do you know what tasks those children were undertaking
2 under his charge?

3 A. They were just in the yard playing. They were playing in
4 the yard with Johnson Leaman's children. When it's time to cook
14:51:32 5 they would wash the dishes, and when I was there those were the
6 things I saw them doing.

7 Q. Now, at what point from the time you entered Liberia from
8 Ivory Coast did you first see these children that were referred
9 to as SBUs?

14:51:58 10 A. No, I came across them during the first ceasefire in '92,
11 no.

12 Q. Sorry, if you could just repeat your answer, because there
13 is a part of it that was not captured. The question was when did
14 you first come across the children you referred as SBUs from the
14:52:26 15 time you entered Liberia from Ivory Coast?

16 A. During the first ceasefire, 1992. 1992.

17 Q. Well - and besides seeing them with Leaman in - where else,
18 if any, did you see these SBUs?

19 A. In '91 when I went to visit Paul D Weah at Harbel, I met
14:53:18 20 the same boys with him too.

21 Q. You said that was in 1991?

22 A. '91. '91.

23 PRESIDING JUDGE: What does the witness mean by "the same
24 boys with him too"? The same SBUs, or simply SBUs?

14:53:39 25 MR CHEKERA: Let me clarify:

26 Q. When you said you saw Paul D Weah with the same boys with
27 him too, which same boys are you referring to?

28 A. I asked Paul D Weah about the boys and he said, "Oh, don't
29 you have your own small boys, the soldiers? These are mine, my

1 own small boys soldiers here."

2 Q. And for how long, to your knowledge, did NPFL commanders
3 remain to have small boys in their charge?

14:54:23

4 PRESIDING JUDGE: Excuse me. Before he goes to that I wish
5 to understand what did Paul Weah mean by small boy soldiers.

6 MR CHEKERA: Yes.

7 PRESIDING JUDGE: Mr Witness, what did you understand him
8 to mean by small boy soldiers?

14:54:48

9 THE WITNESS: Paul D Weah, I understood that they were his
10 own SBUs that he created. His own SBUs that he created.

11 PRESIDING JUDGE: Yes, but why call them small boy
12 soldiers?

13 THE WITNESS: Because they were wearing uniforms. I met
14 them in uniforms as well.

14:55:17

15 PRESIDING JUDGE: Proceed.

16 MR CHEKERA:

17 Q. My question was: For how long did NPFL commanders remain
18 to have small boys under their charge?

19 A. From '91 - from '91 up to '95.

14:55:49

20 Q. During the time that you were in the NPFL and Mr Taylor
21 came to Gborplay, how many times did you go to Gborplay?

22 A. I used to go to Gborplay - I cannot really count the number
23 of times, but I used to go there when we were out of supply.

24 When we were out of food, I used to go there for supplies many
25 times.

14:56:29

26 Q. And when you used to go to Gborplay, were there checkpoints
27 around Gborplay?

28 A. There were no checkpoints.

29 Q. Was there any training going on at Gborplay?

1 A. Yes, there was a large training going on in Gborplay.

2 Q. And do you know the ages of the trainees who were at
3 Gborplay?

4 A. From 17 years upwards to 40.

14:57:14 5 Q. Now, there is evidence before this Court from a witness for
6 the Prosecution that there were SBUs from as far back as the time
7 Mr Taylor was at Gborplay. Do you know anything about that?

8 For the record, Madam President, I refer to the transcript
9 of 5 November 2008 at page 19786, lines 19 to 22.

14:58:14 10 PRESIDING JUDGE: Is it possible to display the transcript
11 and the exhibits at the same time?

12 MS IRURA: Your Honour, the transcript is on the overhead.
13 You would have to move from one feed to the other to be able to
14 view. You wouldn't be able to see them that same time.

14:59:10 15 PRESIDING JUDGE: We do have the page in front of us.

16 MR CHEKERA: Okay, thank you:

17 Q. At line 19 the question was put to the witness, this was a
18 protected witness:

19 "Q. What happened when you got to the Gborplay base?

14:59:25 20 A. When I got to the base I saw a checkpoint where there
21 were people, who included the SBUs, the soldiers and some
22 Special Forces, and we were asked to form a single straight
23 line."

24 Do you hear that, Mr Zaymay? This witness says when he got
14:59:52 25 to Gborplay in 1990, and that's at line 11, there were SBUs at
26 Gborplay at the checkpoints. Do you remember --

27 PRESIDING JUDGE: Can you please move the transcript so we
28 can see line 11?

29 MR CHEKERA: Sorry, Madam President, if I could just

1 consult with the Court Management. We seem to have a problem.

2 PRESIDING JUDGE: Have you changed the transcript?

3 MR CHEKERA: It's on the same page, line 11, just above.

4 PRESIDING JUDGE: It's the previous page please, not 87 but
15:01:02 5 86.

6 MR CHEKERA: 86, sorry. Yes, Madam President. May I
7 proceed?

8 Q. Mr Zaymay, did you hear that evidence and what do you say
9 about that piece of evidence?

15:01:30 10 A. What piece of evidence? Please repeat.

11 Q. The allegation that in 1990 in Gborplay SBUs were deployed
12 at checkpoints.

13 A. The time that I went to Gborplay there was no gate. There
14 was no gate.

15:01:55 15 Q. What about the presence of SBUs at Gborplay, were there
16 SBUs present at Gborplay at the time that you went to Gborplay?

17 A. No SBU was in Gborplay. It's a big lie. There was no SBU
18 in Gborplay.

19 Q. The witness goes on further to say that actually the SBUs
15:02:20 20 who were at Gborplay were undertaking training. That is the same
21 transcript, 5 November 2008, at page 19787. I will just get the
22 line. Lines 21 to 24, if it is read within the context of the
23 preceding discussion. The question at line 21 that was put to
24 the witness was:

15:02:49 25 "Q. What were the ages of the other people that trained
26 with you; the age range?

27 A. In the case of the SBUs, some of them were ranging
28 around 10, 12, up to 16."

29 Again, Mr Zaymay, this witness says not only were there

1 SBUs at checkpoints at Gborplay but that actually SBUs were also
2 being trained at Gborplay and their ages were between 10 and 16
3 years. What do you say about that?

15:03:36 4 A. I continue to say that I was based at the front line. I
5 was not based at Gborplay. My visit to Gborplay was only for
6 supplies. I never came across any SBUs. There was no unit
7 called SBU that was trained whom I saw.

8 Q. What about the general allegation that people as young as
9 10, 13, 16 were training at Gborplay? Is that within your
10 personal knowledge from your visits to Gborplay?

11 A. No, I don't know.

12 Q. Did you see any of those age groups training at Gborplay at
13 the time you went there?

14 A. No.

15:04:25 15 Q. Now, during the time that the NPFL was based in Gbarnga,
16 did you have occasion to go to Gbarnga?

17 A. I only went - yes. I only went to Gbarnga for meetings and
18 I'll return to my area of assignment.

19 Q. And how regular would you say you used to go to Gbarnga?

15:04:55 20 A. When Mr Taylor calls all front line commanders for a
21 meeting. Sometimes when he's - when he was getting ready to
22 travel for peace meetings like in Abuja, when he was getting
23 ready to go out, he will call us and leave instructions with us.
24 From there, if a ceasefire is ordered, he will call us and give
15:05:24 25 us the instructions and from there I'll return to my base.

26 Q. During your visits to Gbarnga, did you notice the presence
27 of SBUs in Gbarnga?

28 A. No.

29 Q. Again, there is evidence before this Court from Prosecution

1 witnesses to the effect that actually there were SBUs at Gbarnga.
2 I will probably just refer to the same transcript, 5 November
3 2008, at page 19813, line 21. The question that was put to the
4 witness was:

15:06:18 5 "Q. Sir, you have mentioned SBUs involved in the security.
6 Can you give us the age range of SBUs that were at the
7 mansion in Gbarnga?

8 A. Yes. Yeah, we had from 12, 10, 15, even some 9 year
9 olds, because we had some little boys that were in the
15:06:39 10 SBU."

11 I will go to the next line in a minute. Do you know - do
12 you have any knowledge of SBUs being involved in security at the
13 mansion in Gbarnga?

14 A. No.

15:07:09 15 Q. Did you hear that SBUs were involved in the security at
16 Gbarnga - at the mansion at Gbarnga?

17 A. No.

18 Q. At line 26 the witness was asked:

19 "Q. Who did the SBUs report to?

15:07:29 20 A. The SBUs reported directly to Mr Taylor, but the chief
21 of staff within the mansion, Cassius Jacobs, was the --"

22 And it continues with the answer at the next page. The
23 part I want you to comment on is whether it is within your
24 knowledge that there were SBUs at Gbarnga who reported directly
15:07:59 25 to Mr Taylor?

26 A. The answer is no.

27 Q. You indicated that you fought with LURD - you were part of
28 the AFL that fought with LURD. When you fought with LURD, were
29 there SBUs involved in the fight against LURD?

1 A. No. At all my targets I did not see any SBUs. SBU was not
2 a fighting unit.

3 Q. Again, the Prosecution alleges that Mr Taylor, who was then
4 President, when he was fighting against LURD, he used SBUs - and
15:08:55 5 for the record, Madam President, that's November 19, 2009, at
6 page 32235, lines 25 to 26. The Prosecution alleges that the AFL
7 to which you belonged when you were fighting LURD, you were using
8 SBUs. What's your comment?

9 A. I did not see it. I never used SBUs at my target. My
15:09:41 10 target was not a small target to take children to. I did not see
11 that.

12 Q. What about other targets other than your targets? Do you
13 know whether SBUs were being used within the AFL?

14 A. No. No SBU was used in the AFL.

15:10:06 15 MR CHEKERA: Madam President, if the witness might move
16 back to the other seat.

17 PRESIDING JUDGE: Just to note, Mr Chekera, you've cited
18 transcript to us, but I don't know. I'm looking at it, and I'm
19 wondering what it is you were citing.

15:10:34 20 MR CHEKERA: Would that be the last reference I made?

21 PRESIDING JUDGE: Yes.

22 MR CHEKERA: That's the transcript of 19 November 2009, and
23 these were allegations that were put to Mr Taylor by the then
24 principal trial attorney.

15:10:50 25 PRESIDING JUDGE: You're putting the allegation only?

26 MR CHEKERA: Yes, I'm putting the allegation by the
27 Prosecution vis-a-vis Mr Taylor's conduct.

28 PRESIDING JUDGE: Okay.

29 MR CHEKERA:

1 Q. Mr Zaymay, we were discussing this chart and we were
2 looking at --

3 PRESIDING JUDGE: For the record, it's exhibit P-54.

4 MR CHEKERA: Thank you.

15:12:30 5 Q. We were looking that box where you've got "Ghankay Tigers".
6 That's what we were discussing when we went into the discussion
7 about the SBUs. If you look at the box that's right next to it,
8 we've discussed that box initially with reference to the command
9 structure. You will note that under "Strike Force" there is a
10 little sign that looks like a star. For lack of a better word,
11 let's call it a star. Do you see that? What that means, if you
12 look below, there is inscription there, "I led the March 23, '91
13 attack on Sierra Leone." What the witness for the Prosecution in
14 this case alleged is that the Strike Force unit was involved in
15 the attack on Sierra Leone on 23 March 1991. Now, to your
16 knowledge were there any NPFL fighters who were involved in the
17 attack on Sierra Leone?

18 A. No, never.

19 Q. The Prosecution goes on, actually, to allege that even the
15:13:52 20 SBUs who were part of the NPFL, that unit the Ghankay Tigers,
21 took part in the attack on Sierra Leone. Do you know anything
22 about that?

23 A. No.

24 Q. I will refer you to the relevant part of the evidence.
15:14:19 25 Madam President, I refer to the transcript of 25 January 2008,
26 page 2223, starting maybe at line 24.

27 Mr Zaymay, this was a different witness from the one I was
28 talking about earlier. Again this witness says that the SBU was
29 part of the NPFL at the Executive Mansion. I will start at line

1 22 and put the question to you and then I'll give you the answer.

2 MS IRURA: Your Honour, this is a closed session
3 transcript.

4 MR CHEKERA: Yes, I'm sorry, I forgot to mention. Madam
15:15:14 5 President, with your permission I will not attempt to give any
6 information that could divulge the identity of the witness.

7 PRESIDING JUDGE: I see. You cannot display it.

8 MR CHEKERA: May I proceed, Madam President, with caution
9 as to the identity of the witness?

15:15:46 10 PRESIDING JUDGE: You had better proceed with caution,
11 because I don't have a copy of the transcript.

12 MR CHEKERA:

13 Q. The question that was put to the witness was:

14 "Q. Now, Mr Witness, you will see on that diagram a box,
15:15:59 15 and in the box is titled 'Ghankay Tigers (SBU).'"

16 This was in reference to the same organogram which became
17 P-54.

18 "What was that unit?

19 A. This was the Small Boy Unit that were part of the
15:16:25 20 Executive Mansion Guard. Sorry, thank you. This small boy
21 unit that were part of the Executive Mansion Guard
22 security.

23 Q. And to your knowledge, was this Small Boy Unit involved
24 in this initial attack in Sierra Leone?

15:16:52 25 A. Yes, some of them were involved."

26 Now, Mr Zaymay, what this witness told the Court was that
27 there was an SBU as a unit at the Executive Mansion as part of
28 the Executive Mansion Guard and that that unit was also involved
29 in the attack on Sierra Leone. Do you have any knowledge of

1 that?

2 A. No.

3 Q. We will go down - if you look at the diagram, we will go
4 down. Let's start from - do you see the box which refers to the

15:18:03 5 "1st Battalion commander" from your left - starting from left?

6 A. Yes.

7 Q. If you move to your right you see the second box, "2nd
8 Battalion commander". In 1990, 1991 was Anthony Mekunagbe the
9 2nd Battalion commander?

15:18:31 10 A. No.

11 Q. Who was the 2nd Battalion commander?

12 A. I, Edward T Zaymay, was the 2nd Battalion commander in 1991
13 until I was transferred.

14 Q. Now let's just be very clear, because in your evidence
15:19:01 15 you've also mentioned being transferred to the 6th Battalion in
16 Bomi. Let's just be very clear: When were you appointed 2nd
17 Battalion commander?

18 A. In 1990 I was appointed 2nd Battalion commander to attack
19 Monrovia up to '91.

15:19:29 20 Q. When in '91 did you cease to be commander of the 2nd
21 Battalion?

22 A. I was transferred at the end of February - February 1991.

23 Q. And when you were transferred in February 1991, who
24 succeeded you as commander of the 2nd Battalion?

15:19:51 25 A. Albert G Paye.

26 Q. And do you know for how long he remained in that position,
27 Albert G Paye?

28 A. Albert G Paye remained there until the battalion was
29 changed to a division - to the army division in '92.

1 Q. Now, when you were commander of the 2nd Battalion, were you
2 involved in the attack on Sierra Leone?

3 A. No.

15:20:51

4 Q. Do you know whether your successor Paye was involved in the
5 attack on Sierra Leone?

6 A. No.

7 Q. Now if you move to the right. After the "2nd Battalion
8 commander" you go to the box where you've got "6th Battalion
9 commander" and there is "Oliver Varney". Do you agree with that?

15:21:16

10 A. Yes.

11 Q. Do you know when Oliver Varney was appointed battalion
12 commander of the - sorry. Do you know when he was appointed,
13 Oliver Varney, 6th Battalion commander?

14 A. 1990.

15:21:36

15 Q. And for how long did he remain in that position?

16 A. To '91, when I succeeded him.

17 Q. Again for the record to be clear, when did you succeed
18 Oliver Varney as commander of the 6th Battalion?

19 A. February 1991.

15:22:04

20 Q. And you remained in that position until when?

21 A. Until almost at the end of '91, when I was transferred --

22 THE INTERPRETER: Your Honour, can he name the place that
23 he was transferred to.

24 PRESIDING JUDGE: Mr Witness, the interpreter didn't get
25 the name of the place you were transferred to. Please repeat.

15:22:26

26 THE WITNESS: I remained in command of the 6th Battalion
27 until I was transferred to Maryland. Maryland County.

28 MR CHEKERA:

29 Q. Now, when you were in command of the 6th Battalion in Bomi

1 Hills, were you involved in the attack on Sierra Leone?

2 A. No.

3 Q. If you look directly under the "6th Battalion" you will see
4 a box where it says "deputy commander". When you were in the 6th
15:23:19 5 Battalion in Bomi Hills, did you have a deputy?

6 A. Yes.

7 Q. And who was your deputy?

8 A. Morris Mayer, M-A-Y-E-R.

9 Q. And over which time frame was Morris Mayer your deputy
15:23:46 10 commander?

11 A. Morris was deputy to Oliver Varney. When I succeeded
12 Oliver Varney, he served as deputy to me when I took over in
13 February 1991.

14 Q. Do you know someone by the name or alias of One Man One?

15:24:15 15 A. Yes.

16 Q. Who was One Man One? Very briefly. I don't want you to go
17 into a long narrative.

18 A. One Man One --

19 THE INTERPRETER: Your Honour, can he repeat the name of
15:24:36 20 the company.

21 PRESIDING JUDGE: Mr Witness, the interpreter again didn't
22 get you. You were explaining who One Man One was. Please repeat
23 your answer.

24 THE WITNESS: One Man One was Alpha company commander. He
15:24:57 25 was assigned to Tiene and Bo Waterside, the border between Sierra
26 Leone and Liberia.

27 MR CHEKERA:

28 Q. And over what period was One Man One assigned to this place
29 Tiene and Bo Waterside?

1 A. When I took over in February 1991 up to February - up to
2 the end of 1991 when I was transferred, he was still in command.

3 Q. And during the time that you were commander of the
4 6th Battalion in Bomi Hills, to whom did One Man One report?

15:25:57 5 A. One Man One reported to the executive officer and the
6 executive officer in turn reported to me.

7 Q. And who was the executive officer?

8 A. Morris Mayer.

9 Q. Now, if you go below deputy commander One Man One, the box
15:26:34 10 immediately below, it's one that's wide and it spans a number of
11 boxes immediately above where it's written "each battalion was
12 further divided into units (i.e. Military Police, combat units,
13 SBUs). Unit commanders reported to their deputy commander". Do
14 you see that?

15:27:07 15 A. "Each battalion was further divided into unit, Military
16 Police, combat units. Unit commanders reported to their" - no,
17 all the units --

18 Q. Just pause there. I haven't asked the question yet. You
19 might have anticipated the question. Yes. Now, what this
15:27:32 20 witness is saying is that your battalion, for instance, the 6th
21 Battalion, when you were in Bomi was further divided into units
22 and those units included the Military Police, the combat units,
23 SBUs. Now, is that a true representation of the command
24 structure during the time that you were a commander in Bomi?

15:28:03 25 A. No.

26 Q. When you were a commander of the 6th Battalion in Bomi,
27 what units fell under you?

28 A. The 6th Battalion was a brigade. I was the commanding
29 general. Morris Mayer was the deputy commanding general to me.

1 We had the 1st Battalion. We had the 2nd Battalion. We had the
2 3rd Battalion and we had the 4th Battalion. So all units
3 reported to the deputy commanding general and the deputy
4 commanding general in turn reported to the commanding general.

15:29:09 5 Q. Besides the battalions, were there any other units within
6 the brigade that you've talked about? You said the 6th Battalion
7 was a brigade and it was further divided into battalions and
8 there were four of them. Besides those battalions, were there
9 any other units?

15:29:37 10 A. Besides MP unit? Any command had a Military Police unit.

11 Q. Yes. Did you have a unit that was called combat unit under
12 you as the 6th Battalion commander?

13 A. Yes, there was a unit called combat unit.

14 Q. And what was the purpose of that unit?

15:30:06 15 A. The unit was the fighting unit that was assigned to the
16 combat camp.

17 Q. And within the 6th Battalion, did you have a unit called
18 SBUs?

19 A. No.

15:30:34 20 Q. When you were the 6th Battalion commander, if you look
21 under "deputy commander One Man One", that's the second from your
22 right, second from the bottom, second from the right, do you see
23 that? "Deputy commander aka One Man One".

24 A. Yes.

15:31:03 25 Q. Below that you have a box captioned "members". Do you see
26 that?

27 A. Yes.

28 Q. When you were 6th Battalion commander, did you have a unit
29 called the Strike Force unit under you?

1 A. No. There was no unit called the Strike Force in the
2 6th Battalion.

3 Q. Earlier on I asked you about Charles Timber. Was Charles
4 Timber under you in the 6th Battalion?

15:31:55 5 A. No.

6 Q. Do you know anyone by the name Rashid Mansaray?

7 A. No.

8 Q. Mike Lamin?

9 A. No.

15:32:10 10 Q. Nathaniel?

11 A. No.

12 Q. Sam Bockarie?

13 A. No.

14 Q. Philip Palmer?

15:32:23 15 A. No. All these names are strange to me.

16 Q. Lion?

17 A. No.

18 Q. What this witness - the witness who gave this evidence
19 before this Court, what this witness is saying is that all those
15:32:45 20 persons that I've made reference to that you deny knowledge of
21 were actually working under you in the 6th Battalion in Bomi and
22 they were --

23 PRESIDING JUDGE: That is not very true, Mr Chekera. If
24 you look at the commander of the 6th Battalion in this
15:33:01 25 organogram, it's Oliver Varney who replaced the witness,
26 according to this witness's testimony.

27 MR CHEKERA: Yes. If you look at - yes, I get your point.
28 I will just make it more specific to the witness:

29 Q. What the witness before this Court who gave evidence for

1 the Prosecution is saying here is that during the time that you
2 were commander of the 6th Battalion in Bomi between 1990 and
3 1991, the persons I have mentioned --

15:33:52 4 MS HOWARTH: Yes, the witness didn't say this witness was
5 the 6th Battalion commander. So, with respect, that doesn't
6 assist in terms of phrasing.

7 PRESIDING JUDGE: Yes, actually, Mr Chekera, you better
8 check what it is that the witness did say. He never said that he
9 was the commander of the 6th Battalion from 1990 to 1991.

15:34:23 10 MR CHEKERA: Sorry, yes. I get the point. Actually, it
11 was later and I will restrict it to that period. Sorry, yes.

12 PRESIDING JUDGE: Yes, but I don't know how you can even
13 ask that question in light of both what the witness has
14 testified, he says he was there from February 1991, he took over
15:34:45 15 from Oliver Varney, but Oliver Varney is still shown here as the
16 commander. 1990 to 1991.

17 MR CHEKERA: I get the point.

18 PRESIDING JUDGE: These are the people --

19 MR CHEKERA: I get your point. I'll rephrase. I get the
15:35:02 20 point. Actually I will come back to the question in another way.

21 THE WITNESS: I do not agree with --

22 MR CHEKERA:

23 Q. We'll come back to - just wait for my questions, Mr Zaymay.
24 Let's go back to the 2nd Battalion commander next to the 6th
15:35:29 25 Battalion immediately on the left where you've got "Anthony
26 Mekunagbe (based in Voinjama)". Do you know whether the 2nd
27 Battalion commander had a deputy?

28 A. Yes. All commanders had deputies.

29 Q. Do you remember who the deputy of the 2nd Battalion

1 commander was between 1990 and 1991?

2 A. I was the 2nd Battalion commander and Albert G Paye was my
3 deputy. He was my executive officer. I was the battalion
4 commander 1991. Albert G Paye was my executive officer.

15:36:33 5 Q. Now, if you look at the box right at the bottom under
6 deputy commander you will see that it says that "Sam Tuah (ground
7 commander in SL from Strike Force unit)". You also have names
8 there. Mohamed Tarawalli. Do you know any Mohamed Tarawalli?

9 PRESIDING JUDGE: What are you asking about? The deputy
15:37:10 10 commander box is empty.

11 MR CHEKERA: Sorry, I said immediately below. I've gone to
12 the one where there are members, with reference to the members.

13 PRESIDING JUDGE: Members of what?

14 MR CHEKERA: It's just written "members" and I do not wish
15:37:27 15 to lead beyond referring the witness to the box.

16 PRESIDING JUDGE: So what is your question you're putting
17 to the witness?

18 MR CHEKERA: I'm referring to the names in that box and
19 whether they're within his personal knowledge.

15:37:38 20 PRESIDING JUDGE: You may ask him.

21 MR CHEKERA:

22 Q. Mohamed Tarawalli, do you know that name?

23 A. No, not in the 2nd Battalion at that time.

24 Q. Issa Sesay?

15:37:55 25 A. No.

26 Q. Morris Kallon --

27 JUDGE LUSSICK: I'm sorry to interrupt, Mr Chekera. Just
28 to get the time frames correct, the witness just said, "Not in
29 the 2nd Battalion at that time." Well, what time is he referring

1 to? Because this witness has said he did not take command of the
2 2nd Battalion until 1991 and this chart concerns personnel as at
3 1990.

4 MR CHEKERA:

15:38:28 5 Q. Mr Zaymay - sorry, just a second. I'll probably just
6 rephrase the question. During the time that you were in the NPFL
7 between 1990 and 1991, did you know any of the names that I'm
8 going to ask you about? And I'll ask you individually. Did you
9 know a Mohamed Tarawalli?

15:39:34 10 A. No.

11 Q. Issa Sesay?

12 A. No.

13 Q. Morris Kallon?

14 A. No.

15:39:41 15 Q. Peter Vandi?

16 A. No.

17 Q. Eldred Collins?

18 A. No.

19 Q. Joe Tuah?

15:39:56 20 A. Yes, one of the Special Forces.

21 Q. I'll come back to Joe Tuah. Isaac Mongor?

22 A. No.

23 Q. Augustine Gbao?

24 A. No.

15:40:11 25 Q. Dopoe Menkarzon?

26 A. Yes.

27 Q. Joseph Brown?

28 A. No.

29 Q. How do you know Dopoe Menkarzon?

1 A. Dopoe Menkarzon and I were trained together as Special
2 Forces, and he was ground commander assigned to the mansion.

3 Q. Between 1990 - from 1990 to 1991, do you know what Dopoe
4 Menkarzon's position was?

15:40:56 5 A. Yes, Dopoe Menkarzon was - that's one of the military
6 structure that I forgot. He was the ground commander assigned to
7 the mansion in Gbarnga.

8 Q. Was he in charge of any unit?

9 A. Yes, all the units there reported to him. All the special
15:41:30 10 units that were assigned to the mansion at that time reported to
11 him. He was the general ground commander.

12 Q. And when you say all the units that were assigned to the
13 mansion, if you could just enumerate them. Just state which
14 units you are talking about without going into any detail.

15:41:49 15 A. I am talking about the EMPGF, the executive guard
16 commander, the executive guard battalion headed by Michael
17 Paygar. I'm talking about the Special Task Force headed by
18 Gonwou Gonpou, and I'm also talking about the - no. Okay, these
19 units reported directly to the ground.

15:42:26 20 Q. They reported directly to the ground?

21 A. Yes. Dopoe Menkarzon was called the ground commander.
22 Dopoe Menkarzon.

23 Q. And over the same period 1990 to 1991, what was Joe Tuah's
24 position?

15:42:52 25 A. Joe Tuah was the artillery battalion commander. I have
26 forgotten one of his fighter names. Joe Tuah, He was the
27 artillery battalion commander.

28 Q. That is between 1990 and 1991. And where was he based?

29 A. Joe Tuah was based in Kakata, where I was also based.

1 MR CHEKERA: Madam President, that would be all from
2 exhibit P-54. Maybe the witness could move back. Thank you,
3 Madam Court Attendant:

4 Q. Just one quick issue, Mr Zaymay, that I just want to
15:44:24 5 clarify. When you took over the 6th Battalion in Bomi Hills - I
6 don't want you to give a long explanation; I just want you to
7 give a name. When you took over the 6th Battalion in Bomi Hills,
8 who did you replace?

9 A. I replaced Oliver Varney.

15:44:48 10 Q. And when you left to go to Maryland, who replaced you?

11 A. It was the same Oliver Varney who came back to take
12 command, and I also replaced him in Maryland.

13 Q. Now I'm going to move to a different issue. Mr Zaymay, you
14 will recall when you were giving evidence on Tajura, and you
15:45:18 15 indicated to the Court that one of the reasons why you were going
16 to fight back in Liberia was to take revenge on Doe. When you
17 went back to Liberia after training in Liberia, did you take
18 revenge on Doe?

19 A. My mission was accomplished. I unseated the government,
15:45:50 20 yes.

21 Q. Now, when you were fighting to unseat the government, who
22 were you targeting as your enemy?

23 A. I was targeting the Krahn soldiers, the Doe forces. Those
24 who were loyal to Doe. It was not all the Krahn people who
15:46:13 25 enjoyed the Doe facilities. It was those who were loyal to the
26 Doe forces.

27 Q. And besides the Krahn soldiers, did you target anyone else?

28 A. Besides the Krahn soldiers, the Mandingos came in and
29 attacked. Some were arrested as POWs, and they were sent to

1 Gbarnga.

2 Q. The Mandingos that attacked, were they fighting under any
3 particular group?

4 A. They were in the army, in the AFL.

15:46:59 5 Q. And when you were fighting the AFL, were you specifically
6 targeting the Krahn and the Mandingos?

7 A. No. The target was for anyone with whom we exchanged fire
8 in fighting.

9 Q. The Prosecution alleges that when you were fighting in
15:47:30 10 Liberia, especially in the early part, 1990, you were
11 specifically targeting the Mandingos and the Krahn. Not only
12 limited to Mandingo and Krahn soldiers, but even civilians. Were
13 you target Mandingo civilians when you were fighting in Liberia?

14 A. No.

15:48:05 15 MR CHEKERA: Madam President, I refer to the transcript of
16 19 November 2009 at page 32245. Maybe I could start at 32240.
17 This was a cross-examination of Mr Taylor, and these were some of
18 the allegations that were put to Mr Taylor by the Prosecution.

19 At line 26 this was a question that was put to Mr Taylor by the
15:49:17 20 Prosecution, Mr Zaymay, and it relates to the treatment of NPFL
21 fighters - the treatment by NPFL fighters of civilians. At line
22 26 the Prosecution suggested to Mr Taylor that you NPFL fighters
23 were targeting Mandingos and Krahn at checkpoints. Was that the
24 policy that you pursued when you were fighting in the NPFL when
15:49:50 25 you were trying to seek revenge against Doe, to specifically
26 target Mandingos and Krahn at checkpoints?

27 A. No. No one attacked Mandingo people at the rear at
28 checkpoints, no.

29 Q. Did you ever take part in the fighting in Buchanan?

1 A. No.

2 Q. Did you hear about the killing of Mandingos and Krahn in
3 Buchanan in 1990?

4 A. No.

15:50:33 5 MR CHEKERA: Madam President, just for the record, this is
6 reference to allegations at page 32246, line 15 to 17:

7 Q. The Prosecution actually goes on to allege that throughout
8 the entire fighting, the NPFL was targeting the Mandingos and the
9 Krahn. During your fighting in your quest to seek revenge

15:51:06 10 against Doe, was it your official policy as the NPFL to target
11 the Krahn and the Mandingos?

12 A. There was an SOP given to us.

13 Q. Yes, you made reference to the SOP which was formulated in
14 Tajura and reiterated by Mr Taylor before you entered Liberia.

15:51:34 15 Did that SOP continue to bind when you entered Liberia?

16 A. Yes. That law and order still existed, and some people
17 were penalised for violating it.

18 Q. When it was issued in - sorry. When it was reiterated by
19 Mr Taylor before your entry into Liberia in Ivory Coast, it was
15:52:05 20 issued only to people you referred to as the Special Forces.

21 When you entered Liberia and were joined by other groups that
22 were taking part in the training, did that SOP apply to those
23 other people who joined you after you entered Liberia? Just
24 before you answer, just pause.

15:52:29 25 MS HOWARTH: It's just in relation to the manner in which
26 the last few questions have been put. Rather than sort of
27 suggesting that it might be applied to new groups, can it not
28 just be he - who did that apply to? And again the question prior
29 to that was in a similar fashion, but I didn't object to that

1 one.

2 PRESIDING JUDGE: Yes, Mr Chekera, in your questions you
3 tend to suggest an answer, and there are ways of asking without
4 suggesting an answer.

15:53:09 5 MR CHEKERA: I could do that, Madam President, at the risk
6 of opening a floodgate of evidence that, from your previous
7 caution, could be bridled and narrowed down --

8 PRESIDING JUDGE: Yes, but the alternative is not to lead
9 either.

15:53:27 10 MR CHEKERA: I could do that and say to whom did the SOP
11 apply? And my hesitation was deliberate, because that would have
12 opened evidence that might be --

13 PRESIDING JUDGE: The objection is sustained. You are
14 asking in a leading manner.

15:53:40 15 MR CHEKERA: I will rephrase. Just to note, Madam
16 President, that I walk a very fine line between trying to control
17 the witness and not leading. So it is from that end that you
18 will note that I tried to narrow down the focus of the question.
19 But I will rephrase:

15:53:59 20 Q. After you entered Liberia, to whom did the SOP apply?

21 A. To our recruits. They were told strongly about the SOP,
22 that there should be no looting, no rape, no illegal killing, no
23 one should attack civilian targets and that their target should
24 be the man who fire at them. Someone in mufti and in civilian
15:54:34 25 clothes, if - as long as they shoot at you, they fire at you,
26 that person should be considered enemies. So that they were
27 told.

28 PRESIDING JUDGE: Sorry, what is mufti?

29 THE WITNESS: Civilian clothing. Some people were

1 uniformed men, sometimes they can put down their uniforms and
2 then wear civilian clothing, and if such a person fired at you,
3 even if they were in civilian clothing, then you should consider
4 them as enemies.

15:55:14 5 MR CHEKERA:

6 Q. And the trainees, at what point were they told about the
7 application of the SOP?

8 A. During the time of their training. That was the time we
9 impacted all of these into the men.

15:55:28 10 Q. And was there is a system to ensure that the SOP was
11 followed?

12 A. Yes. The SOP was implemented and, in fact, some Special
13 Forces were executed, for instance.

14 Q. I will come back to the execution of the Special Forces,
15:55:58 15 but before I do that, my question was - maybe I'll rephrase it -
16 what mechanisms were there to ensure that the SOP was
17 implemented?

18 A. You mean what we did? Come back, please.

19 Q. The question was: What mechanisms, what ways were there in
15:56:29 20 place to make sure that the SOP was implemented?

21 A. Some fighters who violated were executed at the full level
22 of implementation.

23 Q. How did you enforce the SOP?

24 A. When you violated you would be arrested and
15:56:59 25 court-martialled. And if the court martial recommended
26 execution, then you would be executed and it happened.

27 Q. And who was responsible for arresting violators of the SOP?

28 A. The Special Task Force, the police, headed by Anthony - the
29 police commander Anthony Karmahum was the police commander in

1 Kakata and he was responsible for investigating and the Special
2 Task Force was responsible for conducting arrests.

3 Q. The spelling of Karmahum is K-A-R-M-A-H-U-M.

15:58:11

4 A. He was one of the persons also that I forget in the
5 structure. He was the commander for the police, Anthony
6 Karmahum.

7 Q. And who was responsible for the court martial?

8 A. The chairman for the court martial was McDonald Boam.

15:58:46

9 Q. Do you recall when this system was put in place, the board,
10 the police, and the Special Task Force?

11 A. Come again.

12 Q. The institutions that you've referred to, the board, the
13 police and the task force, when were they put in place to check
14 the violators of the SOP?

15:59:19

15 A. They came in place in '91.

16 Q. And who established these institutions?

17 A. Mr Taylor.

18 Q. And for how long did they remain in place?

19 A. From '92 to '95 when Taylor left for Monrovia.

15:59:58

20 Q. Now, you mentioned Special Forces who were executed for
21 violating the SOP. Do you remember who those Special Forces
22 were?

23 A. The first violator was Sam Larto, the battlefield
24 commander - the battle group, the battle group commander.

16:00:30

25 Q. What did Sam Larto do?

26 A. Sam Larto was arrested for illegally killing one of Prince
27 Johnson's delegates that was sent to Mr Taylor in Gbarnga.

28 Q. Do you know why Sam Larto killed the delegate?

29 A. He was a man. Sam Larto said that he was an enemy from

1 Prince Johnson's base and he illegally arrested the man and shot
2 him without any justification.

3 Q. And, very briefly, what happened to Sam Larto as a result
4 of this violation?

16:01:39 5 A. Sam Larto was arrested by the police commander Anthony
6 Karmahum and he - they took him to Gbarnga where he was
7 court-martialled and it was pending execution and he was later
8 executed.

9 Q. Besides Sam Larto, were there any other Special Forces who
16:02:04 10 were tried or who were brought before the court martial board for
11 violating the SOP?

12 A. Yes. It was one James Queweh called the Border Patrol.

13 MR CHEKERA: The spelling I have for Queweh is K-W-E-J-E-H:

14 Q. Is that the correct spelling, Mr Zaymay, of Queweh?

16:02:49 15 A. Yes, Q-U-E-W-E-H or Q-U-E-Y-E-H. It could be spelt in two
16 ways.

17 MR CHEKERA: I'll probably go by the witness's spelling,
18 Madam President:

19 Q. And what did Queweh do?

16:03:11 20 A. James Queweh in 1992 illegally - intentionally shot and
21 killed one Juma, one of the executive guards called Juma.

22 Q. And what happened to Queweh as a result?

23 A. He was arrested, court-martialled and the penalty was
24 execution and he was executed.

16:04:07 25 Q. Any other Special Forces who were disciplined in the NPFL?

26 A. Those are the ones that I remember for now that went
27 against the SOP.

28 Q. And besides the Special Forces who were disciplined before
29 the court martial board, were there any other persons in the NPFL

1 who were disciplined for violating the SOP?

2 A. No. The rest of the other men started taking precautions.

3 Q. Earlier on in your evidence you indicated that when you
4 were sent to Bomi to relieve Oliver Varney that was because there
16:05:08 5 was indiscipline. When you took over command of Bomi, did
6 indiscipline continue under your command?

7 A. Yes. When I took over the command, everything was
8 straightened.

9 Q. How --

16:05:32 10 JUDGE DOHERTY: Mr Chekera, before you move on, when the
11 witness says, in answer to your previous questions, "The men
12 started taking precautions," what does that mean? They started
13 covering up their faults?

14 MR CHEKERA: Yes, let me clarify:

16:05:49 15 Q. Mr Zaymay, when I asked you whether there were any other
16 persons who were brought before the court martial besides the
17 Special Forces, you said, after the incident you referred to
18 where Special Forces were disciplined, the other men began to
19 take precautions. What did you mean when you said the other men
16:06:10 20 began to take precautions?

21 A. Okay. After the execution of the Special Forces, there was
22 one thing I forgot. One of the commanders was brought before the
23 court martial board.

24 Q. Which commander was brought before the court martial board,
16:06:34 25 if you can just be clear?

26 A. The deputy for the Executive Mansion Guard force Cassius
27 Jacob deputy --

28 THE INTERPRETER: Your Honours, could the witness be asked
29 to repeat that second name.

1 PRESIDING JUDGE: Pause, Mr Witness. Could you repeat that
2 second name. After Cassius Jacobs you said another name.

3 THE WITNESS: Namayan. He was deputy to Cassius Jacob.

4 MR CHEKERA:

16:07:11 5 Q. What happened to Namayan? And, again, if you can be very
6 brief.

7 A. Namayan was accused of raping and he was arrested and
8 brought before the court martial board. He was investigated
9 and --

16:07:35 10 Q. Sorry, continue.

11 A. And he was released. The court martial board set him free.
12 There was no evidence, therefore, he was released.

13 Q. Who was he accused of raping?

14 A. It was alleged that he raped a girl.

16:08:03 15 Q. Was that girl a member of the NPFL or a civilian?

16 A. The girl was a civilian. That was his wife's younger
17 sister.

18 Q. Do you know the nature - do you know how proceedings were
19 conducted before the court martial board?

16:08:31 20 A. No, I was not there. I was in Kakata.

21 MR CHEKERA: Sorry, I'm going to come back to your original
22 because I think it's still outstanding:

23 Q. Now, the question that had been asked was: When you said
24 that the other men began to take precautions, what did you mean?

16:09:12 25 A. After executing those people for violation of the SOP, the
26 rest of the NPFL soldiers, the commandos, we decided to guide
27 ourselves against the SOP so that we don't fall victim.

28 Q. In positive terms, can you describe what you did so that
29 you don't fall victim of the SOP? What did you do? What

1 precautions did you take so that you don't violate the SOP?

2 A. We said --

3 PRESIDING JUDGE: [Overlapping speakers] so they don't fall
4 victim of the SOP. Those were his words.

16:10:10 5 MR CHEKERA:

6 Q. What precautions did you take so that you don't fall victim
7 of the SOP?

8 A. All commanders went to their command areas and assembled
9 their men. The chairman of the joint chiefs called a forum, and
16:10:33 10 he told us that all commanders should call formation to brief
11 their men about the examples they have set and that if anybody
12 went against it, you would be treated the same way. And nobody
13 was going to take sides. From there everyone went and told their
14 own men to be careful, and we were very much careful. Since then
16:11:03 15 no one else violated and no one else was penalised.

16 Q. Just to be clear, after the Special Forces were executed
17 there were no more violations of the SOP in the NPFL; is this
18 what you're telling the Court?

19 A. Yes, there were no more violations in the NPFL.

16:11:45 20 Q. Now, I had referred you to the time that you were appointed
21 to go to Cape Mount because there was indiscipline under the
22 charge of Oliver Varney, and you said when you got there, you
23 brought things under control. How did you bring things under
24 control in terms of discipline when you took over from Oliver
16:12:10 25 Varney in Cape Mount?

26 A. I was in Cape Mount when those executions took place. At
27 first Sam Larto - I was in Cape Mount in '91. I was then called
28 into the radio station, and I was told by the chairman of the
29 joint chief about it, and I called formation of every soldier so

1 that - for them to guide themselves according to the SOP. So
2 that was how no more violators were caught.

3 Q. In your last answer - I just want you to be very clear. In
4 your last answer, you said "...that was how no more violators
16:13:15 5 were caught." What exactly do you mean when you say "no more
6 violators were caught"?

7 A. No more harassment. No more harassment. No soldier
8 harassed any civilian. Because according to the SOP code, if you
9 were caught harassing civilians you will be treated just like the
16:13:48 10 others were treated. So there was no longer harassments until
11 the attacks came about.

12 Q. Again you've just said there were no more harassments until
13 the attacks came about. Did the harassment commence after the
14 attacks?

16:14:21 15 A. I left. It was after the last attack that I transferred,
16 so I did not know what was happening in the command that I left
17 there.

18 PRESIDING JUDGE: Mr Chekera, we are at a loss as to what
19 attacks you all are talking about.

16:14:44 20 MR CHEKERA: Yes:

21 Q. And by "attacks" which attacks are you referring to?

22 A. I am talking about ULIMO's second attack. ULIMO's second
23 attack. There was no longer harassments until the second attack
24 by ULIMO, when I transferred and went to Maryland. I cannot tell
16:15:12 25 and I don't know what was happening at my back under their
26 command there.

27 Q. You earlier on mentioned Isaac Musa, whom you said was the
28 joint chief of staff. Do you know whether Isaac Musa played any
29 part in the disciplinary system in the NPFL?

1 A. Yes, he was the head responsible for the entire army.

2 Q. And what was his role in the disciplinary system in the
3 NPFL?

16:16:02

4 A. He enforced the disciplinary laws. He enforced the
5 disciplinary laws. He enforced the SOP.

6 Q. Can you think of any instances when Isaac Musa enforced the
7 disciplinary - the SOP?

16:16:45

8 A. After the execution of those few people, everything became
9 normal. There was no more violation. So they started going from
10 barracks to barracks educating the men about the SOP. So that
11 was how he enforced it, but there was no one caught.

12 Q. Just two minor points that I just want you to clarify.
13 "They started going from barracks to barracks educating the men
14 about the SOP." Who was going about educating the men about the
15 SOP?

16:17:12

16 A. The Chairman of the Joint Chiefs, Isaac Musa.

17 Q. And again you said in your answer but there was no one
18 caught. But there was no one caught. What do you mean, there
19 was no one caught?

16:17:39

20 A. There were no more violators to be arrested. That was what
21 I mean.

22 MR CHEKERA: Yes, I'm going to move to different topic.
23 Madam President, I'll be making extensive reference to the
24 transcript of 12 March 2008, and I will probably start at page
25 5849. Just a minute, Madam President:

16:18:00

26 Q. Mr Zaymay, do you know someone by the name of Joseph D
27 Marzah, commonly known as Zigzag Marzah?

28 A. Yes.

29 Q. How do you know Zigzag Marzah?

1 A. Zigzag Marzah was recruited on the second base in Tiaplay.
2 That was where I got to know him.

3 Q. Just to remind us again, when was it that the second base
4 at Tiaplay was established?

16:19:31 5 A. 1990. Early 1990.

6 Q. And when you say he was recruited at the second base in
7 Tiaplay, what do you mean by "recruited"?

8 A. When we based at Tiaplay, there were able-bodied men who
9 were coming over, single barrels, to join, and they come and met
16:20:02 10 us at the base to come and join.

11 Q. You just said - again it's just for the record to be clear.
12 You said when we were based there - "When we were based at
13 Tiaplay, there were able-bodied men who were coming over, single
14 barrels, to join..." When you say "single barrels, to join", who
16:20:36 15 are you referring to?

16 A. The able-bodied men who came to join the organisation to be
17 fighters - to be trained and be fighters of the organisation, we
18 called them recruits. Those are the guys I'm talking about.

19 Q. And the reference to single barrels, what does that refer
16:21:05 20 to?

21 A. Single barrel is a shotgun that is used for hunting by
22 civilians. Civilians used them for hunting.

23 Q. And when you said Zigzag Marzah was recruited at Tiaplay,
24 just to be clear, who did he join when he was recruited? Which
16:21:34 25 fighting forces, which organisation, which entity did he join
26 when at Tiaplay?

27 A. NPFL.

28 Q. And do you know who was in charge of recruitment at that
29 time?

1 A. Yes.

2 Q. Yes, who was in charge of recruitment?

3 A. One Special Forces called Peter Cassell. He was in charge
4 of the recruitment.

16:22:10 5 Q. Do you recall how many recruits were recruited at Tiaplay?

6 A. About 15,000 plus.

7 Q. And how do you recall Zigzag Marzah as one of these 15,000
8 recruits?

9 A. I met him there. We knew most of those guys at the base.

16:22:46 10 I knew him. I met him there. I knew him on the base as Zigzag
11 Marzah.

12 Q. Just to be clear, did you know him before or after he was
13 at the base?

14 A. I only came across Zigzag Marzah at the base. It was at
16:23:11 15 the base that I knew him, but I did not know him before.

16 Q. When you knew him at the base, did you learn what Zigzag
17 Marzah was doing before he joined you at the base?

18 A. No, I did not know him before. I did not know his
19 character before then.

16:23:41 20 Q. And do you know for how long he was trained at Tiaplay?

21 A. Yes, he remained there until we broke away.

22 Q. Yes. When you say "until we broke away", what are you
23 talking about?

24 A. Zigzag Marzah was at the base until we left the base.

16:24:20 25 Q. When you say "when we left the base", who are you referring
26 to?

27 A. The group of Special Forces who organised themselves to
28 escape from Prince, that is the group that I'm referring to.

29 Q. And did Zigzag Marzah come with you?

1 A. No.

2 Q. Where did he go when you escaped from Prince?

3 A. I don't know where he went to when he escaped from Prince.

4 Q. How do you know that Zigzag also escaped from Prince?

16:25:20 5 A. I didn't know where Zigzag went to at last because we left
6 them at the base. We - our group left them at the base and we
7 went to a different direction. So I don't know where he went to
8 at last.

9 Q. Let's just be clear on this because it's very important and
16:25:46 10 I will allude to the importance very soon when I refer to the
11 transcript. When you escaped from Prince, did Zigzag Marzah stay
12 with Prince or he escaped, if it is within your personal
13 knowledge?

14 A. I don't know where Zigzag went to. When we escaped from
16:26:05 15 Prince, I learnt that the rest of the men who stayed on the base,
16 Prince took them to an unknown destination. Whether he went with
17 him or whether he went to a different destination, that I don't
18 know.

19 Q. And after Tiaplay, did you ever see Zigzag Marzah again?

16:26:29 20 A. I saw Zigzag Marzah. After Tiaplay, I saw him - I saw him
21 in his home town in Sanley.

22 Q. Could you please help us with the spelling of the village?

23 A. S-A-N-L-E-Y, Sanley.

24 Q. And when was it that you saw Zigzag Marzah in his village?

16:27:07 25 A. I saw Zigzag in 1990 and I saw him in 1991, because I used
26 to pass through there and go to my hometown.

27 Q. And do you know what he was doing in his village at that
28 time?

29 A. No. He was farming.

1 Q. And after that, did you ever see Zigzag Marzah again?

2 A. Yes. I met Zigzag in Sanley and from there again I met him
3 with a unit called Jungle Fire with Benjamin Yeaten.

4 Q. And when was that when you saw him in Jungle Fire under
16:28:04 5 Benjamin Yeaten?

6 A. I saw him with Jungle Fire 19 - in 1993. 1993, during the
7 LPC attack on Grand Gedeh. It was in 1993.

8 Q. And do you know what he was doing in the Jungle Fire unit?

9 A. Yes. At that time - yes, at that time I was fighting with
16:28:59 10 the Jungle Fire when Mr Taylor ordered Benjamin Yeaten and I to
11 go and open the roads. That was when I saw Zigzag Marzah in the
12 group fighting along with the Jungle Fire.

13 Q. Now, you said that when Mr Taylor ordered you to go and
14 open the roads, can you just explain - I don't want you to go
16:29:31 15 into detail. What do you mean by open the roads? Where were you
16 fighting, firstly, if you can be exact about the location where
17 you were fighting?

18 A. At that time there was peace in 1993 when the LPC
19 established - LPC blocked the road between Grand Gedeh and
16:29:56 20 Maryland. LPC attacked NPFL and blocked the road between Grand
21 Gedeh and Maryland and they based on the main road. So Mr Taylor
22 ordered Benjamin Yeaten and I to go there and open the road for
23 the civilian traffic. That was the time I saw Zigzag Marzah.

24 MR CHEKERA: Madam President, just a quick issue that I
16:30:21 25 wanted to raise just before we ran out of the tape. I just
26 wanted to ask my learned friend through you whether they would be
27 ready to proceed with cross at the conclusion of our
28 evidence-in-chief, which is in its 11th hour.

29 PRESIDING JUDGE: Ms Howarth?

1 MS HOWARTH: Yes, we will.

2 PRESIDING JUDGE: Yes, she has said so.

3 MR CHEKERA: Yes, thank you. I don't know whether we could
4 take the adjournment now or you want me to push on for a few more
16:30:52 5 minutes.

6 PRESIDING JUDGE: No, this is it. The tape has ran out,
7 I'm advised, and we're going to adjourn to tomorrow afternoon at
8 2 o'clock. That's when the Court proceedings begin. Court is
9 adjourned accordingly.

16:31:04 10 [Whereupon the hearing adjourned at 4.31 p.m.
11 to be reconvened on Wednesday, 12 May 2010 at
12 2.00 p.m.]

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I N D E X

WITNESSES FOR THE DEFENCE:

DCT-226	40741
EXAMINATION-IN-CHIEF BY MR CHEKERA	40741