



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

FRIDAY, 7 MAY 2010
2.33 P.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:

Mr Mohamed A Bangura
Ms Kathryn Howarth
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Silas Chekera
Ms Logan Hambri ck

1 Friday, 7 May 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 2.33 p.m.]

14:28:21 5 PRESIDING JUDGE: Good afternoon. We will take appearances
6 first, please.

7 MS HOWARTH: Good afternoon, Madam President. Good
8 afternoon, your Honours. Good afternoon, counsel opposite. For
9 the Prosecution this afternoon, Mr Mohamed Bangura, Ms Maja
14:33:48 10 Dimitrova and myself Ms Kathryn Howarth.

11 MR CHEKERA: Good afternoon, Madam President, your Honours
12 counsel opposite. For the Defence - I am not sure whether you
13 can hear the sound that I hear in the microphone.

14 MS IRURA: Your Honour, I am advised that it is
14:34:15 15 construction work that is ongoing.

16 PRESIDING JUDGE: Do your best, Mr Chekera.

17 MR CHEKERA: Thank you. For the Defence, myself Silas
18 Chekera, Logan Hambri ck and Hawi Al ot.

19 PRESIDING JUDGE: Good afternoon, Mr Zaymay.

14:34:53 20 THE WITNESS: Good afternoon.

21 PRESIDING JUDGE: [Microphone not activated] with your
22 evidence-in-chief. But before you do, I would like to remind you
23 of the oath that you took yesterday to tell the truth. That oath
24 is still binding on you today.

14:35:07 25 Mr Chekera, please continue.

26 WITNESS: DCT-226 [On former oath]

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

28 Q. Good afternoon, Mr Zaymay. When we adjourned yesterday you
29 were describing for us about the arrest of certain members of the

1 Liberian group who were training at Tajura. You were talking
2 about how Cooper Miller and Augustine Wright were sent away and
3 the remaining members of the group that had conspired were put on
4 parole. They were released, as you said, and put on parole. Do
14:35:48 5 you recall that part of your evidence?

6 A. Yes.

7 Q. Now, before we move on from that subject, do you still
8 remember the names of some of the members who were put on parole
9 - sorry, some of persons who were put on parole from that group?

14:36:11 10 A. Yes.

11 Q. If you could give us the names, one by one, slowly.

12 A. One was -- the second person was --

13 THE INTERPRETER: Your Honours, there seems to be a
14 malfunction with the mic in the interpreters' booth.

14:36:50 15 PRESIDING JUDGE: Apparently from the interpreters there is
16 a message that the microphone is malfunctioning.
17 Madam Court Officer, I don't know what's happening.

18 MS IRURA: Your Honour, the problem is being looked into.
19 Perhaps if we can continue and then the AV booth will try and
14:37:32 20 ascertain what could be the problem because they can hear the
21 interpreters clearly.

22 THE INTERPRETER: Your Honours, we can't continue because
23 by rights when the witness speaks, if my own microphone is on, I
24 am supposed to be hearing when the witness speaks, but when I put
14:37:49 25 on my microphone, I don't hear anything from the witness.

26 PRESIDING JUDGE: Indeed. And how can we continue if we
27 don't have an English translation?

28 MS IRURA: Your Honour, I will check with the AV people.
29 Your Honour, I am informed that the interpreter may be on the

1 wrong channel. Let me confirm.

2 Your Honour, the technicians are informed and they are
3 going to look into the problem. Apparently the interpreters are
4 on the right channel, so it could be a technical problem that we
14:40:47 5 are experiencing.

6 PRESIDING JUDGE: Should we try again with the evidence,
7 perhaps?

8 MS IRURA: Your Honour, we could try, but if it is indeed a
9 technical problem it would have been checked into. The
14:41:01 10 technicians are on the way to see what could be the problem.

11 THE INTERPRETER: Can the witness say something, please?

12 PRESIDING JUDGE: Mr Chekera, why don't we try again just
13 for a little bit to see if we are getting the translation. If we
14 don't, we will have no option but to adjourn.

14:41:26 15 MR CHEKERA: Yes, Madam President:

16 Q. Mr Zaymay, could we have those names again?

17 A. I repeat, number one, Augustine D Zammay. Number two,
18 Charles G Touwon.

19 Q. Yes, are those the only names you remember?

14:42:03 20 A. Yes.

21 Q. Now, you indicated that the leader of your group was
22 Charles Taylor, who was introduced to you. Did you come to
23 ascertain or to know who the leader of the Sierra Leonean group
24 was when you were at Tajura?

14:42:43 25 A. No.

26 Q. Did you come to ascertain who the leader of the Gambian
27 group was when you were at Tajura?

28 A. No.

29 Q. In terms of military training, you said you were taking

1 military training. What sort of training did you take at Tajura?

2 A. We were taking a guerilla warfare training.

3 Q. And what did that involve or include?

4 A. The guerilla warfare training is a type of tactical

14:43:33 5 training. It's quite different from the Liberian national and
6 the Liberian infantry training.

7 Q. Did you receive any training on ideology?

8 PRESIDING JUDGE: Please pause. Yes, Ms Howarth.

9 MS HOWARTH: I am objecting because it's leading.

14:43:54 10 PRESIDING JUDGE: Certainly. Certainly, Mr Chekera.

11 MR CHEKERA: I will rephrase, Mr Chekera.

12 PRESIDING JUDGE: And you asked the witness what did it
13 involve - what did the military training involve? And all he
14 said to us was it's different from the AFL training. Now, we are
14:44:10 15 none the wiser what it involved. We were not part of the AFL.
16 We don't know.

17 MR CHEKERA: I will clarify, thank you.

18 Q. Mr Zaymay, you made a distinction between the training that
19 you received, what you referred to as AFL training, and guerilla
14:44:25 20 warfare training. What was the difference between the training
21 you received in the AFL?

22 PRESIDING JUDGE: No, no, no, no, no. We are not
23 interested in the AFL training. The question was what was the
24 training he received at Tajura.

14:44:40 25 MR CHEKERA: Yes:

26 Q. If you may answer directly the question, the nature of the
27 training that you received at Tajura.

28 A. The training I received was in twofold; in guerilla warfare
29 and the navy.

1 Q. Now, at what point did you leave Tajura and where did you
2 go from Tajura?

3 JUDGE DOHERTY: Mr Chekera, there are two questions there
4 and you should avoid putting two questions in one.

14:45:22 5 MR CHEKERA: Yes, thank you:

6 Q. At what point did you leave Tajura?

7 A. I cannot remember the exact date. I was not taking notes.
8 But I left Tajura in '99 - 1989.

9 Q. And what happened to the rest of the group that trained
14:45:50 10 with you in Libya when you left Tajura?

11 A. I was not concerned with the activities. My concern was
12 only with my group.

13 Q. And my question was: What happened to the rest of the
14 members of your group when you left Tajura? Because when you
14:46:12 15 gave your answer, you were speaking in the singular. What
16 happened to the rest of the Liberians who were at Tajura?

17 A. In my group?

18 Q. Yes, let's talk about your group.

19 A. I was the last. We were dispatched in groups. They said,
14:46:48 20 You are going to meet your friends in Liberia, so you are not
21 concerned with the other group. They had to go to the various
22 targets.

23 Q. You said you were dispatched in groups. How many groups do
24 you remember that were dispatched?

14:47:06 25 A. I can only remember my group.

26 Q. Sorry. My question was, if you remember, you said you were
27 dispatched in groups, and I am saying how many groups went before
28 you? Because you said you were the last group, how many groups,
29 if you remember, went before your group, which was the last

1 group?

2 A. I said I cannot remember how many groups I left. I only know
3 about my group, the last group.

4 Q. And your group, do you remember how many you were?

14:47:47 5 A. Yes. The group comprised 50 men.

6 Q. And when you left Tajura, where did you go?

7 A. I went to Nzerekore in Guinea.

8 Q. From Tajura, how did you travel to Nzerekore in Guinea?

9 Madam President, I think Nzerekore has been spelt before.

14:48:15 10 I note it's incorrectly recorded on the LiveNote as "Corey".

11 MADAM PRESIDENT: No, the answer of the witness was
12 actually not recorded, if you look at the transcript. But I
13 suppose they'll pick it up later.

14 MR CHEKERA: Yes, thank you:

14:48:36 15 Q. How did you travel to Nzerekore?

16 A. I left Tripoli in a flight for Abidjan.

17 Q. And did you stay in Abidjan?

18 A. From Abidjan, we boarded a bus straight to the border -
19 Sepulu border,

14:49:13 20 MR CHEKERA: I'm afraid I do not have a spelling for
21 Sepulu. I will just spell it S-I-P --

22 Q. Sorry, Mr Witness, are you able to help us with the
23 spelling of Sepulu?

24 A. S-E-P-U-L-U. Sepulu.

14:49:41 25 Q. Now, in Abidjan, how long did you stay before you proceeded
26 to Sepulu?

27 A. It was a distance.

28 Q. Sorry, my question was did you stay in Abidjan for any
29 period of time before you proceeded to Sepulu?

1 A. No. The same day I got to Abidjan, I boarded a bus
2 straight to my destination.

3 Q. Now, when you left Libya to Abidjan, eventually you are now
4 at Sepulu. When you left Libya at Tajura, was the Sierra Leonean
14:50:39 5 group still at Tajura?

6 A. No, the Sierra Leonean group left us. They had left before
7 we left for their destination.

8 Q. And was the Gambian group still at Tajura when you left
9 Tajura?

14:51:00 10 A. The Gambian group also left. We were the last African
11 brothers that left the base.

12 Q. Now, how do you know that these two groups left before your
13 group?

14 A. We were all living in the same barracks, in the same camp
14:51:26 15 in the fence. Whenever any group was leaving, they would be
16 celebrating, they would be jubilating that they would be going
17 home. We were all staying together in the barracks. That's what
18 I know.

19 Q. Now, when you were in Ivory Coast from Abidjan you went to
14:51:44 20 Sepulu. From Sepulu, where did you go?

21 A. From Sepulu we travelled across the border into Guinea and
22 we went to Nzerekore.

23 Q. And why were you proceeding to Nzerekore?

24 A. Our first operational plan was to enter through Nzerekore
14:52:25 25 and enter Ganta in Nimba and take complete control of Nimba
26 County first before advancing on to Monrovia.

27 MR CHEKERA: Madam President, I note the record omits quite
28 a few things. I don't know whether it would be helpful for the
29 witness to repeat the answer or that will be picked up.

1 PRESIDING JUDGE: I don't know, because even the comments
2 that you make are not recorded. I no longer can tell whether we
3 can depend on a record that reflects what happens in Court, or
4 whether what goes on the record is at the discretion of the
5 transcriber. I cannot say.

6 Madam Court Officer, do we have a record that reflects what
7 happens in Court?

8 MS IRURA: Your Honours, to the best of my knowledge, the
9 tapes at the end of the day are listened to, and whatever may be
10 missing in the transcript is captured in the final transcript.

11 PRESIDING JUDGE: Yes, but we need a current transcript
12 that helps us in Court. Tomorrow's transcript is not what we are
13 referring to. We're referring to this transcript, however bad it
14 is.

15 MS IRURA: Your Honour, I will confer with the
16 stenographers.

17 PRESIDING JUDGE: I think we'll take a pause until this
18 issue is solved. Please sit down, Mr Chekera.

19 MR CHEKERA: Thank you.

20 PRESIDING JUDGE: I think in view of the problems that
21 we're experiencing with the record we will adjourn for a few
22 moments and we will return when the Court Officer advises us that
23 the problem is solved.

24 [Break taken at 2.59 p.m.]

15:00:10 25 [Upon resuming at 3.09 p.m.]

26 PRESIDING JUDGE: Now I see that the record has us resuming
27 at 3.09, but the reason for our rising is not recorded and I'd
28 like it to go on record that we rose because we were having
29 issues with the transcription of the record. I am now reliably

1 informed by Madam Court Manager that the issues have been
2 resolved.

3 And, Mr Chekera, we may complete, but perhaps it may be
4 prudent for you to ask or re-ask the question that you were
15:10:58 5 asking before we rose.

6 MR CHEKERA: Thank you, Madam President:

7 Q. Mr Zaymay, the question that I had posed was: What was
8 your reason for proceeding to Nzerekore?

9 A. The reason was that Nzerekore was near Nimba County.

15:11:32 10 Nzerekore is near the Ganta border. The attack was to start in
11 Nimba. If we were to start the fighting in Monrovia, the Doe
12 forces that had been deployed, the AFL that were loyal to Samuel
13 Kanyon Doe that had been deployed in Nimba County, if they had
14 heard that the NPFL rebels were fighting in Monrovia, they would
15:12:04 15 have killed all the citizens in Nimba County, all our citizens,
16 our people that we were going to redeem. For that reason the
17 attack was to be started at Nimba County before advancing on
18 Monrovia. That was the mission.

19 Q. Who made that plan that you should attack Nimba County
15:12:27 20 first?

21 A. The plan was made by our S3, the planning and training.

22 Q. Firstly, what position is S3?

23 A. S3 is the person who plans for the army.

24 Q. And who was in that position, if you remember the name?

15:13:05 25 A. Prince Johnson was our S3, planning and training.

26 Q. And where was this plan made?

27 A. The plan was made in Tajura before our departure.

28 Q. When this plan was made, was this specifically for your
29 group or for the entire group that was training at Tajura? By

1 your group I refer to the group that moved to Nzerekore.

2 A. There was another group that was sent into Liberia and the
3 rest of us that remained were to clear Nimba. That was our plan.
4 But the group that went into Monrovia had their own plan.

15:14:13 5 Q. Now, who dispatched the group that went to Monrovia?

6 A. The planning and training.

7 Q. Are you referring to the same person who you said was S3?

8 A. Yes.

9 Q. And where was this plan made in reference to the Monrovia
15:14:43 10 group?

11 A. The plan was made on the base. You had your plan and your
12 target before you moved.

13 Q. And just to be sure, by "base" which place are you
14 referring to?

15:15:09 15 A. Tajura, where the group was trained.

16 Q. And do you know what the plan for the Monrovia group was?

17 A. Yes.

18 Q. Yes, what was the plan for the Monrovia group?

19 A. I was told by our leader at that time that this war would
15:15:47 20 last for only 72 hours. It would not require much bloodshed.

21 There was --

22 Q. Sorry, just finish the sentence you were just about to say
23 and pause, if you may.

24 A. There was an inside contact that had been made. Every
15:16:17 25 military installation in Monrovia, like the 1st Battalion, the
26 6th Battalion, and like Camp Naama, the artillery battalion base,
27 the very Executive Mansion, the seat of the presidency, the
28 Ministry of Defence armed room, the arsenal, these five strategic
29 areas, men have been implanted there working within the

1 government. They control the arms rooms. Contact had been made
2 with them. I do not want any old soldiers to go in because when
3 these people see you, they would know. Because you've not been
4 in this place for the past two to three years, when they see you
15:17:27 5 they would know straight what was happening and they would
6 report, and your lives would be in danger. So those who were not
7 in the army before - those who have been trained now would be
8 sent in with a commander. They will go to all these people to
9 whom the contacts had been made. We would go to Bomi Hills, the
15:17:53 10 6th Battalion. The Bomi Hills group was different; the arsenal
11 group was different; the 1st Battalion group was different; the
12 Executive Mansion group was different; and the artillery
13 battalion group was different. At the Executive Mansion, General
14 Varney's brother, Colonel Varney - Colonel Varney's brother was
15:18:14 15 the armourer there. In Camp Naama, Colonel Varney, he was the
16 previous commander for the artillery battalion. The S1 who was
17 there is a Gio man. He is Colonel Varney's relative. All these
18 people would receive their own group one after the other. On the
19 24th - the night of the 24th in December, everybody would move on
15:18:49 20 their targets and our armed room keys would be turned over to the
21 commanders, and they will go away. And at the time of the
22 operation, that is, 5 o'clock in the morning, that is on the 25th
23 itself, December, firing would start all over at the military
24 installations. No reinforcement would move from anywhere to help
15:19:19 25 one another. That was the mission of the Monrovia group.

26 Q. Now, just pause there. You've said quite a lot that we may
27 need to unpack. You said this was told to you by our leader.
28 Which leader are you referring to?

29 A. At that time it was Charles G Taylor who was our leader.

1 He was briefing us that we were not to be bothered and that the
2 war would be easy. That was the encouragement that he gave us:
3 That the men and women were going in now; that we should not be
4 bothered; the war won't last long. He was the NPFL leader at
15:20:07 5 that time.

6 Q. And you said, "He was briefing us." Who was he briefing?

7 A. The NPFL forces.

8 Q. And where was this briefing?

9 A. In Tadjura before our departure.

15:20:36 10 Q. And you've mentioned a number of places, including - you've
11 mentioned places including Naama. Were all the locations that
12 you've mentioned where inside contact was made, are all those
13 places in Monrovia?

14 A. It was only in two areas that were out of Monrovia. The
15:21:09 15 first three - the 1st Battalion was on Schefflein Highway about 7
16 or 12 kilometres. Camp Naama is outside Monrovia. Camp Naama is
17 in Lofa. No, Camp Naama is in Bong - Bong or Margibi. The 6th
18 Battalion is in Bomi - Bomi Hill County. Defence is in Monrovia
19 city. The mansion is in Monrovia city. Arsenal is in Monrovia
15:21:55 20 city.

21 Q. So all these places - you said this was the mission for the
22 Monrovia group. Do you know whether the Monrovia group went to
23 all these places?

24 A. Yes, the men were dispatched. They left. They went to
15:22:20 25 their targets in Monrovia in Liberia.

26 Q. We'll come back to this group later. Let's talk about your
27 group that was in Guinea. What happened to your group when you
28 were in Guinea in Nzerekore?

29 A. Later the Nzerekore mission failed. We were arrested and

1 deported to the Ivory Coast.

2 Q. How long did you stay in Nzerekore before you were deported
3 and sent back to Ivory Coast?

4 A. Roughly one month.

15:23:14 5 Q. And during that one month, what were you doing in
6 Nzerekore?

7 A. Yes. When we went there, we went there with false pretense
8 because we were from the base. Our condition had changed. We
9 were all fat, and we told the people that we had a company. But
10 we knew our mission there. We told the citizens that --

11 Q. Sorry, continue, yes.

12 A. We told the citizens that we had a company. Our company
13 was called Daewoo company and we had come to tar the road from
14 here to the border between Liberia - first between Liberia and
15 Guinea, and from Liberia and Nzerekore, and from Nzerekore to
16 Conakry. So the citizens, when they saw our appearance, they
17 were impressed and were anxious for development to come to their
18 area. While there, you know, we spent almost two years on the
19 base. There was no womanising. So when we were leaving, we were
20 advised strongly that we should stop - we should not do - we

21 should not womanise. So when we got to Nzerekore, we started
22 enjoying. We started going to clubs, and some of our friends
23 started womanising. One of them called Johnson Leaman had
24 squinted eyes and he was fat --

15:24:43 20
15:25:13 25 Q. Sorry, just before you continue, the first name - the first
26 name of Leaman, what was the first name?

27 A. Johnson TB Leaman. He was one of the Special Forces.

28 Q. Yes, please continue. You were explaining something about
29 Johnson TB Leaman?

1 A. He was fat and had squinted eyes, so he considered himself
2 to be Quiwonkpa. So other people, the Kpelle - all the Guinean
3 Kpelles and the Guinean Manos who were there admired him. The
4 people were happy to see Quiwonkpa. They said, "Thank God.
15:26:12 5 Quiwonkpa did not die." So Johnson Leaman was the first to start
6 going to club. He was the first. The community in which we were
7 living, we were living two by two. We were not living together.
8 The community that we were living in, Johnson came and informed
9 us that there was a club around, so we started going to club.

15:26:43 10 Johnson Leaman went and fell in love with the man's girlfriend.

11 THE INTERPRETER: Your Honour, can he kindly repeat the
12 name of the person to whom --

13 PRESIDING JUDGE: Just pause, Mr Witness. Mr Witness, you
14 said, "Leaman went and fell in love with the man's girlfriend."

15:27:06 15 Then you said a name that the interpreter didn't get. Can you
16 please repeat your evidence from there.

17 THE WITNESS: The superintendent of that district. You
18 know, they called him - in their Ivorian English they called him
19 Commisaire, meaning "superintendent" in French. From there our
15:27:46 20 secret was revealed, and they started arresting us.

21 MR CHEKERA:

22 Q. What secret was revealed?

23 A. That these people are strange people, a group of citizens
24 from Liberia, and they've called themselves a company. So they
15:28:13 25 sent one master sergeant from the AFL in Liberia with a team of
26 G2 intelligence. They came there. There was a governor - there
27 was a governor from Liberia who had been assigned in Guinea.
28 They reported to him, and that men sent to Liberia and they sent
29 intelligence. They sent intelligence, and they went and

1 discovered some of our friends in a club speaking Liberian
2 English. That was where the information came from.

3 Q. Who arrested you?

4 A. It was a directive given. I do not know who sent the
15:29:20 5 directive to the superintendent, but the superintendent started
6 giving orders to the police and the police started arresting us.

7 Q. And when you were arrested, were you charged for any crime?

8 A. No. They arrested us. I was one of those who was in jail
9 with the other group. When they started arresting us, the first
15:29:45 10 group, they locked us up and the other group that was outside,
11 they got the information and they started escaping. The
12 information came to us that the friends who were outside were now
13 walking back to the Ivory Coast. But there was no charge.

14 Q. Approximately, if you recall, how many of you were
15:30:08 15 arrested?

16 A. I did not know the exact number. We were many.

17 Q. And were you detained when you were arrested?

18 A. Yes, I was one of those.

19 Q. For how long were you in detention?

15:30:29 20 A. We were in jail for seven days.

21 Q. And how were you eventually released?

22 A. From there the information got to our leader at that time,
23 Mr Charles G Taylor. Later they released us and we were put on a
24 truck and they said they would deport us to where we had entered.
15:31:10 25 They did not want any problem in their country. So they deported
26 us back to Sepulu, to the Sepulu border. That was how we left
27 Nzerekore.

28 Q. During the time that you were in Guinea, how were you
29 sustaining your livelihood?

1 A. The leader of the organisation used to send money to us,
2 our leader, our commander, John L Teah and John Mansuo would
3 receive the money and they would pay our rents out of it. And if
4 there were two people living in a room, they would give you a bag
15:32:07 5 of rice and money for sauce until everybody gets the supply. It
6 was a complete organisation that we had.

7 Q. And during the time that you were in Guinea, were you aware
8 of the whereabouts of your other colleagues whom you had trained
9 with at Tajura?

15:32:37 10 A. The only group I knew about was the group that went to
11 Liberia and our group that was in Tajura. I did not know the
12 destinations of the other groups.

13 Q. Now, when you were deported back to Ivory Coast, where did
14 you go?

15:33:02 15 A. When they deported us to the Ivory Coast - before we got to
16 Sepulu, we met Godfather there. The first time that we entered
17 there we met Godfather. He told us that it was like our leader
18 had said, "You must not be troubled. Whatever happens, we will
19 bulldoze ourselves. You would go back to where you had been in
15:33:34 20 exile in the Ivory Coast indefinitely." So we decided to go to
21 our different areas when we were in exile in the Ivory Coast.

22 Q. And where was it that you met Godfather in Ivory Coast?

23 A. In Sepulu itself. That is a big town at the border called
24 Sepulu. From there you would get to the boundary between Guinea
15:34:07 25 and the Ivory Coast.

26 Q. And what happened when you dispersed to your various places
27 where you had been while you were in exile in Ivory Coast?

28 MS HOWARTH: I think that is leading, as far as the witness
29 hasn't actually said that he did disperse despite being advised

1 to do so.

2 PRESIDING JUDGE: Yes, Mr Chekera, please re-address.

3 MR CHEKERA: Let me rephrase. Thank you:

4 Q. Now, following the advice by Godfather to go to your
15:34:41 5 different locations, did you do so?

6 A. Yes. Some groups that were in exile in Danane, they went
7 to Danane. Like Edward Mineh, he was in exile in Danane. Some
8 groups went to Danane. I was in exile in Zongwe, so I went to
9 Zongwe. Those who were in exile in Bin-Houye went to Bin-Houye.

10 Q. You mentioned Edward Mineh. Was he in your group when you
11 were in Guinea?

12 A. I did not know that Edward Mineh was in the group when we
13 were in Guinea. The group that I travelled with - there was a
14 first group. There were two groups that went to Guinea. The
15:35:42 15 first group went and we were the last group. So I did not know
16 whether Edward Mineh was in Guinea, but later I got to know him
17 at the border.

18 Q. Sorry, I'm not sure I got you clear. I just want to be
19 clear. How many groups went to Guinea?

15:36:03 20 A. There were two groups. The first group went, but Guinea -
21 Nzerekore was a large city. We were not living together. We
22 were living in Dolo Town. The community in which we were living
23 was called Dolo Town. There were a lot of communities there,
24 about ten, in Nzerekore. We were not all living together.

15:36:34 25 Q. And the first group that went to Guinea, did you know where
26 they went to? Which place did they go to?

27 A. Where they were living in Guinea?

28 Q. Yes.

29 A. No, I did not know.

1 Q. So when you said Edward Mineh went to his home in Danane,
2 how did you know that Edward Mineh went to his home in Danane?

3 A. During the deportation, after we had been arrested and put
4 in jail, all those who were outside started running away. Those
15:37:26 5 of us who were in jail, after seven days and we were released, we
6 were put on a truck. When we got to the border, we walked to the
7 town and that was the time we saw the largest group. Everybody
8 saw one another and they started asking, "Were you there? Were
9 you in Guinea?" But I did not see Edward in Guinea. From
15:37:45 10 Sepulu, we started going to our various areas.

11 Q. And what happened when you went to your various areas?

12 A. When we went, I went to Zongwe with my own group. We were
13 in Zongwe. Degbon and Godfather started coming to us encouraging
14 us that we must not cross, because we were ready to cross. We
15:38:16 15 had been trained. We were not afraid. We knew that when we
16 crossed we would get arms. So they started coming to us
17 encouraging us not to cross and that we were to wait for the
18 leader. And one day --

19 Q. Sorry, before you proceed, when you say cross, what do you
15:38:33 20 mean? They were encouraging you not to cross. To cross, what do
21 you mean?

22 A. They came to us. Godfather came to us saying that the way
23 we had suffered is making us feel bad, but that we should not
24 enter Liberia yet. We should not enter Liberia empty handed. We
15:39:02 25 should not spoil the operation. They started encouraging us that
26 we should wait on Mr Taylor and that he would soon come.

27 Q. And what happened after that? Did you wait for Mr Taylor
28 to come?

29 A. Yes. We were still waiting when we saw the group from

1 Danane that came on the bus and they said that our leader was
2 here. Degbon took the bus and went to Bin-Houye for the other
3 group. Zongwe was the rallying point. The group in Danane came
4 to Zongwe. That from Bin-Houye came to Zongwe. That was where
15:39:45 5 we were when we met Mr Taylor. Then he started planning again.
6 He and Prince, they started planning again how to finally enter
7 into Liberia.

8 Q. At this point did Prince have any position in the
9 organization?

15:40:11 10 A. Yes. From the base, Prince was the S3 planning and
11 training.

12 Q. And, again, maybe it would be easier if you refer to the
13 base to refer to it by name so that the record is clear. By base
14 you mean which base?

15:40:25 15 A. Yes. At that time in Tajura where we trained, Prince was
16 one of the top brass for us. He was the planning and training
17 officer. He was charged with planning.

18 Q. Let's continue with the meeting in Zongwe where Mr Taylor
19 was present.

15:40:55 20 A. So when Mr Taylor came after the other groups had come and
21 we were all together in Zongwe, then Mr Taylor said, "Gentlemen,
22 take courage. The training that you've had would not go in vain.
23 Now your brothers have entered. Your brothers have entered. You
24 people would go now to attack. You people would go in in groups.
15:41:38 25 Group A" --

26 Q. Just before you go to the groups, you said that you were
27 told that your brothers had entered. When you say "your
28 brothers", who are you referring to?

29 A. The men who had been sent into Monrovia based on the inside

1 contact. Those were the men who were inside already. We were
2 saying this on the 22nd - on the 23rd. On the 23rd of - no, on
3 the 22nd of December.

4 Q. What year was this?

15:42:23 5 A. 1989.

6 Q. Yes. Now, continue with your narrative.

7 A. So --

8 Q. Sorry, you were talking about the different groups, just to
9 remind you where you were.

15:42:42 10 A. Yes. So that was the time that Prince and Mr Taylor told
11 us that group A - there was an artillery base at Camp Naama.

12 From Camp Naama to Nimba County, it's a short distance than from
13 Camp Naama to Monrovia. So if we left Camp Naama target alone,
14 if they heard that you've hit Nimba, the artillery would disturb

15:43:13 15 you. Now that there were no arms to enter - now there were no
16 arms to enter, so we cannot wait until we get arms. We have to
17 improvise. You men have been trained. The training that you
18 guys have had is not in the Liberian army. That's the first
19 advantage. Varney and the other man - number one, Varney and

15:43:44 20 some men have gone back to Nzerekore from where you had been
21 deported. They've gone there. Varney was in command before at
22 Camp Naama. Varney would move to Camp Naama.

23 Q. Before you proceed, Varney, could we have the full names
24 for Varney, if you know?

15:44:08 25 A. Samuel Varney. Colonel Samuel Varney. He was in command
26 of Camp Naama before. So he had gone there.

27 Q. You said that he had gone back to Nzerekore from where you
28 had been deported. Was Colonel Varney in Nzerekore with you at
29 the time that you were in Nzerekore?

1 A. No, no.

2 Q. Okay. Yes, sorry, I had interrupted you. I wanted to
3 clarify the reference to Varney. You said Varney was in command
4 before at Camp Naama, so Varney would move to Camp Naama.

15:45:03 5 Continue from there.

6 A. Varney was to move to Camp Naama. Edward Mineh - group 2,
7 Edward Mineh and some groups would go back to Danane, and I moved
8 to Loguato border and entered custom - Liberia customs at the
9 border. That was their target, group 2. You, the battle group,
10 you will lead the other group to Gbutuo to enter Bin-Houye.

15:45:36

11 THE INTERPRETER: Your Honours, can he the witness kindly
12 take his answer again.

13 PRESIDING JUDGE: Mr Witness, can you repeat your answer a
14 little slowly. You're tending to run with your sentences.

15:45:55 15 Please slow down and repeat your answer.

16 MR CHEKERA:

17 Q. You were talking about the deployment of the various
18 groups. You said Varney was to move to Naama - to Camp Naama;
19 Edward Mineh, group 2, would go back to Danane. If you may take
20 it up from there.

15:46:20

21 A. Group 1, Samuel Varney and his group were to target Camp
22 Naama. Group 2, Edward Mineh and his group were to target
23 Loguato border to cross and then attack the customs headquarters
24 in Ganta - the customs headquarters in Loguato, Liberia.

15:46:47

25 Liberia. There was a detachment area, the custom. Edward
26 Mineh's target was a detachment area. Soldiers, about a platoon
27 plus, were assigned there. Prince Johnson would take the others
28 to go to Gbutuo. You will go to Bin-Houye across and enter
29 Gbutuo and hit Gbutuo. In Gbutuo there was a battalion commanded

1 by one colonel. All of these areas, Edward Mineh's target and
2 our target, all the target commanders, all the target groups -
3 Edward Mineh's group was here, and our group was here, and we got
4 the briefing to move on our targets. The men who had gone to
15:47:56 5 Liberia, their instruction was December 25th, early in the
6 morning at 5 o'clock, everybody would open fire. You people here
7 as well, your own attack should be at 5 o'clock when everybody
8 would open fire on their targets. The order in Liberia was that
9 there would be nowhere that reinforcement would come from. All
10 the military installations would be engaged; they would be in
11 combat. Reinforcement would come from nowhere. Easily, it would
12 only take 72 hours and the war would be over. You would enjoy
13 the war. SOP, standing operation procedure. Standing operation
14 procedure. No one was to attack a civilian target. No one was
15:48:26 15 to attack a civilian target. That SOP was re-echoed, but that
16 SOP was really prepared by every one of us at the base, and we
17 signed it. We conducted a workshop for two weeks. Everybody was
18 aware of the SOP. Later it was reinforced to us in Zongwe by the
19 leader at that time that we should not forget our SOP. We were
15:49:03 20 going on targets. No one was to - no one was to attack any
21 civilian target. No one was to enter any foreign diplomatic
22 residence. No looting. No looting. No one was to kill one
23 another without my orders. No one was to fire at friendly forces
24 without my order. The SOP was reinforced, and we moved on our
15:49:44 25 targets.

26 Q. Which group did you move with?

27 A. I moved with Prince Johnson targeting Gbutuo.

28 Q. And did you attack Gbutuo?

29 A. Successfully, I did.

1 Q. Please explain to us what happened during that attack.

2 A. I attacked the enemy and I captured, and I was in complete
3 control. It was an easy target.

4 Q. Yes. Now, you said you were in a group and the leader was
15:51:18 5 Prince Johnson. Do you remember how many you were in the group
6 that attacked Gbutuo?

7 A. No, I can't remember the strength. First - our first
8 leader was William Obey - William Obey during the briefing, but
9 to enter - he never entered with us. William Obey was the
15:51:53 10 commander and Prince Johnson the deputy. We entered - we
11 attacked the enemy at night. Early in the morning we hit the
12 target. By daybreak when we looked, we could only see Prince
13 Johnson. William Obey was not around, so we considered Prince
14 Johnson our commander.

15:52:14 15 Q. Now, you mentioned earlier on that when you met for the
16 meeting where Mr Taylor addressed you and divided you into
17 groups, you did not have arms. When you entered Gbutuo did you
18 have arms?

19 A. Yes, we only had three single barrels with two rounds. The
15:52:39 20 others had sticks.

21 Q. And which enemy - you said you attacked the enemy at night.
22 Which enemy did you attack?

23 A. The Doe forces; the Krahn soldiers.

24 Q. Where were they deployed?

15:53:04 25 A. You know, the information that was given to us was that
26 there was a battalion in Gbutuo, so we were pumped up to attack a
27 battalion. The target was false. It was not a battalion; it was
28 a detachment. So we - while we were going, you know, our
29 reconnaissance had told us and had located the commander's

1 residence. That was what we hit.

2 Q. And what happened when you hit the commander's residence?

3 A. Yes, what happened was that all the soldiers in Gbutuo -
4 you know, there was no barracks there at that time, so the enemy
15:54:01 5 - the enemies were living in different places. It was only the
6 commander that was living in a three-bedroom house. One room was
7 his residence, the other room was his supply section, and the
8 other room was his arm room. So when we hit the commander, we
9 searched the room and we were able to get some few rifles and one
15:54:23 10 30 calibre from the commander's residence.

11 Q. What is a 30 calibre?

12 A. A 30 calibre is a machine gun that could be mounted in a
13 vehicle with a belt feed.

14 Q. And from the commander's residence did you proceed to go
15:54:48 15 anywhere?

16 A. From the commander's residence we had few arms. Then we
17 started targeting the remaining soldiers. So Prince Johnson took
18 a walkie-talkie from the commander's residence and he started
19 announcing that all civilians should remain. You know, it was a
15:55:20 20 Gio settlement. He announced that all civilians should remain
21 indoors. Qui wonkpa was back. Qui wonkpa was back in Liberia. He
22 was back in Monrovia. We were Qui wonkpa forces. From Monrovia
23 we had come straight to Gbutuo, so all residents should remain
24 inside until they are told to come outside. Then the civilians
15:55:44 25 starting jubilating in their houses. They started singing.

26 Q. You said Prince Johnson took a walkie-talkie. What is a
27 walkie-talkie?

28 A. I did not say walkie-talkie. I said a mic. A microphone
29 that you can talk in loudly for people to hear you. A

1 microphone. A speaker.

2 Q. Yes. And you said when he addressed the civilians, they
3 started singing. What happened --

4 PRESIDING JUDGE: Pause. Ms Howarth --

15:56:33 5 MS HOWARTH: I'm sorry. I'll withdraw it.

6 MR CHEKERA:

7 Q. Yes, the citizens - the civilians, sorry, starting
8 jubilating in their houses, they started singing. Yes, what
9 happened after that?

15:56:51 10 A. From there, when we couldn't see any AFL men around, Prince
11 Johnson took this mic and he started saying that in fact anybody
12 - everybody should come outside and go to the football field.
13 When you came out - in fact, he was going around telling them to
14 come outside to go to the football field. When they went to the
15:57:20 15 football field, Prince told them that nobody was to go to
16 Monrovia; everybody should go to the Ivory Coast.

17 Q. Why was he directing - maybe to start with - when you say
18 "everybody" who are you referring to?

19 A. He was talking to the civilians. The civilians. At that
15:57:44 20 time the civilians were outside. If any civilian was outside, he
21 would tell them to go to the football field. And he told them to
22 go to the Ivory Coast and that nobody was to go towards Monrovia,
23 because he did not want any information to go that rebels were in
24 Gbutuo. There was a distance between - from Gbutuo to a town
15:58:07 25 called Nyorgbanwea, 15 to 16 kilometres, so he didn't want
26 information to go.

27 Q. Sorry, the name of the town again? Distance from Gbutuo to
28 a town; you called a name?

29 A. From Gbutuo the first town you go to is Nyorgbanwea,

1 N-Y-O-R-G-B-A-N-W-E-A. From Gbutuo going towards Liberia, the
2 first town that you meet, it is called Nyorgbanwea.

3 Q. Yes, sorry, please continue with your explanation. You
4 were telling us about the movement of the civilians.

15:59:02 5 A. So nobody was to go to Monrovia. We had our ambush towards
6 Monrovia. The instruction to those in that ambush was that
7 anybody who was coming, be it civilian or soldiers, anybody who
8 was coming into Gbutuo, you should open a corridor for them. Let
9 them come and see us here. So any civilian who hears a gun sound
15:59:29 10 that morning, when you are coming from the farm to come to the
11 town, they will come to get to the town. When they come they
12 would see the action. They would tell them, "Don't worry, go to
13 the Ivory Coast."

14 Then within that same period, Prince said, "Gentlemen" -
15:59:53 15 you know, at that time we expected Monrovia target to be boiling.
16 We expected fighting to be going on in Monrovia because Monrovia
17 was the biggest target. When we put the radio on, people were
18 rejoicing, were rejoicing in Monrovia for Christmas. The men who
19 had been sent in failed. The men failed them. When the men see
16:00:17 20 these people, they said, "Oh, I am scared. I am scared of - I am
21 afraid of Samuel Kanyon Doe." And they started informing one
22 another.

23 Q. Sorry, which man failed which man, if you can be very
24 specific? You said the men failed them. Who failed who?

16:00:40 25 A. Those who were in the various military installations in
26 Monrovia, Liberia, an inside contact was made with them. When
27 they saw our various commanders on the target approaching them,
28 they started explaining that, "I am not able. I am afraid. I am
29 afraid of Samuel Kanyon Doe. I don't want to be killed. That's

1 your trouble that you are bringing. I am not able." And most of
2 our Special Forces commanders who had gone in, they were not
3 soldiers, but they were trained to become commandos. So some of
4 them had not been in Monrovia before. About 9 o'clock - it was 9
16:01:25 5 o'clock now --

6 Q. Before you continue to discuss what happened at about
7 9 o'clock, you have made reference to people who were called
8 Special Forces. Who were the Special Forces?

9 A. Those who went in from our group. Those who went to the
16:01:50 10 Monrovia target, to the various military targets.

11 Q. Are those the people you referred to as Special Forces?

12 A. Yes.

13 Q. And the other trainees at Libya, at Tajura, were they also
14 referred to by any name or description?

16:02:24 15 A. Those - even the former soldiers and civilians, those of us
16 who trained together, we all carried the same name, Special
17 Forces. Once you entered Tajura and you went through the
18 training, you were a Special Forces. So we were the Special
19 Forces group with number in total 168.

16:02:52 20 Q. Yes. You were explaining to us what happened in Monrovia -
21 what happened with the Monrovia group and you were just about to
22 explain what happened at 9 o'clock - at about 9 o'clock.

23 A. Yes, I forgot something. When we were deported from
24 Nzerekore, one of the Special Forces called Sam Tozay, one of the
16:03:27 25 Special Forces called Sam Tozay, T-O-Z-A-Y, Sam Tozay betrayed
26 our cause. Sam Tozay's sister was married to one Krahn man who
27 was an immigration officer assigned in the town at the
28 Liberian-Ivory Coast border, but on the Liberian side. And when
29 we went back to our areas, Sam left to go and have a talk with

1 the sister unknowingly to us and we had been told that we were
2 not to cross. But when Sam went and saw his sister, the sister
3 said, "Oh, Sam, you left here for almost three years ago. Where
4 are you coming from? And you are looking fat and you are shining
16:04:25 5 like this." And Sam started explaining the story.

6 Q. What story was Sam explaining?

7 A. Information had now reached the people there, because
8 people used to leave that area and go to Ivory Coast on a
9 marketing spree. But when he came back, they had already known
16:04:57 10 that we had gone somewhere, but they were all Gio people. They
11 kept our secret. But when Sam went back there, he explained the
12 secret to his sister, thinking that the sister was going to keep
13 their secret. And he said, "You know, we left, we went" --

14 Q. The question I was going to pose was: What was the secret
16:05:18 15 that he explained to his sister?

16 A. He told his sister that, "You see, Charles Taylor took us
17 from there, we went to Libya and we went through training. So,
18 ma'am, you have to be careful. We will enter here at any time
19 with a war, so you have to be careful." That was the secret that
16:05:39 20 he revealed. So the sister went and told her husband and the
21 husband was a Krahn man and she told her husband. The husband
22 was called Wayne, that was a Krahn name. I cannot even pronounce
23 it well.

24 So the husband was also working as an immigration officer
16:06:03 25 for the Doe government and he was a Krahn man. So the husband
26 called Monrovia. He called Monrovia and people came and they got
27 Sam. They convinced Sam, and Sam's sister told him, said, "Look,
28 don't worry. My husband is a strong man in the government. He
29 will take you to Samuel Kanyon Doe and you will explain what

1 happened and you will be a senior man in the government." And
2 that for Samuel Kanyon Doe, anybody who brought war, that person
3 will not succeed. And the information had already leaked that
4 there were some Liberians on training, but that they did not know
16:07:03 5 their location. So if anybody came, they will not make it. "I
6 do not want you to die. So you go and reveal this secret and you
7 will be offered a big job." And my brother too was convinced and
8 he decided to go to Monrovia. Sam went and met Doe. He had been
9 in the army before. He and I were working with the MP section.

16:07:27 10 Q. Just go a bit slower. Just go a bit slower because I think
11 the record is finding it difficult to catch up with your
12 evidence.

13 A. Sam went and then revealed all our secrets to Samuel Kanyon
14 Doe, how we were trained, where we were trained, who is leading
16:07:53 15 us, our strength, our total number, he explained everything. And
16 then, not knowing that the information had leaked, the men that
17 we had even sent inside, he explained everything about them, how
18 they used to dress, the type of signals they had on themselves as
19 an identifying symbol, the way they dressed, the way they were
16:08:37 20 dressing in a special commando form. So then the information had
21 leaked and they started arresting those guys.

22 The very day we were to attack, those guys were in the
23 street and they started arresting them. Sam went on the
24 television and displayed that. So the people sent in a car with
16:09:10 25 tinted glasses and they brought it to the Salala gate, one of the
26 highest gates that had a wall constructed. By the left there was
27 a valley and by the right there was a valley. There was no way
28 one could bypass that gate. So the people sent to the gate, they
29 came to the gate and Sam was in that tinted glass car and he

1 could see through from outside. And most of our brothers --

2 Q. Just before you continue, who were the people in the car
3 with the tinted glasses?

4 A. Sam Tozay was in that car. He was one of our Special
16:10:02 5 Forces. He was in the car. He had now revealed our secret.
6 With intelligence forces from the Doe government who had been
7 given orders to arrest anyone that Sam with identify, they came
8 to that gate and. And when the mission failed, some of our
9 brothers could not fire a shot. So about 10 to 11 of them were
16:10:29 10 trying to make their ways back to the Ivory Coast. When people
11 got there, they would ask them to alight, and they would form a
12 single line. They would walk through the line, pass to the front
13 of the car. They will march to the steps and go to the
14 immigration office. And if someone was passing that was one of
16:10:53 15 them, Sam would identify that person and he would say, "That is
16 one of them." And they take that person to a different side.
17 And if there was somebody else passing who was part of us, he
18 would identify that person and they will arrest that person and
19 take him to the other side, because he knew every one of us. And
16:11:07 20 then they started arresting those guys.

21 PRESIDING JUDGE: Do you think you could slow down the
22 speed with which you're speaking?

23 THE WITNESS: Yes, ma'am. You know, that is my way of
24 speaking, but I will try and adjust myself.

16:11:20 25 PRESIDING JUDGE: We have to interpret what you're saying,
26 we have to understand what you're saying and it has to be
27 written. That's why I'm asking you to speak slower than you
28 normally talk. You have to make an effort, please. Now,
29 continue with your testimony slowly.

1 MR CHEKERA:

2 Q. You were talking about how people would pass by the gate
3 and Sam would point out those who were part of the people who had
4 been trained in Libya.

16:11:59 5 A. Yes. And they started arresting them. We were far off in
6 Gbutuo and did not know, and it was now about 9 to 10 in the
7 morning on the 25th. We have switched on our radio for us to
8 hear whether our friends in Monrovia were now progressing, but we
9 did not hear anything and people were there enjoying their
16:12:32 10 Christmas. And the people who were in Gbutuo now started crying
11 and they were asking, "What is going on?" And we had now put the
12 Nimba County back into another trouble with the Doe people, with
13 the Doe soldiers, the Doe government.

14 Q. What people were crying, if you can be specific? Who was
16:13:00 15 crying that they had put the people in Nimba in trouble with the
16 Doe soldiers? You said now the people who were in Gbutuo started
17 crying. Which people started crying?

18 A. The group. Those of us in the group that entered in
19 Gbutuo, the group that we fought with that entered Gbutuo, we
16:13:23 20 started crying. Some of us wanted to commit suicide. And we
21 were asking ourselves - our people in Nimba County had now been
22 at peace with the Samuel Kanyon Doe government, and now we have
23 entered and attacked the government, and we have killed some of
24 the government soldiers, and their bodies are displayed in the
16:13:59 25 streets of Gbutuo, and now our - the largest group from us that
26 went in, we've not heard anything from them. And we have not
27 heard anything also from Bong County from Varney.

28 Q. Just pause there before you talk about hearing anything
29 from Varney. You said some of the government soldiers - "we have

1 killed some of the government soldiers and their bodies are
2 displayed in the streets." When you killed the Doe soldiers, did
3 you display their bodies on the streets of Gbutuo?

4 A. There was a platoon --

16:14:57 5 MS HOWARTH: I'm just rising because it's been asked and
6 answered. The witness clearly has already said that.

7 PRESIDING JUDGE: No, he said it in passing. The witness
8 said it in passing, and I think it's in order for counsel to seek
9 that clarification.

16:15:12 10 MS HOWARTH: Very well.

11 PRESIDING JUDGE: So please ask the question again.

12 MR CHEKERA:

13 Q. The Doe soldiers that you killed in Gbutuo, did you display
14 them on the streets?

16:15:27 15 A. No. If I said "displayed", it means there was a platoon
16 size assigned in Gbutuo. There was not living in the barracks.
17 When we attacked the commander's residence, whoever was living
18 from a distance decided to run to the commander's distance, and
19 whilst they were in the streets, we engaged you from where - from
16:15:53 20 a distance where we were in the streets. So where we killed you,
21 your body remained there. So the soldiers were not living with
22 their bosses. So where we engaged each and every one of them, we
23 would just shoot you from the distance and your body will remain
24 there. That is what I meant by "displayed"; that the bodies were
16:16:11 25 all over like this. And what would happen if we failed? Niamba
26 County will be transformed into dust, so what can we do? We
27 started crying.

28 Q. When I interrupted you, you were explaining that you had
29 not heard anything also from Bong County from Varney. Do you

1 want to take it up from there?

2 A. Yes. So we could not hear anything from Varney, who was in
3 Camp Naama. So that was a big worry for us, so we started
4 crying. And then Prince Johnson said, Look, I am the commander.

16:17:02 5 Gentlemen, be courageous. We will fight this war until we enter
6 Monrovia. What we are going to do here now is - in fact, some of
7 our men, they had already started retreating, going back into
8 exile. And then Prince came and said, Zaymay, John Teah, Wilson
9 Yealou, most of our brothers, they are going back. So if they

16:17:46 10 tried that, it will not be easy. We cannot come here, kill
11 people, Doe's forces, and then we'll retreat back. Where are we
12 going to? Join me. Let us go. We are going to stop them all.
13 If anybody refused, we will kill that person there and I think
14 the war will end there. If Nimba is going to be burnt down, let

16:18:14 15 Nimba be burnt in our presence when we are - we all become dead
16 bodies, but I will not tolerate this. As the commander, it will
17 not happen in my presence. And we all said yes, sir, and we
18 followed him. We all went. And Prince said to me, Zaymay, if
19 anybody attempted to cross this place, just shoot that person.

16:18:39 20 Don't hesitate. Let everybody go back. So we were all convinced
21 again, and we started marching back into town. And then Prince
22 said, What we are going to do, let us try to move to LAMCO. That
23 is where the SATU base is. Let us try to move to LAMCO with

24 these equipments. The few arms - the few arms we had captured,
16:19:07 25 there were no sufficient rounds. And whilst we were discussing
26 the plan, someone ran from the ambush. He came back and said,
27 Oh, chief, there is a heavy firing coming towards us. It looks
28 like enemies are approaching. And then the chief said, Okay, all
29 of you guys who are in the ambush, you open the ambush. That's

1 your instruction. If you see them, don't shoot at them. Allow
2 them to come.

3 Q. Just before you continue, you said "and the chief said."
4 Who do you refer to as the chief?

16:19:54 5 A. Our battle group, Prince Johnson. He was now chief in
6 Liberia in combat.

7 Q. And you said "our battle group". What is that battle
8 group? You said "our battle group, Prince Johnson".

9 A. He was the one commanding the front. He was the commander
16:20:16 10 in combat, so we called him battle group.

11 Q. Yes. He gave the instruction that if anybody comes, let
12 them pass. When you heard that there was firing coming, he gave
13 the instruction that if they come, let them pass. Continue from
14 there.

16:20:44 15 A. Prince Johnson, he said, Gentlemen, come. There is
16 information. They said enemies are approaching. So we also
17 decided to open up the place. We left the town and we went to at
18 the periphery of the town, and we left the town open to them. We
19 also set a trap for them, and they started shooting. They

16:21:17 20 entered, they started shooting, bam, bam, bam. They entered with
21 vehicles. Doe forces came in vehicles. They entered Gbutuo and
22 they passed through, and they went towards the commander's
23 residence. And whilst they were going - you know, when they
24 entered the town, the town was so quiet. They did not see

16:21:33 25 anyone. They went straight to the commander's residence, and
26 when they got there, they saw the dead bodies of the AFL. And
27 then they turned the car round and they started driving slowly,
28 slowly. And the men had now alighted from the car, and they were
29 marching at the back of the car, and they started moving slowly.

1 So we moved from the back of the houses, and we stopped them and
2 we asked, Who are you people? And we said to them, We are the
3 rebels. No one will go back. And firing opened. So we were
4 able to get control over every one of them, and we captured one
16:22:36 5 pick-up and we started collecting arms. And Prince said, Okay,
6 now - we have now get weapons. We are not going to sleep here.
7 But amongst them we captured a POW for information. There was a
8 guy whose leg was broken.

9 THE INTERPRETER: Your Honours, could the witness be asked
16:22:58 10 to repeat that last bit.

11 PRESIDING JUDGE: Pause, Mr Witness. You were saying there
12 was a guy whose leg was broken. Now continue from there, slowly.

13 MR CHEKERA:

14 Q. Madam President, maybe before the witness continues, if you
16:23:11 15 may just explain what a POW is, if you know?

16 A. You know, in times of combat if you arrested anyone live to
17 get information from, that person will be called POW, prisoner of
18 war. Prisoner of war.

19 Q. Please explain. You were talking about that prisoner of
16:23:38 20 war whose leg was broken.

21 A. So they brought him to us whilst we were gathered and we
22 asked him, we said, "Where are you guys coming from?" They said,
23 "We are from LAMCO. We received instruction from the commanding
24 general that we should come and check Gbutuo. That there had
16:24:08 25 been an order that rebels have entered Gbutuo, that was the
26 reason why we came." We came up to a platoon plus. But there is
27 - but we told him, we said, "Look, explain to us. We will send
28 you to Ivory Coast. You will be treated and you will come and
29 join us to fight this war."

1 So for his own survival, the guy started explaining
2 everything to us. That General Smith from Bomi Hills, that he
3 was coming with a heavy force of artillery from the other end,
4 that is, the left side, to come to Gbutuo and we would have taken
16:25:20 5 it with the right-hand side to come to Gbutuo. And we said,
6 okay, and from that information we also planned that, "Okay,
7 gentlemen, kill the man." We said, "This man is a wounded
8 soldier. We will not be able to move with him because we are all
9 engaged. We will not get the time to care for him. And, that
16:25:46 10 besides, this man is an enemy." And we used that information to
11 start our planning also.

12 We then said, "Okay, the general who is coming" - we know
13 that a general cannot move with a small unit. The general who is
14 coming is coming with a heavy force, moreover an artillery
16:26:06 15 bombardment, so we cannot contain him. So we need to move to
16 LAMCO on the right and the general was coming from the left
17 angle, so we started leaving that base. We started marching
18 towards LAMCO. It was a tactical road march, no mobile business.
19 Guerillas don't fight in cars. So we started applying our
16:26:33 20 guerilla tactics. And even before then --

21 Q. You've just said there was no mobile business. Guerillas
22 don't fight in cars. If you could just explain what mode of
23 transportation you used to move to LAMCO.

24 A. No cars were used. It was road marching, tactical road
16:27:08 25 marching. We would walk, walk and walk, because we had four men
26 ahead of us, if we walk to some distance, the four men will lie
27 down flat on the ground and they will put their ears on the
28 ground, and if any sound was coming closer to them, approaching
29 them, they will know. And if there was a car approaching, they

1 will know.

2 Q. Did you eventually get to LAMCO?

3 A. No. We were unable. We stopped at Karnplay and we
4 retreated.

16:27:49 5 Q. What happened at Karnplay?

6 A. When we were going, we attacked Karnplay for the first
7 time. That was where we met Edward Mineh and his own group in
8 Karnplay. There was a sound of weapon that we were trained with,
9 that when someone fired from a distance I would know straight

16:28:28 10 that this was my friendly force firing. So when we hit, those
11 people knew straight that, "Oh, these are our commandos

12 approaching." So when we got there they joined us and we all

13 started advancing towards Yekepa. And whilst we were going

14 towards Yekepa we met a strong resistance at Kialay and we all

16:28:53 15 went out of ammo and so many of our brothers were killed, so we
16 retreated. We retreated back to Ivory Coast.

17 JUDGE DOHERTY: Mr Witness, you had said earlier that there
18 was a suggestion that you kill the prisoner of war. Did you kill
19 the prisoner of war?

16:29:20 20 THE WITNESS: The prisoner of war, yes. The prisoner of
21 war was the soldier - one of the soldiers who exchanged fire with
22 our men and he was an enemy. He never surrendered.

23 JUDGE DOHERTY: Mr Witness, please answer my question.

24 THE WITNESS: I said yes. He was an enemy who attacked us.

16:29:54 25 PRESIDING JUDGE: Mr Witness, the question was simply did
26 you kill the prisoner of war?

27 THE WITNESS: Yes.

28 PRESIDING JUDGE: You haven't told us whether you did or
29 not. Did you kill the prisoner of war?

1 THE WITNESS: Yes. He was killed because he was an enemy,
2 a soldier who attacked us.

3 PRESIDING JUDGE: We did not ask you why. We just wanted
4 to hear whether the prisoner was killed or not killed. That was
16:30:20 5 the only question.

6 Now, Mr Chekera, we will go to break now. The testimony so
7 far has no time frames at all. If you will look through the
8 testimony you will see where time frames for various locations
9 are required and when we return after the break I hope you will
16:30:43 10 address it. We'll adjourn until 5 o'clock.

11 [Break taken at 4.30 p.m.]

12 [Upon resuming at 5.03 p.m.]

13 PRESIDING JUDGE: Mr Chekera, please continue.

14 MR CHEKERA: Thank you:

17:03:31 15 Q. I'll go back to the locations and try to establish the time
16 frames, but maybe before I do that just two questions arising
17 from the issue that was in discussion when we adjourned.

18 Mr Zaymay, who gave the order to execute the POW who was wounded?

19 A. It was Augustine D Zamma.

17:04:00 20 Q. And who executed that order?

21 A. A single barrel commander.

22 Q. Do you know the name of the single barrel commander?

23 A. Yes.

24 Q. What was the name of the single barrel commander?

17:04:21 25 A. The name was Peter Gaye. Peter G-A-Y-E.

26 Q. If you could just briefly explain to us what you mean by
27 single barrel commander. What position was that?

28 A. Okay. That is something I had left out. Excuse me,
29 please, I want to say something. You know, the issue was

1 something that had passed ten years ago. It was not something
2 that people went to school to take notes for. It was something
3 that happened during combat because of tension. When we entered
4 Gbutuo --

17:05:25 5 Q. While we are at Gbutuo maybe you could just give us a time
6 frame, because we're going to come to time frames. When did you
7 enter Gbutuo?

8 A. When we entered Gbutuo on the 25th morning December, that
9 was the time the single barrel issue came in. Our commander
17:05:50 10 Prince Johnson said --

11 Q. Just hold on. 25 December in the morning, what year?

12 A. December 25, 1989 when we entered Gbutuo. That was the
13 time our commander Prince Johnson said - he said we are going to
14 advance our men.

17:06:28 15 PRESIDING JUDGE: Please pause, Mr Witness. You were asked
16 one question. It related to a time frame. Mr Chekera, I had
17 left this to your discretion, but could you please see if we can
18 get a time frame as to the witness's stay or when was he in
19 Nzerekore initially that's upon his return from Tajura. He
17:06:58 20 hasn't said when he was in Nzerekore, he hasn't told us when he
21 was deported to the Ivory Coast and he hasn't told us when the
22 Zongwe rendezvous happened between Charles Taylor, Prince Johnson
23 and their forces. And if he could also tell us about the attack
24 on Monrovia - the failed attack on Monrovia. All these are gaps
17:07:21 25 as far as time frames are concerned.

26 MR CHEKERA: Thank you, Madam President:

27 Q. Mr Zaymay, we're going to take you back briefly to the time
28 that you came back from Libya. You said when you came back from
29 Libya you flew into Abidjan, Ivory Coast. Maybe if we start by

1 the year that you left Libya, if you remember, and came to Ivory
2 Coast. Do you remember when that was?

3 A. I left Libya in November 1989.

4 Q. Yes, and you arrived in Ivory Coast, Abidjan, in the same
17:08:24 5 month, November 1989?

6 A. Yes, in the same month.

7 Q. And you said you proceeded directly to the border to
8 Nzerekore?

9 A. In the same month.

17:08:45 10 Q. And you said you stayed in Nzerekore for about a month?

11 A. About three weeks. About a month. About three weeks.

12 Q. And when you were deported you went back to Zongwe. Do you
13 recall approximately which month you were in Zongwe?

14 A. I cannot remember how many days I spent in Zongwe, but I
17:09:25 15 left Zongwe on 22 December 1989.

16 Q. When you left December 22, 1989, where did you go?

17 A. I went to the border. That was where I was until I
18 crossed.

19 Q. And when you crossed, is that when you attacked Gbutuo?

17:10:02 20 A. Yes, sir.

21 Q. And you said the attack on Gbutuo, when was it again?

22 A. December 25th, 5 o'clock in the morning, 1989.

23 MR CHEKERA: Madam President, do you want me to continue
24 with the locations?

17:10:23 25 PRESIDING JUDGE: Do we have a date for the attack on
26 Monrovia by the other group?

27 MR CHEKERA: Yes:

28 Q. You mentioned that there was another group that was
29 dispatched to Monrovia, the one that did not succeed because some

1 of the members became afraid. When were they in Monrovia?

2 A. I don't know how many days they spent there, because those
3 men had been dispatched whilst I was still in Tripoli, but we
4 were all told that we were to attack on the 25th, 5 o'clock in
17:11:04 5 the morning, of December.

6 MR CHEKERA: Does that assist, Madam President?

7 Q. Now, while I'm still on locations, we'll just continue with
8 the time frames. You said from Gbutuo you moved to Karnplay. Do
9 you remember what time you were in Karnplay?

17:11:33 10 A. We moved. We had passed Karnplay. We were ahead of
11 Karnplay, but we fought for two days when we went out of ammos
12 before we escaped and we went to Kialay.

13 Q. And you said from Kialay you retreated back to Ivory Coast?

14 A. Yes, sir.

17:12:02 15 Q. Do you remember when it was that you retreated to Ivory
16 Coast?

17 A. We retreated back into Ivory Coast in January 1990.

18 Q. You were explaining about the single barrel commander. I
19 had asked you who the single barrel commander was?

17:12:35 20 A. I said the name of the single barrel commander was Peter
21 Gaye. G-A-Y-E, Gaye. That was a Gio name.

22 Q. You had given us the name. I had asked where the position
23 of single barrel commander came from, this is the first time that
24 you mentioned the position of single barrel commander, and you
17:13:02 25 said you had forgotten to explain something?

26 A. Yes, sir. The issue of single barrel came about when we
27 had now decided to advance and all the other targets had failed.
28 It was only the group that was at Gbutuo and it was then that our
29 commander Prince Johnson said that, "Gentlemen, we, the group,

1 cannot be able to continue this war, so we have to recruit."
2 Some of the boys, the civilian boys, started coming around us and
3 Prince said, "If you know - if any one of you know that your
4 father has a single barrel in the villages," he said, "this war
17:13:51 5 is not just for the Special Forces. It is now a general problem
6 for Niamba County. So you should go to all your fathers'
7 villages, if they have single barrels, you collect the single
8 barrels to come and join us to fight this war."

9 And the men were enthusiastic already and some of them
17:14:21 10 willingly came. They were with us. And when they got this
11 instruction, they left and they later came. And then Prince
12 said, "Whenever you come, we are going to be leaving today. If
13 anyone of you come, you should meet me Bluntuo." He said, "I'm
14 going to be based in the next town on the far right called
17:14:52 15 Bluntuo. And that is where the enemy might come at any time to
16 attack Karnplay, so we are going to Bluntuo. So I want you to
17 meet us two days before we advance." That was where the first
18 base was established.

19 The single barrel group, there was a guy called Peter Gaye,
17:15:29 20 he headed the group. He was the single barrel group commander,
21 and their force strength was 150 men. Those were the first
22 recruits. That was when the single barrel issue came about. And
23 Peter Gaye was the single barrel group commander. He was the
24 first person who joined us after we had opened fire.

17:15:59 25 Q. Now --

26 PRESIDING JUDGE: Mr Chekera, this sounds like Peter Gaye
27 was a civilian who joined the group.

28 MR CHEKERA: I was actually going to probe further on that:

29 Q. Mr Zaymay, Peter Gaye, was he a civilian when you - when he

1 joined you as the first person to join?

2 A. Yes, he was a civilian.

3 Q. And the other 100 persons who joined, were they also
4 civilians?

17:16:51 5 A. Yes. I am talking about the civilians that we recruited,
6 we called them the first group of single barrel men.

7 Q. And single barrel, what was a single barrel?

8 A. A single barrel is a hunting gun for civilian use. That is
9 what we call single barrel.

17:17:21 10 JUDGE DOHERTY: Mr Chekera, where does this figure of 100
11 persons who joined come from? There was a reference to 150 men,
12 but I don't recall a reference to 100 men.

13 MR CHEKERA: I might have misspoken. I meant 150 men. My
14 apology:

17:17:50 15 Q. The 150 men who joined you, was there any restriction in
16 terms of age in terms of who could join?

17 A. Yes.

18 Q. What was the age restriction?

19 A. From 17 years upwards up to 40.

17:18:19 20 Q. And who came up with that age restriction?

21 A. Our S3, the commander, Prince Y Johnson.

22 Q. And do you know how he came to the minimum age of 17?

23 A. Yes. We will look at you and we will estimate your age, or
24 sometimes we ask you for your age and you tell us your age. They
17:18:57 25 were able-bodied men ready for combat. It was a volunteer group.

26 Q. My question is: How did Prince Johnson come up with the
27 age of 17? Why not 16, 15? Why 17, if you know?

28 A. Yes. He said during the normal days in the army, they
29 recruited from 17 years upwards and that we were in combat. So

1 we should recruit able-bodied men to fight the war.

2 Q. How did Prince Johnson know about the practice in the army?

3 A. How - you mean how he knew the process in the army?

4 Q. Yes.

17:19:56 5 A. Prince Johnson was chief of intelligence before at the
6 brigade under the commanding general in Liberia and he was a
7 second-lieutenant in the army.

8 Q. Now, the 150 single - the 150 men that you recruited when -
9 you said this was at Gbutuo.

17:20:30 10 A. We recruited them in Bluntuo. The first town from Gbutuo
11 on the far right, Bluntuo, B-L-U-N-T-U-O. Bluntuo, the first
12 base.

13 Q. And after you recruited them, did they take part in any
14 combat?

17:20:59 15 A. Yes. They were trained to disassemble, reassemble and
16 fire.

17 Q. And how long was that training for?

18 A. The training did not last for long. I cannot tell how many
19 days they spent on the training base because we were to move.

17:21:31 20 Q. And --

21 PRESIDING JUDGE: Mr Chekera, was that to disassemble,
22 reassemble and fire what? Disassemble and assemble what?

23 MR CHEKERA:

24 Q. Yes. You said these men were trained to disassemble,
17:21:46 25 reassemble and fire. What were they trained to disassemble,
26 reassemble and fire?

27 A. I mean disassemble and reassemble in military terms means
28 to dismantle the arms. And before you become a soldier you
29 should know about weapon, to dismantle the arms pieces by pieces

1 and bring them back together by pieces, and then put it on
2 automatic and fire. That is what I mean.

3 Q. And my question was: Did these men take part in any
4 fighting after they joined you?

17:22:35 5 A. Yes. They were a fighting force.

6 Q. Where did they take part in fighting?

7 A. They took part in fighting during Karnplay, second attack.
8 But before that, they were only used to carry our supplies.

9 Q. Okay. I don't think we've - I don't think we've spoken
17:23:09 10 about the Karnplay second attack yet. When you retreated to
11 Ivory Coast, did these men retreat with you to Ivory Coast?

12 A. Yes.

13 PRESIDING JUDGE: Yes, Ms Howard.

14 MS HOWARTH: Yes, I'm on my feet because there have been a
17:23:32 15 series of questions that are really putting what might have
16 happened next rather than getting the witness to explain his own
17 story. I'm rising in relation to this one, better to have said
18 what did the men do next, rather than suggesting that they might
19 have come with them to the Ivory Coast, that is.

17:24:14 20 PRESIDING JUDGE: Well, the witness had just explained to
21 us that these - this group of 150 men who were actually civilians
22 with basic training in assembling and disassembling arms were -
23 did take part in fighting, but he also had said to us that his
24 group had retreated to Ivory Coast, and so the question you are
17:24:46 25 objecting to is, "When you retreated to Ivory Coast, did these
26 men retreat with you?" Yes, I think I see what you mean. It was
27 leading. Perhaps what Mr Chekera should have asked is, "What
28 became of these men?" You see, Mr Chekera, you see the
29 difference between suggesting "did these men retreat with you,"

1 which is suggestive of an answer, and "when you retreated to
2 Ivory Coast, what happened to these people?"

3 MR CHEKERA: I could rephrase it.

4 PRESIDING JUDGE: But he has answered already. I'm just
17:25:23 5 pointing out that this is the way to avoid leading questions,
6 okay.

7 MR CHEKERA: Yes.

8 PRESIDING JUDGE: Please continue, but don't lead again.

9 MR CHEKERA: Yes. Just a minute, just to see where we
17:25:45 10 ended. Yes:

11 Q. You retreated to Ivory Coast. What happened when you
12 retreated to Ivory Coast?

13 A. When we retreated to Ivory Coast, commander Prince Johnson
14 said that all of us should go back to where we had entered
17:26:14 15 through. So we went back to where we had entered through, that
16 is, Gbutuo. And we sent in spies. We sent in a team to go and
17 check between Karnplay and Gbutuo. I think there were about 15
18 or 13 towns between Karnplay and Gbutuo, the areas we had passed
19 through, that they were to go and check whether the Doe soldiers
17:26:54 20 have got to all of those places and that we needed to get back
21 inside. We would not stay there. So we stayed in the bush and
22 we sent a five-man team to go and check between Gbutuo and
23 Karnplay, and --

24 Q. Just before you continue, you said Prince Johnson said that
17:27:22 25 all of us should go back to where we had entered through. When
26 you said "all of us should go back", who are you referring to?

27 A. I'm referring to us, the fighters of the NPFL who retreated
28 to Ivory Coast. We were a group. So we went back and we sent a
29 five-man team. The five-man team went and entered Gbutuo. From

1 Gbutuo they checked all those other areas and they came back with
2 the information that General Smith came and burnt down some towns
3 in Gbutuo and they went back. They did not base there. That
4 Gbutuo was empty and up to Karnplay. In between there, all those
17:28:20 5 areas are empty. They said it was only at Karnplay that there
6 was a battalion commander with a large unit that was based there
7 with a war tank and heavy equipment. And then Prince said,
8 "Okay, that's fine. Gentlemen, we have to go in. The area is
9 safe."

17:28:44 10 And whilst we were on that process, we saw William Obey,
11 the first commander that entered with us at Gbutuo, and he
12 retreated, William Obey, and he said, "Gentlemen, I've heard that
13 you retreated, so I have brought some supplies for you." And
14 William Obey gave us the supplies, we received them and we
17:29:10 15 crossed and we based in Bluntuo for the second time to better
16 train those people.

17 Q. Sorry, when you say supplies, what supplies do you mean?

18 A. Arms and ammunition.

19 Q. And you said to better train those people. Which people
17:29:30 20 are you talking about?

21 A. The very single barrel group. We needed to train them well
22 because we were all going to be engaged in the attack. They are
23 no longer going to be carrying our loads.

24 Q. Just for us to get a time frame, when was it that you
17:29:54 25 crossed back into Liberia after you retreated into Guinea -
26 sorry, into Ivory Coast, sorry? You said you retreated in
27 January 1990. When was it that you went back?

28 A. It was the same January. Almost by the end of January.
29 That was the same January.

1 Q. Now, from the time that you met Mr Taylor at Zongwe until
2 the time that you retreated back into Ivory Coast, do you know
3 where Mr Taylor was?

4 A. At that time I didn't know, but I heard that whilst we were
17:30:51 5 inside for the first time fighting and before our retreat he
6 wanted to force his way to come in and join us and be at the
7 rear. And I heard that he came in, he stopped in a certain town
8 in Liberia and he went back. He went back to Ivory Coast. And
9 at that time I concentrated on the front. My concentration was
17:31:20 10 not on the rear for me to know where he was.

11 Q. Yes. You were explaining how you then re-entered into
12 Liberia. Can you proceed from there?

13 A. So when Obey came and gave us the weapons, we were happy.
14 So we moved into Gbutuo and that was where we established the
17:31:50 15 base, we were in Bluntuo and we trained the men there for about
16 one month. That was now around February. And we spent the whole
17 February month training them and they were now trained and we
18 then decided to move. At this time whilst in Bluntuo some of our
19 forces who had been sent into Monrovia, Liberia, when some of
17:32:26 20 them heard - some of them who made - managed to make their way
21 into Nimba they had now heard over air --

22 THE INTERPRETER: Your Honours, could the witness be asked
23 to repeat that name. The name was not clear to the interpreter.

24 PRESIDING JUDGE: There is a name you mentioned,
17:32:50 25 Mr Witness. Could you please repeat that name and then continue
26 with your testimony. What was the name you mentioned? You said
27 they heard over the air.

28 THE WITNESS: That at that time it had gone over air that
29 rebel forces had entered Gbutuo, so some of our men who had gone

1 in and who failed, some of the commandos who went in and failed,
2 they started making their way to reach us. So all around the
3 riverbank people were now coming from all over those places and
4 coming to the base at Tiaplay, because when we entered all the
17:33:42 5 Nimbadians who were there embraced the movement. People were
6 bringing food, cows, chickens, goats from different towns and
7 different villages to feed us for us to continue with the war.
8 The Niamba County had been suffering at the hands of the wicked,
9 so they started supporting us.

17:34:20 10 So some of the commandos then started coming to Tiaplay at
11 the base. They were coming one after the other and they told us
12 that they were betrayed by the inside contact that we had made in
13 the Doe government. He said most of their friends were arrested
14 and killed in cold blood without them firing a single rifle. We
17:34:50 15 said okay. So when they came they saw the recruits, about 150
16 men, undergoing training, they were so impressed. They embraced
17 it. So we decided to move on to the Karnplay target. We had
18 been told --

19 Q. Before you moved to the Karnplay target, initially you said
17:35:20 20 that when you moved - when you got the weapons from Obey, you
21 moved into Gbutuo and you established a base - you were
22 established in Bluntuo where you trained the men. You've also
23 now mentioned another place, Tiaplay. Can you explain the
24 relation between Bluntuo and Tiaplay?

17:35:50 25 A. No. Tiaplay will soon come into the explanation. We were
26 still at the first place in Bluntuo to re-attack Karnplay for the
27 second time. So now we were planning to attack the Karnplay
28 target for the second time.

29 Q. Just before you continue, I just want you to make it clear

1 so that the record will be clear. The record shows that when you
2 were talking about people embracing you and bringing presents to
3 you they were coming to Tiaplay base. Are you saying the
4 reference to Tiaplay is a mistake on your part or can you
17:36:45 5 explain?

6 A. I am coming to Tiaplay. I have not got to Tiaplay as yet.
7 I'm still on Bluntuo. If I had called the name Tiaplay then it
8 could have been a mistake.

9 PRESIDING JUDGE: Yes, you did call the name Tiaplay about
17:37:02 10 five times. So is that a mistake?

11 THE WITNESS: Oh, yes.

12 PRESIDING JUDGE: What should it have been?

13 THE WITNESS: We are still in Bluntuo. We entered Tiaplay
14 later and Tiaplay was the second base. We have not yet come to
17:37:22 15 the second base. I'm still on the first base. So if I called
16 the name Tiaplay then it was a mistake. I'm still on Bluntuo.

17 MR CHEKERA: Yes:

18 Q. You moved from Bluntuo. Your target was?

19 A. Karnplay.

17:37:40 20 Q. Please proceed.

21 A. So we first retreated from Karnplay and Karnplay had been a
22 built-up area by the battalions of the Doe forces, so we were now
23 going to attack Karnplay for the second time. That was the time
24 we moved with our first batch of 450 men who had now been well
17:38:07 25 trained and we were now going to attack Karnplay. The plan we
26 had for Karnplay was there was one of the Special Forces called
27 Albert G Paye. He was supposed to take a platoon size and bypass
28 and go and set an ambush at Kialay where we met with the first
29 forces when we earlier retreated. So they were to set an ambush

1 there and the rest of the men were to move full-time to attack
2 Karnplay, because Karnplay had been considered as a battalion
3 headquarters with a war tank. So we made that plan and then we
4 moved.

17:39:00

5 Q. Just before you proceed, I think Albert Paye is P-A-Y-E.
6 And before you move on you made reference to the first batch of
7 450 men who had been well trained. Where was this training?

8 A. No, the first batch was 150. 150 men. That was the first
9 group who were still in training at Tiaplay. We had prepared the
10 move to attack with 150 men.

17:39:52

11 PRESIDING JUDGE: Mr Witness, you did mention a figure of
12 450 men, okay? You were saying that Karnplay was now going to be
13 attacked for a second time and you said, "That was the time we
14 moved with our first batch of 450 men who had now been well
15 trained and we were now going to attack Karnplay." 450 men is
16 who you mentioned that were going to attack Karnplay.

17:40:19

17 THE WITNESS: No.

18 PRESIDING JUDGE: Is that wrong?

19 THE WITNESS: No, it is wrong. The number of the first
20 batch that we moved with was 150 men and they were trained in
21 Bluntuo, 150 men. That was the group that we were now using to
22 attack Karnplay for the second time, 150.

17:40:40

23 MR CHEKERA:

24 Q. Please continue with your evidence. You were going to
25 attack Karnplay?

17:41:07

26 A. So we moved and we had deployed the men in ambush and the
27 rest of us moved on Karnplay. And the Karnplay target was not an
28 easy target. We fought for three days in Karnplay, day in, day
29 out. We moved about with --

1 THE INTERPRETER: Your Honours, the number was not clear to
2 the interpreter.

3 PRESIDING JUDGE: Sorry, Mr Witness, you said you fought
4 for three days and then what did you say after that? You
17:41:50 5 mentioned a number that the interpreter didn't get.

6 THE WITNESS: We fought for three days and three nights in
7 Karnplay and we were able to capture Karnplay. But five of our
8 Special Forces commandos died during that process. And we were
9 able to capture the place from the enemies. And each time - and
17:42:25 10 that time we captured Karnplay and we captured two war tanks and
11 at any time they called for reinforcements, anywhere the
12 reinforcements came from and at any time they came, they fell in
13 our ambush that had been deployed ahead at Kialay. So no
14 reinforcement was able to come from their end. So that was how
17:42:51 15 we overcame Karnplay and we used a lot of men - sorry, we lost a
16 lot of men in Karnplay.

17 MR CHEKERA:

18 Q. Sorry, just for the record to be clear, you were talking of
19 reinforcement - you were talking in terms of "they fell into our
17:43:08 20 ambush." Which forces were you fighting in Karnplay?

21 A. We were fighting against the Doe forces. And then when our
22 fire power was heavy on them, the Doe forces called for
23 reinforcement for them to come and assist them. And whilst the
24 reinforcements were on their way coming, they were blocked by our
17:43:35 25 ambush ahead. So there was no way for reinforcement for the Doe
26 forces to have entered to help their forces that were in
27 Karnplay. So that was how we overcame them.

28 PRESIDING JUDGE: Mr Interpreter, did the witness say "we
29 used a lot of men" or "we lost a lot of men"?

1 THE WITNESS: We lost a lot of men. Lost a lot of men. So
2 many of our men died along with five Special Forces.

3 PRESIDING JUDGE: Yes, thank you, Mr Witness.

4 MR CHEKERA:

17:44:19 5 Q. If you can just briefly explain what eventually happened
6 during the fight for Karnplay.

7 A. Whilst fighting, the enemy forces were initially very
8 strong when we first hit them and they killed so many of our
9 people, and they killed five of our Special Forces. And for a
17:44:54 10 war during which five Special Forces died, you will know that it
11 was not an easy battle. Yet still we were able to overcome the
12 enemies.

13 Q. And what happened to the enemy when you over - when you
14 overcame the enemy?

17:45:13 15 A. We got control over Karnplay and so many of them flee into
16 the bushes and they found their way towards Monrovia.

17 Q. And when you took control over Karnplay, did you remain in
18 Karnplay or you proceeded somewhere else?

19 A. When we took control of Karnplay, we decided to advance
17:45:47 20 still to LAMCO. And it was the second time that we came across
21 another heavy force, so Prince Johnson said we should retreat.

22 We retreated to a town called Tiaplay. And when we retreated to
23 the town called Tiaplay, not too far from Karnplay, we decided to

24 establish a base. And we were in Tiaplay. We deployed men in
17:46:40 25 Karnplay and our headquarters was in Tiaplay. And we could not
26 base in Karnplay at that moment because if we did, the enemies
27 might have moved in on us. So we said we should go and establish
28 a base in the rear with our headquarters there and to get a
29 deployment in Karnplay. So we left with one platoon. We left a

1 platoon in Karnplay and we moved to Tiaplay and we established
2 our headquarters there and we also established a second base in
3 Tiaplay.

17:47:23 4 PRESIDING JUDGE: I think the witness said "we left with
5 one platoon" and he said "we left another platoon in Karnplay".
6 Now, the words look like - I think the record has "battalion"
7 instead of "platoon".

8 MR CHEKERA: Do you want me to clarify with the witness?

9 PRESIDING JUDGE: Yes, please.

17:47:44 10 MR CHEKERA:

11 Q. Mr Zaymay, what strength of force did you leave in - was
12 deployed in Tiaplay and in Karnplay? Was it a platoon or a
13 battalion?

17:48:13 14 A. No strength of men was deployed in Tiaplay. The 150
15 trained men from Bluntuo were the ones who moved the first on
16 Karnplay. And before we attacked Karnplay, we deployed a platoon
17 ahead of Karnplay in an ambush. After capturing Karnplay, we
18 decided to advance on Yekepa. But on our way to Yekepa, we
19 encountered a large force of the Doe army. That was where - that
17:48:41 20 was why we retreated.

21 PRESIDING JUDGE: Mr Witness, I don't know if something is
22 lost in translation, but you are asked a simple question and you
23 go off on a tangent explaining or repeating a whole story. The
24 question is simply this: Did you say - did you say that you left
17:49:03 25 a battalion in Karnplay or you left a platoon in Karnplay? What
26 did you say earlier in your testimony? Was it a platoon or a
27 battalion that you left in Karnplay?

28 THE WITNESS: A platoon was deployed on the ground in
29 Karnplay to guard the ground.

1 PRESIDING JUDGE: Thank you. And you said that you left
2 with a platoon when you moved on to Tiaplay. Did you leave or
3 move with a platoon or a battalion?

4 THE WITNESS: After one platoon was deployed in Karnplay,
17:49:55 5 the rest of us, the forces, who moved to Tiaplay and we
6 established a base in Tiaplay.

7 PRESIDING JUDGE: [Microphone not activated] I'm asking the
8 strength. Was it a platoon or a battalion that you moved with to
9 Tiaplay? Was it a platoon or a battalion that moved to Tiaplay?

17:50:18 10 THE WITNESS: The strength I moved with was less than a
11 battalion size, 150 men, trained men, plus the rest of the
12 Special Forces.

13 PRESIDING JUDGE: That moved to Tiaplay?

14 THE WITNESS: Out of the total strength, we dropped a
17:50:46 15 platoon at Karnplay and the rest of us went to Tiaplay. Have I
16 made that clear?

17 PRESIDING JUDGE: Mr Chekera, I think you better move on.

18 MR CHEKERA: Yes:

19 Q. You say that you established your headquarters at Tiaplay.
17:51:04 20 Just give us the time frame that you established your headquarter
21 at Tiaplay. When was it that you established your - that you
22 established a base at Tiaplay?

23 A. I cannot tell the exact time, but it happened in 1990.
24 Early 1990. But I cannot tell the exact time.

17:51:36 25 Q. And at this time where was Mr Taylor?

26 A. Mr Taylor was still in Ivory Coast and I understood that he
27 was in Danane.

28 Q. And while you were in Tiaplay, how many men did you have?

29 A. When we retreated with the rest of the men to Tiaplay, we

1 then decided to recruit in Tiaplay again.

2 Q. Before you started the recruitment, can you give us an
3 estimate of how many men were with you in Tiaplay or how many men
4 retreated with you?

17:52:33 5 A. I cannot tell the exact strength because we lost a lot of
6 men in combat. I cannot tell the exact number of men that we
7 retreated with.

8 Q. And then you started the recruitment process. Who were you
9 recruiting?

17:52:51 10 A. We established a second base in Tiaplay and we started
11 recruiting the able-bodied men for training, and we established
12 another training base in Tiaplay.

13 Q. Who was conducting the training at Tiaplay?

14 A. We, the very Special Forces, served as instructors.

17:53:21 15 Q. And, again, was there an age limit as to who could be
16 recruited?

17 A. Yes, from 17 upwards.

18 PRESIDING JUDGE: Yes, Ms Howarth.

19 MS HOWARTH: I'm just going to object to this. It's best
17:53:40 20 to ask what were the ages of the recruits rather than was there
21 an age limit. Earlier a similar question was put and it was
22 asked if there were restrictions.

23 PRESIDING JUDGE: Yes, certainly. The objection is upheld.
24 Please rephrase and not lead.

17:53:58 25 MR CHEKERA: Sorry, Madam President, I did not quite catch
26 the --

27 PRESIDING JUDGE: The question - you are asking the
28 question in a leading manner. You could ask, for instance, "What
29 were the ages of the recruits?"

1 MR CHEKERA: Okay. Yes.

2 PRESIDING JUDGE: In any case, I think he's answered. But,
3 Mr Chekera, do not lead.

4 MR CHEKERA: Yes, Madam President. I will just borrow your
17:54:40 5 phraseology:

6 Q. What were the ages of the recruits?

7 A. 17. I had said earlier, since the first recruit base, I
8 said it was 17 upwards to 40.

9 Q. And for how long did the training last?

17:55:11 10 A. We trained in Tiaplay for a month.

11 Q. Did you remain in Tiaplay or you left to go somewhere else?

12 A. We were in Tiaplay. We did not move to any other target.
13 When a misunderstanding broke out between us in Tiaplay, that was
14 when Prince Johnson decided to break away.

17:55:59 15 Q. What happened resulting in Prince Johnson deciding to break
16 away?

17 A. When we were in Tiaplay, we had now trained a lot of men
18 with the understanding that we should wait for our leader at that
19 time to come so that we could move. So we were --

17:56:34 20 Q. Before you proceed, you've used the phrase "before". It
21 would be easier when you refer to the leader to say who it is
22 that you refer to as the leader. Who do you refer to as the
23 leader?

24 A. At that time Mr Charles Taylor was the leader for the NPFL.

17:56:56 25 So we had now established the largest base with a lot of
26 manpower. So we were now willing to send for him to come and
27 base with us in Tiaplay so that we could advance with the war.

28 Q. Yes. You - the question was: What happened resulting in
29 Prince Johnson deciding to break away?

1 A. That was when Prince Johnson and Samuel Varney were
2 inciting us that we could be making the same mistake and that we
3 shouldn't say because we were bankrupt in Ivory Coast and that
4 the same Congo people who had been in power during the days of
17:58:24 5 Tolbert and that it was that same Congo leadership that were
6 about to take to Liberia again. So if that man came here, he
7 wanted all of us to arrest him. He said if we took that man --

8 Q. What man were you going to arrest? What man are you
9 talking about? Or what man was he talking about?

17:58:55 10 A. Charles Taylor. He said if we took Charles Taylor with us
11 as our President to Monrovia, Liberia, he said those very Congo
12 people who the PRC government had overthrown will come back to
13 power. So he said, "You guys, I would want you to understand
14 this." So there was a serious misunderstanding that erupted
17:59:35 15 between us. So some of us started saying, "Oh, it's not every
16 one of us who will be ready to betray the leader," and we were in
17 the majority. "This man suffered along with us. We did not die
18 in exile. And we have entered - he took us for training and we
19 have entered. The contacts that this man have, we don't have
18:00:07 20 them. And if we arrested this man, this war will not be
21 successful because we do not have any contacts." The war will
22 not be successful, so we decided not to accept that from Prince.
23 So those were some of the misunderstandings that brought disunity
24 amongst us.

18:00:31 25 Q. When you say amongst us, who do you refer to as amongst us?

26 A. Amongst the group of those very Special Forces.

27 Q. Yes. And what happened when there was disunity among you?

28 A. So Prince used to tell us that. And there was one Yegbeh
29 Degbon, he left with the message to see the leader.

1 Q. What message did he leave with to the leader?

2 A. Prince - when we were at the camp in Tiaplay, Prince used
3 to come around us and tell us that, "Look, gentlemen, some of
4 your friends are not fighting. Since we entered with this war
18:01:58 5 and we have already caused the problem and they think the war has
6 ended, they have decided to put the gun down and they are going
7 about enjoying with their families. They don't want to fight."
8 He said, "You should go and advise them." We went and advised
9 them, yet still they did not hear us out. They did not even step
18:02:30 10 their feet on the base at Tiaplay to assist with the training.
11 Even a platoon that was deployed at Karnplay to guard the area,
12 the platoon --

13 THE INTERPRETER: Your Honour, could the witness be asked
14 to go over this slowly.

18:02:48 15 PRESIDING JUDGE: Pause, Mr Witness. You are rushing
16 again. You said, "Even the platoon that was deployed at Karnplay
17 to guard the area." Continue from there slowly, please.

18 THE WITNESS: Any detailed - details that we put somewhere,
19 we put the junior commandos there and the ones we trained were
18:03:22 20 junior commandos. And for each of such details who were deployed
21 somewhere, they had a Special Forces who served as their
22 commander. And there was a group of us, the Special Forces, who
23 were responsible for training the men at the camp at Tiaplay.
24 But most of those Special Forces did not even come to take part
18:03:44 25 and even to help the platoon. So the burden was on the shoulders
26 of three of the Special Forces. So he said we should go and talk
27 to our brothers to come.

28 We went and talked to them. Prince spoke. He spoke until
29 he was tired. So we had a unit that was called task force. The

1 task force was responsible to arrest any violator and that person
2 was spent into the cell and confined. And the task force were
3 the discipline officers amongst our command group. They took
4 orders directly from Prince Johnson and Samuel Varney, the
18:04:45 5 commander and the adviser for the battle group.

6 So we looked into it and I think about few men - four or -
7 three or four of the Special Forces were arrested by the task
8 force and they were locked up. They were charged for evading
9 duty; FFI, failing to follow instruction. And information had
18:05:37 10 filtered in that they saw a strange military boot - footprint at
11 a place called Garplay and Garplay also was a bigger town between
12 Tiaplay and Karnplay and there was a junction there.

13 MR CHEKERA:

14 Q. Just pause there. Information had filtered that they had
18:06:08 15 found a military footprint. Who had seen a military footprint at
16 this place? You said information filtered that they had seen a
17 strange military boot footprint. Who had seen this strange
18 footprint?

19 A. We had our intelligence section that went around bringing
18:06:38 20 information. They went to most of those towns that had not been
21 attacked around the surroundings. Not on the main road. So
22 intelligence will go around those places for information. So
23 intelligence came in that they saw - they found a military boot
24 footprint at Garplay. Garplay is located between Tiaplay and
18:07:05 25 Karnplay. And it had a junction that went towards Bahn going
26 towards Ganta and Sanniquelle. We did not focus on that side.
27 We only focused on Karnplay. So I was told to lead a group to go
28 there for inspection and if it were proven to be true, I should
29 deploy a two squad in an ambush.

1 Q. What is a two squad? You were told to deploy a two squad.
2 What is a two squad?

3 A. To deploy two squads of our soldiers.

4 Q. Yes. Continue.

18:08:11 5 A. So when I left, I went. I went there and left the two
6 squads there. I passed the night there with them and before I
7 could get back to the base, I heard that three of the Special
8 Forces who had been confined had been executed by our authority.
9 The authority were Prince Johnson and General Varney. That they
18:08:58 10 had been executed by the authorities. And it was an order that
11 came from two of them to the task force to execute those people.

12 Q. Just before we continue, just before you move on, General
13 Varney, do you know - if you know, what was the first name for
14 General Varney?

18:09:16 15 A. Samuel Varney.

16 Q. You have referred to him by another military rank. What
17 was his position, if he is the same person? Did you have more
18 than one Samuel Varney?

19 A. There was only one Samuel Varney. We had Samuel Varney and
18:09:47 20 Oliver Varney. There was only one Samuel Varney that was a
21 former commander for artillery base in Camp Naama. Samuel
22 Varney.

23 Q. And what was his military rank at this point?

24 A. No, he was colonel in the military way back. When we
18:10:12 25 entered, there was no rank. We just called chief, chief. There
26 was no rank at that time.

27 Q. You just referred to him or - it is recorded that you
28 referred to him as General Varney. Was that a mistake on your
29 part?

1 A. Yes, later he was promoted to the rank of general. Later
2 in Monrovia he was promoted to the rank of general. That is why
3 I still call him general.

4 Q. Yes. You said that Varney and Prince Johnson had ordered
18:10:53 5 the execution of Special Forces. Please proceed from there.

6 A. So when I got to the base, the base was upside down and I
7 said, "Oh". After that Yegbeh Degbon left to go to where the
8 leader was in Danane in the Ivory Coast. Degbon went there and
9 explained to the leader that there had been an execution of the
18:11:42 10 Special Forces at the base and that the base was completely
11 disorganised, the rest of the Special Forces were grouping one
12 way or the other and that they were waiting for him to come to
13 the base and that there was no way now he should go there now.
14 Then the leader wrote a letter of arrest which was to be sent to
18:12:11 15 the rest of the Special Forces on the base in Tiaplay in order to
16 arrest Prince Johnson, our battle group. It was not an easy
17 task.

18 Q. Was the letter delivered?

19 A. Yes.

18:12:38 20 Q. Was Prince Johnson arrested?

21 A. No.

22 Q. What happened?

23 A. When the order came, we the commanders, the Special Forces
24 commanders, the Special Forces commandos, left. We started
18:12:59 25 grouping, but we left and went to a meeting. And we said, "Here
26 is the letter, gentlemen. How are we going about this?" Then I
27 said, "Look, gentlemen, we have a lot of recruits in our midst
28 here and now the recruits are looking at us, the Special Forces,
29 and there is a task force that executes orders directly from

1 Prince Johnson. If we make any attempt to arrest that man, there
2 are two options: We would either arrest the man, and if we
3 failed to arrest him, what would happen next? This man is a
4 commando like ourselves. Wherever he goes, he goes with a task
18:14:17 5 force manpower, a platoon. If we move on this man, and if the
6 man gives an order, the task force take orders directly from the
7 man, if this man gives an order and if we fail to arrest this
8 man, there would be complete bloodshed, disaster on the base.
9 The unarmed men that we had that we had trained as recruits, many
18:14:52 10 of them will die. And it would not be easy." So what I
11 suggested was that we should escape from the man.

12 Q. [Microphone not activated] escape?

13 A. Yes.

14 Q. Where did you escape to?

18:15:14 15 A. We started organising ourselves, the Special Forces, with
16 some of the men that we had trained that were armed. The
17 armourer, William Gensen, who was controlling the arms, we went
18 to him and cleared all the arms and we escaped.

19 Q. Sorry, if you don't mind repeating what you said. We
18:15:51 20 started organising ourselves, the Special Forces, with some of
21 the men that we had trained that were armed. You mentioned
22 someone. You mentioned a name. If you could just repeat from
23 where you said we started organising with some of the men that
24 you had trained --

18:16:11 25 PRESIDING JUDGE: The armourer. The evidence was the
26 armourer, you said William somebody. Could you tell us that name
27 again, the name of the armourer?

28 THE WITNESS: William Gensen. He was one of the Special
29 Forces. William Gensen. He was controlling the arms room.

1 MR CHEKERA: The spelling I have for Gensen is G-E-N-S-E-E.

2 THE WITNESS: No. G-E-N-S-E-N.

3 MR CHEKERA: Thank you:

4 Q. And you approached the armourer and what happened?

18:17:06 5 A. He was part of the agreement. He was one of those Special
6 Forces. We all used to have the meeting. So he said yes. It
7 was planned that whenever we agreed to move, he said we should
8 let him know; he will pack some of the weapons. The one that we
9 are able to take along we will take along. We cannot take
18:17:26 10 everything along. And we will not leave with everybody. Those
11 that were in training and were unarmed would stay behind. The
12 few people who were armed and whom we've been using we would
13 leave with.

14 So we said, chief, we went and told Prince and Varney that
18:17:56 15 we've had information that there were people coming in groups
16 behind us, and that was the area we wanted to use as our escape
17 route and that they were coming behind us and that we have
18 received that intelligence. So we wanted to deploy a platoon
19 plus of armed men in an ambush and they said, "All right. You go
18:18:21 20 ahead and do that for the safety of the base." So we went there
21 and collected more arms and ammunition and gave it to the platoon
22 and we deployed them in the area that we were to escape.

23 When we got ready, we called William Gensen at night, and
24 at night we continued singing all night. Early in the morning,
18:18:50 25 at 3 o'clock, we started moving. We left the base. We went to
26 Gborplay. Gborplay is one of the district headquarters, the
27 largest town near the border. We went to Gborplay. Before we
28 got to Gborplay, there was information that Mr Taylor was in
29 Danane and he wanted to see T Zaymay, John Teah and Oliver

1 Varney.

2 Q. The T Zaymay that he wanted to see, was it another T Zaymay
3 or was it in reference to yourself?

4 A. Myself. I was the only T Zaymay. So we left for Danane.

18:20:06 5 Q. And what happened when you left for Danane?

6 A. When we went, we met Mr Taylor there. He became angry with
7 us. He said, "If you give me cause, I would leave the war and go
8 on my own. I am feeling sorry for the Nimbadians. You see, your
9 families and your entire county is deserted. Your people are

18:20:40 10 suffering in the Ivory Coast. If it was not for - if it was not
11 that my wife was from Nimba County, I would not involve myself in
12 this thing. You came to fight and you've not gone anywhere and
13 you started killing one another. You are commandos and you are
14 standing by whilst two people are killing three of your friends.

18:21:09 15 You cannot tie them and kill them as well?" He was - he became
16 angry and all of us started crying. We then explained to him
17 that for the safety of the men that we were training, that was
18 why we never attempted to arrest. "Sorry, sir. We can still
19 fight the war."

18:21:52 20 The next day at daybreak --

21 THE INTERPRETER: Your Honours, can he kindly repeat the
22 time.

23 PRESIDING JUDGE: Did you state a time at daybreak? You
24 said the next day at daybreak. At what time?

18:22:07 25 THE WITNESS: When we left the base, the following day in
26 the morning when we escaped from Prince, the following day in the
27 morning when Prince did not see us, he said, "Varney, if we stay
28 here, those guys will come and attack us. So let us leave the
29 base." Then they started leaving with the men whom we had

1 trained to an unknown destination.

2 So when we went, Mr Taylor ordered me, said, "Zaymay, you
3 would go to the base. I am coming to the base. You go to the
4 base, collect and organise a unit and move, and you would go
18:23:19 5 there as the 1st Battalion commander to be based in Gbutuo."

6 JUDGE DOHERTY: Mr Witness, Mr Chekera, I am getting
7 confused. We have the witness repeat ad verbatim what Prince
8 Johnson said to Varney and apparently simultaneously he is
9 listening to Mr Taylor. Now, is he in two places at once or are
18:23:47 10 they all together listening, having these conversations?

11 MR CHEKERA: Let me clarify that. Let me try to establish
12 the foundation for that:

13 Q. You have described for us in detail the conversation that
14 you had with Mr Taylor in Danane. At the same time you have also
18:24:17 15 described in detail what transpired in what I would call Prince
16 Johnson's group, which was apparently in your absence. How did
17 you get to know what was happening with respect to Prince
18 Johnson?

19 A. I got to know what happened to Prince Johnson. Those men
18:24:51 20 whom we had recruited and whom we left at the base and escaped,
21 some of them were told where we were going at Gborplay, and some
22 of them were citizens from Gborplay. So after my instruction,
23 when I came to Gborplay to get my men to move and they based in
24 Gbutuo, it was at that time that some of them had come to
18:25:17 25 Gborplay and they started explaining that Prince - in the morning
26 Prince called them on the field and told them that our lives were
27 in danger and that we should leave and follow him. That was how
28 I got to know what was going on in Prince's camp.

29 Q. When Mr Taylor gave you instructions in Danane to go and

1 establish a base in Gbutuo, did you follow those instructions?

2 A. Yes. My instruction was that I was to come to the base and
3 organise men and move with them to Gbutuo and establish a base
4 there.

18:26:14 5 Q. What base were you going to come to? You said your
6 instructions was to come to the base. Which base are you
7 referring to?

8 A. I was ordered - I was ordered to go and take over Gbutuo
9 and establish my battalion. I was ordered as 1st Battalion
18:26:37 10 commander to go and be based in Gbutuo and open my battalion
11 headquarters in Gbutuo with the instruction that maybe Prince
12 might not get weapons or the arms that - he might not have the
13 arms to fight the AFL in Monrovia. He might not be able and
14 Prince might decide to pass through Gbutuo in order to enter into
18:27:06 15 the Ivory Coast. So the instruction was that, "From Gborplay
16 beside the water bank - the riverbank all the way to Gbutuo you
17 are ordered to deploy men all over there just in case Prince
18 happens to come and want to cross, you would push him inside
19 Liberia. You must not allow him to cross." That was my problem.
18:27:32 20 That was my instruction.

21 Q. You said you followed the instructions. So you established
22 a base in Gbutuo. What happened when you were in Gbutuo?

23 A. Yes. When I was in Gbutuo, I was also told by Mr Taylor
24 that I should remember that some of the men that I had trained
18:28:00 25 were with me - with him. If they know about me, they will come
26 to me. When these people come, they should not be enemies. They
27 are my brothers. They were looking for a location. Maybe they
28 are escaping from Prince. So I went and established my battalion
29 in Gbutuo.

1 Q. Your answer doesn't quite seem clear from the way it's
2 recorded. "I was told by Mr Taylor that I should remember that
3 some of the men that I had trained were with me - were with him.
4 If they know about me they will come to me. When these people
18:28:50 5 come they should not be enemies." If you can just briefly - and
6 very briefly - explain what exactly you mean about the
7 instruction that you were given?

8 A. I mean to say that the recruits whom we had trained when we
9 escaped from Tiaplay, some of those recruits who remained in
18:29:21 10 Tiaplay that went with Prince to an unknown destination, these
11 men are used to you guys. They may want to escape from Prince
12 and come back to you when they would have heard about you that
13 you are a battalion commander in so and so place. If they hear
14 about you they would like to escape from Prince and come back to
18:29:46 15 you. So these recruits, whenever they come to you, they are not
16 to be considered enemies. Receive them. And merge them into
17 your unit.

18 Q. If you recall, can you give us a time frame that you
19 established yourself as Tiaplay. Sorry, not at Tiaplay. At
18:30:11 20 Gbutuo. Sorry.

21 A. Yes, I'm talking about April 1990.

22 Q. And at this time where was Mr Taylor?

23 A. At that time Mr Taylor was still in Danane.

24 Q. Now, do you know what happened of Prince - Prince Johnson?

18:30:47 25 A. There was another group organised by - yes, Prince Johnson
26 was attacked by the runaway group - by our group that had escaped
27 from Prince. Prince was attacked.

28 Q. Just explain for us which runaway group attacked Prince?

29 A. Immediately I had received my order in April 1990, I moved

1 to Gbutuo. Within that same April 1990, Mr Taylor moved and was
2 based in Gborplay, April 1990. That was when he entered
3 Gborplay. He organised a unit headed by General Teah. They were
4 to move first to attack Prince Johnson. Some of the Special
18:32:09 5 Forces commandos were to go on the attack and they said they
6 cannot go without T Zaymay. Then he said, "T Zaymay has a
7 target. He is supposed to move." So a unit was organised by
8 Mr Taylor to attack Prince Johnson from Gborplay.

9 Q. And did you remain in Gbutuo?

18:32:47 10 A. Yes, at that time I was in my command in Gbutuo.

11 Q. And for how long did you remain in Gbutuo?

12 A. I remained in Gbutuo in command for one and a half months.

13 Q. And from Gbutuo did you go anywhere else?

14 A. From Gbutuo the old man, Mr Taylor, called me to report at
18:33:30 15 Gborplay for my supply.

16 PRESIDING JUDGE: Mr Chekera, I'm very hesitantly having to
17 say this. We're looking at the summary that you provided for
18 this witness. We're probably at line 2 on the third day. And
19 what I've noticed is the way this witness is narrating the
18:34:02 20 evidence, he's taking us through every nook and cranny of his
21 career, what conversations were held, what thoughts were thought,
22 et cetera. And I think your duty as the lawyer in charge of this
23 evidence, having in mind the indictment, the relevance of the
24 evidence that you are calling, is to somehow guide the witness to
18:34:31 25 narrate what is relevant and not to meander off into - we're
26 still in 1989 for goodness sake, 1990. When are we going to get
27 to 2010 or 6 at this rate?

28 MR CHEKERA: I do appreciate the --

29 PRESIDING JUDGE: I think you should intervene a bit more

1 and guide the witness to evidence that's relevant. Not
2 everything he says is relevant. And this is not to blame the
3 witness. He is a layperson and he will tell his story as he best
4 sees, but your duty is to guide him.

18:35:15 5 MR CHEKERA: I will attempt to do so, Madam President.

6 PRESIDING JUDGE: Thank you.

7 MR CHEKERA: If you may just give me a minute to consult on
8 a point.

9 Madam President, to the extent I can, I will try to assist
18:37:02 10 the witness to the relevant aspects of his evidence:

11 Q. We were discussing the time that Mr Taylor comes to
12 Gborplay and you were at Gbutuo. I will ask you to, maybe if you
13 can in a very brief manner, narrate the movements that you made
14 from Gbutuo and, if you can, give us the time frames. From
18:37:53 15 Gbutuo where did you proceed to?

16 A. From Gbutuo when I went to Gborplay, Mr Taylor told me that
17 there was information that the Krahn soldiers were coming from
18 Grand Gedeh in order to enter Nimba, so I wanted to move to
19 Tappita and attack Tappita. Forget about Prince Johnson's
18:38:21 20 targets, move to Tappita. And indeed I moved to Tappita.

21 Q. When you moved to Tappita did you belong to any unit - any
22 fighting unit?

23 A. No, at that time there was no group. There was a unit that
24 was prepared that I moved in with to Tappita.

18:38:46 25 Q. And what unit was that?

26 A. There was a unit - there was a platoon that was prepared
27 that was given to me. They were not named.

28 Q. And did you get to Tappita?

29 A. Yes, I successfully captured Tappita and set up a defensive

1 on the bridge between Tappi ta and Grand Gedeh.

2 Q. And from Tappi ta did you proceed to go anywhere else?

3 A. From Tappi ta I was called - no, from Tappi ta I remained.

4 Emmer Glee Johnson came to me in Tappi ta with instruction that we
18:39:37 5 should move to Bassa.

6 Q. The name again of the person who came with the
7 instructions, just the name? Johnson something. What was the
8 first name of Johnson?

9 A. Emmer Glee Johnson.

18:39:58 10 Q. Can you spell the first name for us, the one that starts
11 with --

12 A. E-M-M-E-R. Emmer Glee Johnson. One of the US ex-Marines
13 from Liberia.

14 Q. You came with instruction that you should move to Bassa.
18:40:20 15 Where was the instruction coming from?

16 A. From Charles Taylor in Gborplay.

17 Q. [Microphone not activated] followed the instruction and
18 moved to Bassa?

19 A. The instruction was to proceed first to Gborplay for the
18:40:37 20 supply before moving.

21 Q. And did you go to Gborplay for the supplies?

22 A. Yes, when I went to Gborplay, during the time that I -
23 during my travels to Gborplay I had an accident on the truck and
24 I was taken to Burkina Faso for treatment.

18:41:01 25 Q. How long were you in Burkina Faso for treatment for?

26 A. I was there for roughly two months for train - no, for
27 treatment. Roughly two months for treatment.

28 Q. Do you remember in terms of time frame when this was?

29 A. I'm talking about May and June 1990.

1 Q. And when you left Burkina Faso, where did you go?

2 A. When I left Burkina Faso, I went straight to Kakata to move
3 on Monrovia. At that time the war had extended as far as Kakata
4 to attack Monrovia.

18:42:03 5 Q. And did you take part in the attack on Monrovia?

6 A. Yes, I went and took over 2nd Battalion commander
7 responsible for the main road to enter Monrovia, and I did that.

8 Q. In your attack on Monrovia, how far did you advance?

9 A. We went successfully and entered the university campus and
18:42:39 10 we were based at City Hall looking at the mansion five minutes'
11 away, five minutes' distance ahead.

12 Q. And did you proceed anywhere beyond the City Hall?

13 A. Yes, we deployed at the police headquarters. We deployed
14 at the maternity centre. We were in position waiting for the
18:43:24 15 last order in order to move to the mansion.

16 Q. Did the order to move to the mansion come?

17 A. No.

18 Q. What happened?

19 A. Our battle group commander came with instruction to us that
18:43:53 20 the leader has been told by the Americans that he has already won
21 the war, so we should remain in our position and ceasefire. Any
22 move from there, the entire Monrovia would go into the sea. We
23 have won the war already so we were to remain there. So that was
24 an order from Charles Taylor. So we stopped.

18:44:21 25 Q. And who was your battle group commander who came with the
26 instructions?

27 A. General Isaac Musa.

28 Q. At this time where was Mr Taylor?

29 A. Mr Taylor was based in Gbarnga.

1 Q. And if you can remember in terms of time frame, when was it
2 that you laid siege on Monrovia?

3 THE INTERPRETER: Your Honours, can the learned counsel
4 kindly repeat his last statement? He wasn't clear.

18:44:59 5 THE WITNESS: I'm talking about 1990. July 1990. NPFL
6 entered Monrovia July 1990.

7 MR CHEKERA: Madam President, I don't know whether for the
8 record I should go back and ask the question.

9 PRESIDING JUDGE: I have no idea, Mr Chekera. You are the
18:45:19 10 one with the statement.

11 JUDGE LUSSICK: What you said is already on the record,
12 Mr Chekera, and it's on the record accurately.

13 MR CHEKERA: Thank you:

14 Q. And which forces were you fighting against when you
18:45:40 15 attacked Monrovia?

16 A. The same enemy: The Doe loyal forces.

17 Q. And when Mr Taylor sent instructions for you to ceasefire,
18 did that ceasefire hold?

19 A. Yes. That was an order from Mr Taylor and it took effect
18:46:14 20 that anybody who would fire, one firecracker, the person will be
21 arrested and charged. That will be against the SOP. So it took
22 effect.

23 Q. And for how long did it take effect?

24 A. We remained there from July until August, when ECOMOG
18:46:36 25 arrived in 1990.

26 Q. Do you know where ECOMOG arrived from?

27 A. ECOMOG came from Africa, the African peacekeeping unit as I
28 knew it. It was organised by ECOWAS.

29 Q. And do you know why they arrived?

1 A. They first landed at the Freeport of Monrovia.

2 Q. My question was: Why did they come to Monrovia?

3 A. They came to keep the peace. To restore peace.

4 Q. And what happened when ECOMOG arrived?

18:47:26 5 A. Before ECOMOG could land at the Freeport, they dispatched
6 more than three jet fighters to bombard NPFL locations. Our
7 location was described to them and they started bombarding us
8 from where we were, from the City Hall all the way back to
9 Kakata.

18:47:56 10 Q. Do you know why ECOMOG was bombarding your locations?

11 A. I don't know.

12 Q. And what happened when ECOMOG started bombarding your
13 locations?

14 A. We were not equipped - we were not as equipped as ECOMOG.
18:48:20 15 We had light rifles, AK. They came in with jet fighters that
16 were bombarding us, so we could not withstand it. They killed a
17 lot of our people, the civilians. The civilians - in any
18 controlled area of the NPFL was occupied by civilians.
19 NPFL-controlled areas were the only safe zones for civilians, so
18:48:45 20 they started bombarding us and we all retreated to Kakata.

21 Q. And for how long did you remain in Kakata?

22 A. We remained in Kakata up to 1991.

23 Q. Which part of 1991? If you can't remember the month, when
24 in 1991?

18:49:13 25 A. July we entered Monrovia. In August, ECOMOG attacked us
26 and dislodged us. In August we were in Kakata. We were based in
27 Kakata in August. August 1990.

28 Q. Were you deployed elsewhere from Kakata?

29 A. Yes. I remained there until 1991, when I was transferred

1 to the 6th Battalion in the Bomi Hills.

2 Q. Do you remember exactly when it was that you were
3 transferred to Bomi Hills?

4 A. I was transferred to the Bomi Hills in February. Almost
18:50:10 5 the February ending.

6 Q. And what was your assignment in Bomi Hills?

7 A. To take over as the 6th Battalion commander in Bomi as
8 battalion commander.

9 Q. Who --

18:50:29 10 PRESIDING JUDGE: Sorry, Mr Chekera, the witness mentioned
11 a date. He says, "We were based in Kakata in August" - did you
12 say 1990, Mr Witness? You said 1990. Or did you say 1991?

13 THE WITNESS: ECOMOG entered 1990. I'm talking about 1990.

14 PRESIDING JUDGE: I'm asking you when you were based in
18:51:00 15 Kakata. What did you say? Because it's not written in the
16 record, but I heard you mention a date. You said, "We were based
17 in Kakata in August of" - did you say 1990? Or did you say 1991?

18 Yes, apparently my two colleagues have August 1990 and I
19 have only August and I thought I heard August 1990. But worse
18:51:41 20 still the line - the two previous lines before speak of remaining
21 in Kakata up to 1991. So that would seem like a year in Kakata.
22 From August 1990 to 1991. Now, is that the case? Can you please
23 clarify with the witness?

24 MR CHEKERA: Yes:

18:52:04 25 Q. Mr Zaymay, when you retreated from Monrovia you went to
26 Kakata. For how long did you stay in Kakata?

27 A. I stayed in Kakata from August 1990 up to the time I was
28 transferred in February 1991 to Bomi.

29 Q. When you took over command of the 6th Battalion in Bomi,

1 who were you taking over from?

2 A. I succeeded Oliver Varney.

3 Q. Do you know where Oliver Varney went to when you succeeded
4 him?

18:52:56 5 A. He was transferred to the southeastern region, Maryland, as
6 commander there.

7 Q. And do you know why there was a change in command?

8 A. Yes. I was told by Mr Taylor that Oliver Varney was weak
9 in command. There was harassment in his command area and he
18:53:53 10 couldn't take action. He was taking sides with the soldiers, so
11 he did not stay long there. So I was to go and relieve him.

12 Q. When you say there was harassment in his command, who was
13 being harassed?

14 A. The civilians. He was not in defence of the civilians. He
18:54:15 15 was always in defence of the soldiers.

16 Q. And who was harassing the civilians?

17 A. His command soldiers.

18 Q. Did you get to establish the nature of the harassment?

19 A. I did not know the cause of the harassment, but there was
18:54:44 20 no discipline in his command and that I was to go there and
21 relieve him because I was one of the old soldiers, and Oliver
22 Varney was not in the military before.

23 Q. And my question was: Did you come to know what sort of
24 harassment was going on under Oliver Varney's command?

18:55:08 25 A. Yes.

26 Q. Please tell the Court what sort of harassment was going on
27 under Oliver's command.

28 A. One was that one of the soldiers shot one of the soldier's
29 foot and the issue --

1 THE INTERPRETER: Your Honour, can the witness kindly
2 repeat his answer, this first one.

3 PRESIDING JUDGE: Yes, please repeat your answer, please,
4 from the beginning. The question was: "What kind of harassment
18:55:46 5 was going on?" Now, repeat your answer, please.

6 THE WITNESS: One - the one that I know was that Oliver
7 Varney's soldiers, one of his bodyguards shot one civilian man's
8 foot. So when the complaint reached the superintendent, the
9 superintendent took it up with Oliver. And instead of Oliver
18:56:24 10 investigating the soldier, he told the soldier that the man
11 attacked the soldiers. So that's the one I know about.

12 MR CHEKERA:

13 Q. And how did you come to know of this incident?

14 A. Well, a lot of complaints used to come for Oliver, so
18:56:56 15 Mr Taylor called his chief of intelligence, John - George Mansuo,
16 the chief of intelligence. We were all living in Kakata. He
17 said, "George Mansuo, there are complaints coming up from Oliver
18 Varney's command. I want you to take a team there on a
19 fact-finding mission." George Mansuo, being my friend, he said,
18:57:28 20 "Zaymay, I want you and George Karsuo Tokpa" - he was a Special
21 Forces too - "to go with me on this mission." He briefed me and
22 we went. It was an intelligence, so we went. We assessed the
23 information and there was intelligence in the command as well.

24 When we went, the S2 commander --

18:58:00 25 PRESIDING JUDGE: Mr Chekera, do you recall how I requested
26 you to guide the witness?

27 MR CHEKERA: Yes. Before I do that I will --

28 PRESIDING JUDGE: I don't know where he is going with this
29 story.

1 MR CHEKERA: Yes. Before I do that, I would just give a
2 spelling for Karsuo Tokpa which appears not to be correctly spelt
3 on the transcript. Karsuo is K-A-R-S-U-O. Tokpa is T-O-K-P-A.

18:58:42 4 PRESIDING JUDGE: Who is this George Mansuo, or something
5 like that?

6 MR CHEKERA: George Karsuo Tokpa.

7 PRESIDING JUDGE: No, there was a George Mansuo somebody.
8 Who is this George, chief of intelligence?

9 MR CHEKERA: The spelling I have for George is - sorry.

18:58:46 10 PRESIDING JUDGE: I'm asking the witness. What were the
11 names of the chief of intelligence?

12 THE WITNESS: George Mansuo. M-A-N-S-U-O.

13 MR CHEKERA:

14 Q. The question I had asked you was simply how you came to
18:59:07 15 know about this incident of harassment of civilians that you
16 referred to where a soldier shot at a civilian. My simple
17 question was how did you come to know of this incident? If you
18 could just briefly tell us how you came to know without going
19 into a long narrative?

18:59:32 20 A. Okay. From the intelligence, he said, that had come from
21 Oliver Varney's command, they confirmed it, that there was
22 harassment going on there. The soldier was fired at. The
23 civilian was fired by one of the bodyguards, and there was no
24 punishment for the soldier. That happened.

19:00:06 25 MR CHEKERA: Sorry, did I interrupt you, Madam President?

26 JUDGE DOHERTY: No, I sotto voce said that does not answer
27 the question. It was how he came to know about it. However, the
28 answer is on the record.

29 PRESIDING JUDGE: Do move on, please.

1 MR CHEKERA: Yes.

2 Q. For how long did you remain in Bomi - sorry, in Cape Mount?

3 A. On the fact-finding mission that we went on?

4 Q. No, when you took over from - when you took over from
19:00:58 5 Oliver Varney, for how long were you in that assignment as
6 commander?

7 A. I remained there for - I cannot remember the exact time
8 that I spent in command, but I remained there for a while. I
9 can't give the exact figure.

19:01:32 10 MR CHEKERA: Madam President, would this be an appropriate
11 time --

12 PRESIDING JUDGE: To do what? Are we not supposed to end
13 at 7.30? Let me just see. Let me just check. You've saved
14 everybody. It is supposed to be 7 o'clock.

19:01:54 15 MR CHEKERA: I could go on, Madam President.

16 PRESIDING JUDGE: So could I, but the schedule is 7.

17 Mr Zaymay, we are going to adjourn now until Monday at
18 9.30. In the meantime, you are not to discuss your evidence; is
19 that clear? The Court is adjourned to Monday at 9.30.

19:02:30 20 [Whereupon the hearing adjourned at 7.02 p.m.
21 to be reconvened on Monday, 10 May 2010 at
22 9.30 a.m.]

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I N D E X

WITNESSES FOR THE DEFENCE:

DCT-226	40636
EXAMINATION-IN-CHIEF BY MR CHEKERA	40636