



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

FRIDAY, 14 MARCH 2008
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Simon Meisenberg
Ms Doreen Kiggundu

For the Registry:

Ms Rosette Muzigo-Morrison
Ms Rachel Irura
Mr Michael Adenuga

For the Prosecution:

Ms Brenda J Hollis
Mr Nicholas Koumjian
Mr James Johnson
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Mr Morris Anyah

1 Friday, 14 March 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:30:10 5 PRESIDING JUDGE: Good morning. I note some changes of
6 appearances, Ms Hollis?

7 MS HOLLIS: Morning, Madam President, your Honours. Today
8 for the Prosecution: James Johnson, Chief of Prosecutions,
9 Brenda J Hollis, Nicholas Koumjian and Maja Dimitrova.

09:30:31 10 PRESIDING JUDGE: Thank you, Ms Hollis. Welcome to The
11 Hague, Mr Johnson. I think this is the first time we have seen
12 you.

13 MR GRIFFITHS: Your Honour, we remain unchanged from
14 yesterday, so it is Courtenay Griffiths, Terry Munyard and Morris
09:30:44 15 Anyah.

16 PRESIDING JUDGE: Thank you, Mr Griffiths. If there are no
17 other matters I will remind the witness of his oath.

18 Mr Witness, I again remind you that you have taken the oath
19 to tell the truth. The oath is still binding on you and you must
09:30:57 20 answer questions truthfully. You understand?

21 THE WITNESS: Yes, sir. I will say the truth and nothing
22 but the truth.

23 PRESIDING JUDGE: Thank you, Mr Witness. Please proceed,
24 Mr Griffiths.

09:31:08 25 WITNESS: TF1-399 [On former oath]

26 CROSS-EXAMINATION BY MR GRIFFITHS [Cont.]

27 MR GRIFFITHS: May it please your Honour:

28 Q. Mr Marzah, yesterday when we adjourned I was asking you
29 about shipments of arms that you say were brought into Liberia by

1 both air and by sea, and we ended the day with you informing us
2 that you knew that one source of such arms was Taiwan. Do you
3 recall that?

09:31:45

4 A. I did not tell you about a particular area that the thing
5 used to come. I said both RIA and the kind of boat. That was my
6 statement.

7 Q. Let us talk about the source of the arms before they got to
8 Liberia. One of the sources you told us yesterday was Taiwan; is
9 that right?

09:32:05

10 A. Yes.

11 Q. Who told you that?

12 A. Through Benjamin Yeaten, the chief security of
13 Charles Taylor.

09:32:21

14 Q. What about Charles Taylor? Did he tell you that because
15 apparently, according to you, you were on speaking terms with
16 him? Did he tell you that?

09:32:48

17 A. Yes. Charles Taylor only mentioned Burkina and the one
18 from a European country, from where the white man was coming, but
19 he didn't name the European country to me, but we considered it
20 to be America.

21 Q. Help me, please: When and where did you have this
22 conversation with Charles Taylor?

09:33:12

23 A. On so many occasions my leader Charles Taylor had the
24 confidence in me because we had passed through so many societies
25 which he knew about from Harbel Hill. At the time of the
26 execution of Herr [phon] Doe we sat down and discussed and from
27 there in Gbarnga, again in his own residence and even in his own
28 residence in Monrovia, at White Flower.

29 MR KOUMJIAN: Your Honour, if I can just note I heard the

1 witness say "Poro societies", but I didn't hear that in the
2 translation, just "societies".

3 PRESIDING JUDGE: Mr Interpreter, did the witness
4 specifically refer to Poro societies?

09:33:47 5 THE INTERPRETER: Your Honours, could the witness say it
6 again?

7 PRESIDING JUDGE: No, Mr Interpreter, I am asking you the
8 question. Did the witness say Poro societies?

9 THE INTERPRETER: Your Honours, the interpreter cannot
09:33:57 10 recall. I am following the witness. Could he say that again?

11 PRESIDING JUDGE: Mr Witness - please assist the witness.
12 I am asking did you say "Poro society", or did you say "society"?

13 THE WITNESS: I said Poro society.

14 PRESIDING JUDGE: We will [overlapping speakers].

09:34:23 15 MR GRIFFITHS:

16 Q. Well, given that you are telling us that you had such a
17 close relationship with the president at such a high level, can
18 I ask you about some other matters then?

19 A. You are welcome, sir.

09:34:38 20 Q. By late 1996 Charles Taylor was a member of the Council of
21 State, chaired by the Honourable Ruth Sandoh Perry, wasn't he?

22 A. Yes. That was the time we had the interim government. He
23 was not a full-time president, but we used to call him president.

24 Q. At that time all other members of the warring factions were
09:35:09 25 also on the council, weren't they?

26 A. Repeat the question.

27 Q. All other members of the other warring factions in Liberia,
28 they were also represented on the council, weren't they?

29 A. Yes, yes.

1 Q. And at that time, we are talking about 1996, there were
2 20,000 peacekeeping soldiers throughout Liberia, wasn't there?

3 A. I can't give you the exact number now because I have told
4 you that it was not on record, or it was not something that

09:35:54 5 I kept.

6 Q. No, but you would have us believe that you were operating
7 at the highest levels of government, in a military capacity, so
8 this is the kind of fact you should be able to assist us with.

9 So, please, let me ask you again: Were there not 20,000

09:36:15 10 peacekeepers in Liberia in 1996?

11 A. 1996 - I can remember '90 when ECOMOG was deployed there
12 and from there, whilst we were in Monrovia during the period of
13 the interim government, actually I was busy on so many occasions.

14 I cannot give you the full number of the men that were assigned

09:36:51 15 there, but if it will be 20,000, or above 20,000, I only know

16 that the peacekeeping force was assigned there.

17 Q. It was a large force, wasn't it?

18 A. Large, or large?

19 Q. A large, L-A-R-G-E, force.

09:37:16 20 A. Okay, okay. When you say plenty, it will be clear to be
21 understood, yes.

22 Q. Right. Those soldiers manned all airports, sea ports and
23 border entries from Sierra Leone, Guinea and Cote d'Ivoire,
24 didn't they?

09:37:41 25 A. It was not in all the areas you are naming, but those who
26 were assigned at the airport at that time, they were biased
27 against our president, Charles Taylor. They were working for
28 money, so through them we used to get ammos from them, because
29 the Nigerians who were assigned there believed in black deal.

1 Q. What does that mean?

2 A. They used to sell the weapons to our chief. Sometimes when
3 our logistic came overnight, when the ammos came overnight,
4 Charles Taylor will call me personally, Ben, Joe Tuah, Peter
09:38:32 5 Saikpedeh, and sometimes we will take with us a carton of money
6 just from this end to this end, all in US dollars, and it will be
7 received by Victor, who was the ECOMOG commander assigned with
8 Charles Taylor at White Flower, and then he will hand deliver it
9 to the commander that was at the airport for us to be able to get
09:38:53 10 our ammos and ammunition from the airport at that time.

11 Q. So, let us just take it in stages then. Firstly, there
12 were Nigerian troops stationed at Roberts International Airport.

13 A. Not just Roberts International Airport. Some were assigned
14 directly with Charles Taylor at the old White Flower. Some were
09:39:23 15 assigned at the ECOMOG headquarters and some were assigned at
16 Grand Bassa because they believed that through our chief
17 Charles Taylor they used to get money, so they used to liaise
18 with us in line of receiving our arms and ammo.

19 Q. I am talking about arms coming in through Roberts
09:39:50 20 International Airport, so can we just concentrate on Roberts
21 International Airport as a point where arms were coming into the
22 country, okay? Now, were there Nigerian troops stationed at
23 Roberts International Airport?

24 A. At that time we were having --

09:40:18 25 Q. I'm sorry to interrupt you, but everybody is anxious to
26 complete your evidence as soon as possible, so can you try and
27 answer with a sentence which includes either of the two short
28 words yes or no. Let me ask the question again. Were there
29 Nigerian troops stationed at Roberts International Airport, yes

1 or no?

2 A. Make it clear because I can recall in the '90s Nigerian
3 troops were assigned and later they were withdrawn from there.
4 Make it clear because when I speak fast again --

09:40:58 5 PRESIDING JUDGE: Pause, Mr Witness. Counsel is going to
6 make --

7 MR GRIFFITHS:

8 Q. Let me make it clear then. In 1996/1997, the period when
9 you told investigators and prosecutors in this case you were
09:41:15 10 involved in ferrying arms from Roberts International Airport, at
11 that time were there Nigerian troops stationed at the airport,
12 yes or no?

13 A. Yes.

14 Q. How many Nigerian troops were stationed at the airport at
09:41:40 15 that time?

16 A. It was about the size of a company and they were mixed up
17 with some Ghanians, but at the time we received the ammos, they
18 won't allow the Ghanians to go inside the fence. They took over
19 the night shift. The Nigerian troops were in charge of the night
09:42:04 20 shift.

21 Q. You are saying, are you, that it was through bribery that
22 it was possible to bring arms through Roberts International
23 Airport?

24 A. Yes.

09:42:20 25 Q. You personally bribed these officers, did you?

26 A. The money was given to us and then we will take it to
27 Victor, who was the Nigerian officer assigned with
28 Charles Taylor, and he, Charles Taylor, would hand deliver the
29 money to him and then we will all board the same car and he will

1 take it to the Nigerian officer that was assigned at the airport.
2 But the money would be hand delivered by me.

3 Q. Right. Where would you get that money from?

4 A. From Charles Taylor's house, White Flower. From

09:43:04 5 Charles Taylor's house, White Flower. He himself would bring the
6 money and give it to Victor in my presence, whilst we were
7 sitting down, and then he will tell us to escort Victor to the
8 airport and we will remain there to get those items.

9 Q. And Victor, what is Victor's full name, please?

09:43:28 10 A. No, the name that I can recall, that is it. Even through
11 the black deal, when the disarmament was going on, he was the
12 same person that helped us to take some of the arms from
13 Charles Taylor's house and hide it and at that time ECOMOG was
14 doing searching in all the council members' houses.

09:43:56 15 Q. Mr Marzah, you were telling us yesterday that you were
16 making numerous trips to Roberts International Airport. You are
17 telling us today that that involved bribery of a Nigerian senior
18 officer. Now, given that, you must have had a relationship with
19 him, so try and help us. What is his name?

09:44:20 20 A. Victor, that is his name that I can remember. I told you
21 that the thing happened for a long time ago, so I cannot know the
22 man's full name. I was not even expecting that today I will sit
23 before the honourable judges to be explaining. It was not
24 something I kept in record to say it was something, David Jones'
09:44:50 25 name in my archives, or Peter Merry's name in my archives.

26 Q. What rank was he within the Nigerian forces?

27 A. Captain, Captain Victor.

28 Q. Captain Victor, a Nigerian soldier whose full name you
29 don't remember. Have I summarised that properly?

1 A. You said whose full name I can remember?

2 PRESIDING JUDGE: Counsel said you do not remember. That
3 is all right. Continue, Mr Griffiths.

4 MR GRIFFITHS:

09:45:30 5 Q. Can I fairly summarise what you are telling us about this
6 man because I am anxious to try and identify who you are talking
7 about, you see, or that those sitting opposite can also have that
8 opportunity. It is a captain, he is Nigerian and his name is
9 Victor. Can you give us any other identifying details of that
09:45:52 10 man?

11 A. The man used to dress in military uniform and once you were
12 in military uniform it was difficult to identify - to say I would
13 identify a military personnel amongst the unified group, but he
14 used to dress in military uniform and even the time they made an
09:46:21 15 attempt on us at the mansion, he was hit with a bullet, the
16 Nigerian man, the captain.

17 Q. So, it is a Nigerian officer who on one occasion was
18 wounded during an attack on which place?

19 A. At the mansion during the six man council government.

09:46:47 20 Q. That helps us as well. Where was that man stationed?

21 A. Each and every day he was assigned with a car, but every
22 day I also used to come from my house and meet him at the site of
23 the job, but he was assigned directly with Charles Taylor, but at
24 that time I never knew his residence.

09:47:16 25 Q. Why not?

26 A. For security reasons because he was a commander and when he
27 was hit he was changed from there and they brought another man,
28 so it was not compulsory for me to ask him, "Say, Victor, where
29 do you live?" And I never knew his residence.

1 Q. But from what you are telling us, Mr Marzah, you were third
2 in command in Liberia. Only Benjamin Yeaten and the President
3 stood above you, so how come you didn't know that?

09:47:58 4 MR KOU MJIAN: Objection, that misstates the evidence. It
5 is assuming a fact not in the evidence. The witness never
6 testified he was number 3 in Liberia.

7 PRESIDING JUDGE: Pause, Mr Witness. You have heard the
8 objection, Mr Griffiths.

9 MR GRIFFITHS: I will rephrase the question, your Honour.

09:48:10 10 PRESIDING JUDGE: Thank you.

11 MR GRIFFITHS:

12 Q. Yesterday you told us that the only two people in the
13 country above you were Benjamin Yeaten and the President. Do you
14 remember telling us that?

09:48:20 15 THE WITNESS: Yes, Madam President, please. I want to talk
16 with you before I answer this question. You said I shouldn't
17 question the counsel, but again he shouldn't offend me too,
18 please. So, repeat your question. I am willing to answer your
19 question. Do not offend me and do not misquote me.

09:48:48 20 PRESIDING JUDGE: Mr Witness, I am not clear what is
21 offensive, but if you have asked it to be repeated, I will ask
22 counsel to repeat it and if I think you are being harassed,
23 I will intervene.

24 MR GRIFFITHS:

09:49:02 25 Q. Mr Marzah, did you tell us yesterday that the only two
26 people above you, in terms of importance, were Benjamin Yeaten
27 and President Taylor?

28 A. Yes, yes, through our Poro society.

29 Q. Can we just stick to the "yes", please. I am anxious to

1 get on. Given that position, Mr Marzah, how is it that you
2 didn't know where this captain was living?

3 A. Yes, I was not to know the area and I was not due to know
4 all the security houses and for me to be close to these two
09:49:57 5 people was based upon our Poro society and even down to Taylor,
6 we all used to eat the human beings whilst we were there, so he
7 was part of it.

8 Q. How does that feature in the question I asked? Have you
9 got a fixation about eating people, Mr Marzah?

09:50:16 10 MR KOUMJIAN: Objection, that question is not productive,
11 I believe, to these proceedings.

12 PRESIDING JUDGE: Somewhat facetious remark, Mr Griffiths.

13 MR GRIFFITHS: It bore no relation whatsoever to the
14 question I asked, your Honour.

09:50:30 15 PRESIDING JUDGE: I agree, that part of that answer is
16 quite irrelevant. I am talking about the fixation part on your
17 question.

18 MR GRIFFITHS: Very well:

19 Q. I want to move on, Mr Marzah, so can you help me with this
09:50:45 20 please: This discussion we have been having about the bribery of
21 Nigerian troops at Roberts International Airport, in order to
22 facilitate the bringing in of arms, why did you not tell the
23 Prosecution about this?

24 A. Yes, sir, thank you. I told you that there were so many
09:51:11 25 problems and from the questions of the Defence and the judges,
26 that will let me remember some of the behaviours. It was not
27 something that was on record for me to deal with as my handiwork,
28 so when the questions come then I will think about them.

29 Q. Mr Marzah, you were asked questions about arms coming in

1 through Roberts International Airfield and I showed you yesterday
2 a passage in an interview where you referred to hundreds of trips
3 to that airport. Now, tell us why, in that context, did you not
4 mention this bribery?

09:51:53 5 A. Yes, sir, Mr Counsellor. That is what I am continuously
6 repeating. I said it was something that went on on different
7 occasions. It was not in record for me to go through it bit by
8 bit, but through the judgment I will recall the ideas and
9 remember some of those behaviours. Yes, sir.

09:52:21 10 Q. Very well. Now, speaking about peacekeeping troop
11 deployment in Liberia at that time, such troops manned
12 checkpoints on all major and minor roads throughout the country,
13 didn't they?

14 A. Yes, there were checkpoints. There were checkpoints, but
09:52:51 15 there were close contacts by Charles Taylor through Victor that
16 I am talking about. That is by giving them money and at times
17 some of those materials will be transported in an ECOMOG Mowa
18 [phon] car, a Mowa, a jeep. ECOMOG would not check the cars, the
19 weapon car that their colleague used.

09:53:21 20 Q. Let us just break that down now, shall we? You agree there
21 were checkpoints throughout the country on all major and minor
22 roads. Do you agree that?

23 A. Yes, there were checkpoints.

24 Q. Those checkpoints were manned by non-Liberian troops; is
09:53:50 25 that right?

26 A. You know, some checkpoints were occupied by ECOMOG and some
27 checkpoints were occupied by Liberians, but going far into it
28 that was the zone when the six man council became technical for
29 Charles Taylor to make way for Charles Taylor to dissolve --

1 THE INTERPRETER: Your Honours, the last bit of the
2 witness's evidence was not clear.

3 PRESIDING JUDGE: Mr Witness, please repeat your answer
4 after you said "Charles Taylor dissolved". What did he dissolve?

09:54:27 5 THE WITNESS: Thank you, sir. I said at the time the six
6 man council was trying to be technical, he liaised -
7 Charles Taylor liaised with the ECOMOG through the Victor that
8 I am talking about and from there the ECOMOG dissolved the
9 Liberian checkpoints and the checkpoints that remain were just
09:54:52 10 ECOMOG checkpoints.

11 MR GRIFFITHS:

12 Q. So, there were checkpoints throughout the country manned by
13 ECOMOG troops throughout the period 1996/1997; is that right?

14 A. Yes.

09:55:15 15 Q. Thank you, That will do. At those checkpoints all persons
16 and vehicles were searched; is that right?

17 A. Yes, ordinary vehicles.

18 MR KOUMJIAN: Objection, I think the witness is entitled to
19 explain that answer.

09:55:37 20 PRESIDING JUDGE: He said "ordinary vehicles".

21 THE WITNESS: Okay, I said ordinary vehicles would be
22 searched, but the ECOMOG mobile was not searched and it were
23 those ECOMOG mobiles that we used to carry those arms and ammos
24 through Victor.

09:55:59 25 MR GRIFFITHS:

26 Q. So when, for example, in 1996/1997 you were transporting
27 arms from Monrovia to Sierra Leone, you were using ECOMOG
28 vehicles, were you?

29 A. At that time we used to move at night and sometimes we

1 didn't use ECOMOG vehicles and ECOMOG was nothing to us in that
2 matter. They took directions from us and through President
3 Charles Taylor's instruction we would disarm them and they would
4 be executed, so they had no alternative to search our car.

09:56:47 5 Q. I am trying to follow what you are telling us, so
6 I apologise if this takes longer than I thought it would. ECOMOG
7 vehicles were used to transport arms to the RUF; is that right?

8 A. I told you ECOMOG vehicles were used from the airport to
9 White Flower, but from White Flower to go to the RUF controlled
09:57:18 10 area I was assigned with two yellow Mack trucks with which
11 I would move overnight and whilst I was moving Victor would
12 escort me from Monrovia, White Flower, to Bong County and when
13 I entered Lofa then we will have control over the ECOMOG that
14 were assigned in Lofa. That was the area where they stopped,
09:57:49 15 from the airport to White Flower.

16 Q. So, when all of those shipments came into Roberts
17 International Airfield, all of them, all of those arms and
18 ammunitions would be loaded onto ECOMOG vehicles and taken to
19 White Flower; is that right?

09:58:14 20 A. Yes.

21 Q. So, consequently you are telling us that Nigerian troops
22 were conniving with Charles Taylor to --

23 A. Yes.

24 Q. -- evade the arms embargo. Is that what you are telling
09:58:32 25 us?

26 A. Yes.

27 Q. And they were doing that throughout the period 1996/1997?

28 A. Yes, during the period of the interim government when they
29 were assigned there.

1 Q. Just to follow through on what you are telling us, from
2 White Flower to the border with Sierra Leone you would have to go
3 through ECOMOG checkpoints, wouldn't you?

4 A. That question, it comes --

09:59:14 5 THE INTERPRETER: Your Honours, the witness is running too
6 fast for the interpreter.

7 PRESIDING JUDGE: Again, Mr Witness, please go a little
8 slower for the interpreter. Please start your answer again.

9 Thank you, Mr Witness.

09:59:33 10 THE WITNESS: Thank you. Before I moved up from White
11 Flower during 1996 up to 1997, I would be escorted by ECOMOG
12 troops, by ECOMOG troops. From 1996, when Voinjama - I mean Lofa
13 was captured by ULIMO, they used to escort me up to Yekepa area
14 at night.

10:00:11 15 MR GRIFFITHS:

16 Q. So, I just want to make sure I understand what you are
17 telling us. From White Flower, onwards to Sierra Leone, these
18 shipments of arms intended for the RUF, you would be protected by
19 ECOMOG soldiers; is that right?

10:00:33 20 A. Yes, it is right, by the directive of Charles Taylor.

21 Q. So, consequently the transport of arms into Liberia and
22 onwards to the RUF, that was done with the full connivance and
23 knowledge of ECOMOG, was it?

24 A. Yes.

10:01:01 25 Q. Thank you.

26 A. At the time they were victims for the first time. When we
27 received orders from Charles Taylor, that was the time they
28 realised our weight, so they were subject to Charles Taylor.
29 They only used to receive some money from him and then they will

1 help us to escort us as far as Nimba, for us to pass through.

2 Q. Help us please, again, Mr Marzah: Why did you not --

3 A. Yes.

10:01:43

4 Q. -- whisper a word of this to the investigators and the
5 prosecutors during those many conversations you had with them?

6 A. I told you that there were many occasions from the time the
7 investigators started asking me and from your own questions now
8 it will let me recall some of those behaviours. I told you that,
9 sir.

10:02:15

10 Q. Now, also was it not right that during this period no-one
11 was permitted to bear arms except the peacekeepers?

12 A. Repeat the question.

13 Q. Let me put it differently so that you get the context. At
14 the time the Council of State was set up, there was an attempt,
15 was there not, to disarm all of the combatants?

10:02:51

16 A. Thank you. At that time they were disarmed and the six man
17 council, Charles Taylor's friend, one white man, helped us
18 through Charles Taylor and we were in possession to fortify
19 Charles Taylor's security. We all had pistols with us, but
20 I cannot tell you about the other councilors' securities.

10:03:23

21 Q. That is not what I am talking about. Generally, within
22 Liberian society at the time, there was a process of disarmament,
23 wasn't there?

24 A. Yes, they had disarmament process.

10:03:45

25 Q. As part of that process the only persons permitted to carry
26 arms were the peacekeepers; isn't that right?

27 A. Yes.

28 Q. Also at that time is it not right that Charles Taylor lived
29 at Mamba Point, opposite the US Embassy compound, Mamba Point?

1 A. He only spent roughly about two or three months in that
2 place, but at that time, when we were there, we were still in
3 possession of firing arms.

10:04:40 4 Q. But just to limit my question to where he was living, he
5 did live at that time at Mamba Point, didn't he?

6 A. At that time he was at Mamba Point and later he left there
7 to go to the old White Flower.

8 MR GRIFFITHS: Mamba, your Honours, is spelt M-A-B-A [sic],
9 Point as in P-O-I-N-T. M-A-M-B-A, M-A-M-B-A.

10:05:20 10 THE WITNESS: Mamba Point.

11 MR GRIFFITHS:

12 Q. Can you spell it for us, Mr Marzah?

13 A. Hey, counsellor, I have always told you my problem. I beg,
14 I am unable.

10:05:36 15 Q. The reason why I have spent so long dealing with ECOMOG's
16 presence in Liberia at the time is because I suggest to you that
17 it would have been impossible for you to be transporting arms
18 through Liberia to the RUF, precisely because of that ECOMOG
19 presence. That is the truth, isn't it?

10:06:03 20 A. Thank you, Mr Counsellor, but I am telling you the truth
21 and nothing but the truth and I told you from the beginning that
22 I am one of the living bodies of the NPFL and I am telling you
23 the exact story. We were still in possession of firearms with
24 the consent of some of the ECOMOG staff.

10:06:28 25 Q. Now, as part of that process of disarmament, Mr Marzah, all
26 the arms collected were destroyed by ECOMOG, weren't they?

27 A. It were the ugly ones that they destroyed, but the
28 effective ones that we had, Victor also made it possible for us
29 to be able to take them and bury them at the Camp Schefflein

1 Highway and we also took some from there and we carried them as
2 far as Gbarnga in the Mowa jeep. It were the ugly ones that they
3 took to BTC and with some fraction on weapons they burned them,
4 but the effective ones were still in our possession.

10:07:31 5 Q. But arms were destroyed by ECOMOG?

6 A. Yes, they destroyed some arms, but not all the weapons that
7 I was aware of.

8 Q. And those arms were destroyed under the supervision of the
9 United Nations, weren't they?

10:07:57 10 A. What I know, I personally saw the ECOMOG troops. All
11 I knew was that it was an ECOMOG force. Whether it was United
12 Nations - all I know that it was ECOMOG troops.

13 Q. Again, it was the same Victor who allowed Charles Taylor to
14 keep the effective arms buried in Liberia, yes? The same Victor
10:08:35 15 made that possible?

16 A. The same Victor I am talking about, yes. He was the person
17 who the contact passed through. He was the one that the contact
18 passed through, but not all the ECOMOG contingent were concerned.
19 It was through Victor and a few staff that we carried out the
10:08:59 20 hiding of these weapons.

21 Q. Now, this Victor features so prominently in your evidence,
22 I am sorry but I am going to have to try and press you for as
23 much identifying details as possible. Can you tell us as much as
24 you can about this Victor, please, because I want to be able to
10:09:19 25 trace this man. Can you help us? He is a captain, he is
26 Nigerian, he was shot. What else do you know about him?

27 A. Since Victor was shot at the mansion and when he was
28 released from there, since then I have never seen him, so from
29 there I can say I cannot be able to trace Victor.

1 Q. Can you help us with any other details about him? Anything
2 will do.

3 A. The only information that I am aware of about Victor was
4 that Victor assisted us to get some arms for us through the
10:10:06 5 directive of Charles Taylor. Besides that, I don't know any
6 other story about Victor, how he went, or how he came.

7 Q. Describe him for me.

8 A. Even though you are standing up, but you are more bulky
9 than Victor. You are more bulky than Victor. Victor was a black
10:10:38 10 guy and he was a Nigerian.

11 Q. So he is not as fat as me?

12 A. No, no, no, no. No, he is not taller than you.

13 Q. So he is about my height?

14 A. What is your height?

10:11:00 15 Q. About 5 foot 9 when I exaggerate.

16 A. I beg you, tell me what is 5 feet and 9. No, I am saying
17 that you and him, you are taller than the man a little, but he
18 was a slim man. He was a very active captain that I am talking
19 about. Maybe if I stand up now, like I am standing now, Victor
10:11:27 20 will just stop somewhere around here [indicated].

21 Q. So he reached around your shoulder. Shoulder height to
22 you?

23 A. He would be over my shoulder a little, but when he is in
24 the military boots maybe his head will come closer to the level
10:11:44 25 of my ear.

26 Q. Help me, please: Did he have long hair, short hair, or
27 what?

28 A. No, no, Victor was not having long hair. He was a man that
29 was a very clean guy. He was a clean Nigerian guy. He was

1 always shaved and he had his hair cut. He was a clean military
2 personnel and even the time you see him, you can say no dirty man
3 can sit with him. He was a clean guy. He was a learned man.

10:12:26

4 Q. What complexion was he? Was he as dark as me, darker than
5 me, or what?

6 A. Almost - you are almost like him, but he is darker than
7 you.

8 Q. And anything else you can help us with?

10:12:48

9 A. If the questions continue, if I recall I will help you with
10 it, but if I don't recall I will not be able to help you with it.

11 PRESIDING JUDGE: Just for purposes of record, we will note
12 that the witness stood and indicated first shoulder height and
13 subsequently ear level height.

10:13:06

14 MR GRIFFITHS: Could I just have a moment, please, your
15 Honour:

16 Q. Does the name Victor Malu mean anything to you, Mr Marzah?

10:13:59

17 A. No, no, no. I didn't say Victor Malu. That Victor, Victor
18 Malu, I saw Victor Malu, but the Victor I am talking about was
19 the captain. Victor Malu is different from the captain that I am
20 talking about.

21 Q. So we know that Victor Malu was the Nigerian general in
22 charge of the peacekeepers in Liberia. So, it was not that
23 Victor, it was another Victor.

10:14:21

24 A. No, no. Victor Malu is different and the Victor I am
25 talking about, the captain, he is different. General Victor is
26 different. Victor Malu is different. The captain that was
27 assigned with Charles Taylor, which I knew, is different.

28 Q. But you did know Victor Malu?

29 A. Yes, I knew Victor Malu, but it is a long time ago. He

1 left us, but I don't know where he is.

2 Q. But it was Victor Malu who was in command of ECOMOG troops
3 in 1996/1997; is that right?

10:15:06

4 THE INTERPRETER: Your Honour, can the learned counsel
5 please repeat the question?

6 MR GRIFFITHS:

7 Q. It was General Victor Malu who was in command of ECOMOG
8 soldiers in 1996/1997?

10:15:24

9 A. There were many ECOMOG generals that were in command, but
10 I can't recall exactly, but I know Victor Malu to be one of the
11 ECOMOG generals. But the Victor I am talking about was a company
12 commander under Victor Malu.

13 Q. Let me ask the question differently. At the time you say
14 you were transporting arms through Liberia to the RUF, who was
15 the commander of the ECOMOG troops?

10:15:47

16 A. Thank you very much. There were so many officers of
17 Nigeria, Nigerian forces were there. Victor Malu was there.
18 There is another man whose name I have forgotten. There were
19 many there, Nigerians, including some Ghanians, but Victor Malu
20 was popular so I got used to his name. But the one that was
21 assigned to us directly, with our chief Charles Taylor directly,
22 is the one that I can describe and I will tell you his functions,
23 the time he was with us.

10:16:21

24 Q. Now, apart from Nigerian troops that peacekeeping force was
25 also made up of Ghanians; is that right?

10:16:47

26 A. Yes, yes.

27 Q. Soldiers from Guinea; is that right?

28 A. Yes.

29 Q. Soldiers from Uganda?

1 A. I can't remember that, but most of them - you know, being
2 that I battled against the Nigerians, I knew the Nigerians,
3 I knew the Ghanians, I knew the Guineans and I knew the Sierra
4 Leoneans, but the rest of the other countries, I didn't know
10:17:22 5 them. I only considered them to be ECOMOG troops.

6 Q. Help me, the bribery that you spoke of, that involved the
7 Ghanians and the Guineans and the other troops as well, did it?

8 A. No, I can't tell. What I know that I can tell you is that
9 the commander who was at Robertsfield was a Nigerian man. He was
10:17:55 10 also a major. He was the person that received the money. I am
11 sorry, it is a long time now. I have forgotten his name, but he
12 was the person that received the money, but I never used to see
13 Ghanians there, Guineans, or Sierra Leoneans. It was between the
14 Nigerians.

10:18:13 15 Q. So, it was this Victor who organised the bribery from
16 Roberts Airfield to Monrovia and also from Monrovia to the Sierra
17 Leone border. The same captain did all of that; is that right?

18 A. Yes, that is right.

19 Q. So, someone of the rank of captain was able to bribe
10:18:40 20 soldiers throughout the whole of Liberia?

21 A. To bribe soldiers in the whole of Liberia - the one that
22 I know about is what I am talking about, but whether the money
23 went through the rest of Liberia I don't know.

24 Q. But you told us that you would be escorted by ECOMOG troops
10:19:08 25 from Monrovia all the way up to Nimba, wasn't it? So, who was in
26 charge of that part of the bribery?

27 A. The company commander that was assigned there, alongside
28 the Nigerian forces that were assigned under him, they were the
29 ones who used to carry out that assistance.

1 Q. Give us a name for the person who organised that for you.

2 A. I told you Victor, Victor, but I can't remember the names
3 of all the people. Their Nigerian names are difficult. I am
4 unable, but you can ask our leader, Charles Taylor himself. He
10:19:59 5 will show you and he will tell you that it was Victor who was the
6 commander of the Nigerian troops with us there in White Flower
7 and at the mansion. Yes, sir. So, it is Victor that I know.

8 Q. You see, what I am going to suggest to you, Mr Marzah --

9 A. Yes.

10:20:34 10 Q. -- is this account that you gave to the investigators and
11 the prosecutors about making hundreds of runs taking arms to
12 Sierra Leone, I suggest that is a lie.

13 A. I will not lie to you and I will say the truth and nothing
14 but the truth. It was even above hundred trips that I will tell
10:21:02 15 you about and even some Sierra Leoneans, they used to see me, and
16 even people in Lofa used to see me pass through their county, so
17 if it is possible for you to do some background investigation
18 they will tell you, but I made over a hundred trips.

19 Q. I suggest the transport of arms in the way you have
10:21:25 20 suggested would have been impossible during that period
21 1996/1997, given the presence of ECOMOG troops in Liberia. That
22 is the truth, isn't it?

23 A. Not just in '96 and '97. I told you that they at the
24 airport in '91 to '96 and after Charles Taylor was elected
10:21:54 25 president the shipments still continued, so within this time the
26 trips were above hundred. It were not just in '96 and '97.

27 Q. I finally suggest, as far as this topic is concerned, that
28 you have deliberately manufactured that account for your own
29 purposes, perhaps for financial gain. Do you understand?

1 A. I am hoping on my very self, I am not working for money.
2 I am saying the truth and for our country to have proper peace
3 with our neighbouring countries that are surrounding us, but I am
4 telling you the truth about what happened. I cannot lie whilst
10:22:47 5 I have already taken an oath on the Bible.

6 Q. Yes. Now, on Wednesday of this week you told us about a
7 trip made by certain RUF members to Burkina Faso to purchase
8 arms. Do you remember that?

9 A. Yes, I stated that.

10:23:22 10 Q. Can you help us firstly with when that was?

11 A. I told you on Wednesday that at the time I used to carry
12 the arms and ammos to Mosquito and whilst I was returning
13 I brought some diamonds in jars, but Mosquito and I, including
14 Mike Lamin and their bodyguard that was called FOC, Junior and
10:24:00 15 others, I can't name all of them, when I went with the ammos they
16 showed me a diamond, a passport size diamond which was big. So,
17 when we took these ones to Monrovia Charles Taylor was impressed
18 and he even gave us envelopes with money inside and the money
19 that was in my own envelope was above 100 - I mean 1,000.

10:24:30 20 PRESIDING JUDGE: Mr Witness, the question was about arms
21 and Burkina Faso.

22 MR GRIFFITHS:

23 Q. Do you recall RUF members going to Burkina Faso to purchase
24 arms?

10:24:42 25 A. Yes, through the recommendation of Charles Taylor. He sent
26 Musa Cisse along with them, Eddie Kanneh, Mike Lamin, Mosquito,
27 in my presence.

28 Q. When was that?

29 A. I can't recall the year, or the date. I told you.

1 Q. And all of those members went to Burkina Faso to purchase
2 arms, did they?

3 A. Those people whose names I have called to you, they were
4 people who were given to Musa Cisse for recommendation to go and
10:25:23 5 bring arms and when they came they did not bring the arms, but to
6 my surprise we were in a nightclub and Mosquito received a call
7 that the cargo plane had arrived from Burkina. They said it was
8 from Burkina and when we went there there were enough of arms and
9 ammos and we were unable to carry them all that same night, so
10:25:47 10 that was what I told you from the beginning. These were the
11 people who went: Mike Lamin, Eddie Kanneh, Mosquito and Issa
12 Sesay [sic] and the rest of the men stayed with me in Monrovia.

13 PRESIDING JUDGE: Yes, Mr Koumjian?

14 MR KOUMJIAN: I thought the interpretation might have used
10:26:07 15 the wrong name for one of those names.

16 PRESIDING JUDGE: I see. My learned colleague agrees with
17 you. Can you refer us to the record so it can be corrected, or
18 checked.

19 JUDGE SEBUTINDE: Mr Witness, did you mention Musa Cisse,
10:26:21 20 or Issa Sesay?

21 THE WITNESS: I said Musa Cisse. I didn't say Issa Sesay.
22 I said Musa Cisse.

23 JUDGE SEBUTINDE: Thank you.

24 THE WITNESS: Not Issa Sesay.

10:26:37 25 MR GRIFFITHS:

26 Q. Tell me, how were those arms purchased in Burkina Faso paid
27 for?

28 A. I was not there, but where I was I knew straight that they
29 were going for arms. After we took this passport size and the

1 Large diamonds we brought after the passport size diamond, he
2 sent them for them to go and make recommendations for Mosqui to to
3 be getting direct arms and ammos, so once they returned Mosqui to
4 told me that his trip was successful and the following night

10:27:17 5 I saw a plane arrive with enough of ammos. So, I believe that
6 they bought them, but I was not with them in Burkina.

7 Q. Do you know of a place in Sierra Leone called Magburaka?

8 A. Yes, I know Magburaka. I know Tongo, I know Kono, I know
9 Bunumbu, I know Mine 91, I know Kono, I know Kailahun.

10:27:46 10 PRESIDING JUDGE: Yes. We are only asking about one place.
11 Just pause, please, and hear the next question.

12 MR GRIFFITHS:

13 Q. The next question is do you know of an airfield at
14 Magburaka?

10:28:01 15 A. Airfield, no.

16 Q. Do you know of any flights from Burkina Faso into Magburaka
17 carrying arms for the RUF?

18 A. I can't tell. I was not there at that time. I can't tell.

19 Q. You know nothing at all about any such event?

10:28:22 20 A. If I know I will tell you, sir, but I don't know. I was
21 not there all the time.

22 Q. Very well. If one were in the north eastern part of Sierra
23 Leone during the period when the RUF were active in Sierra Leone,
24 which would be the nearest international airport for you?

10:28:55 25 PRESIDING JUDGE: Pronounce the name of the place again,
26 please, Mr Griffiths.

27 THE WITNESS: I don't know.

28 MR GRIFFITHS: North eastern Sierra Leone, your Honour.

29 THE WITNESS: I don't know. I don't know. The only place

1 I know that they had the football field, when I was in doing the
2 invasion a helicopter went to collect me to Monrovia. That was
3 in Kailahun, but besides that I don't know whether they had an
4 airfield, or a playing field.

10:29:26 5 Q. My fault I am sure.

6 A. Thank you.

7 Q. There is an international airport in Freetown called Lungi,
8 isn't there?

9 A. The place through which we pass, is that the name?

10:29:44 10 Q. Do you know of the international airport in Freetown,
11 Sierra Leone, called Lungi?

12 A. Yes, I saw that one when I was coming here.

13 Q. Do you know of an international airport in Liberia called
14 Roberts Airfield?

10:30:07 15 A. Yes, yes, even my wife is from there. I have some children
16 from Robertsfield. I know the airport.

17 Q. If you were a member of the RUF and you wanted to fly to
18 Burkina Faso, which airport were you forced to use because of the
19 civil war?

10:30:32 20 A. Repeat the question.

21 Q. If I was Musa Cisse and I wanted to get to Burkina Faso to
22 buy arms, which was the only international airport I could use?

23 A. At times you will use car, you go through Ivory Coast. At
24 times you will use Roberts International Airport. At times you
10:31:03 25 use Springfield in Monrovia city.

26 Q. But if I was an RUF member, could I, during that time of
27 the civil war, travel to Freetown and get on a plane at Lungi to
28 fly out of the country?

29 A. No, no, no. I don't understand that question. Repeat it.

1 Q. Because of the civil war in Sierra Leone, if I was an RUF
2 member and I wanted to fly out of the country, could I use the
3 international airport in Freetown?

4 A. It could be that if you connive with the Freetown
10:31:49 5 government, like the way Gibril Massaquoi, who was the spokesman
6 when he deviated from the unit, maybe those are some of the areas
7 he passed through. That could happen, but it is not possible as
8 RUF member to fly over the enemies and then use a plane from
9 Lungi Airport.

10:32:17 10 MR GRIFFITHS: Your Honours will recall that yesterday
11 I raised a matter regarding the manner in which a certain aspect
12 of this witness's evidence should be dealt with. I have reached
13 that topic now. I wonder if we could make arrangements.

14 PRESIDING JUDGE: Mr Koumjian, you are aware of the issue
10:32:37 15 that arose yesterday. Have you any objection?

16 MR KOUMJIAN: We request private session given what counsel
17 has notified us of. Thank you.

18 PRESIDING JUDGE: We will have to go into closed session,
19 please - private, excuse me. Private session. I should inform
10:33:01 20 members of the public that the next portion of the questions and
21 answers will not be heard by the public. This is in accordance
22 with the rules for the security of certain witnesses.

23 MR GRIFFITHS: Your Honour, you might wish to indicate to
24 the public that this period shouldn't last more than 10 minutes,
10:33:21 25 or so.

26 PRESIDING JUDGE: Counsel has informed us that he does not
27 expect this session to last more than 10 minutes, the private
28 session I am referring to, and then the Court will again be in
29 full open session. Incidentally, if you just want to sit and

1 watch you are free to do so.

2 MR KOUMJIAN: Your Honour, just taking advantage of the
3 time, Victor Malu, the last name is spelt M-A-L-U.

4

5 [At this point in the proceedings, a portion of
6 the transcript, pages 6115 to 6125, was
7 extracted and sealed under separate cover, as
8 the proceeding was heard in private session.]

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1 [Open session]

2 MS IRURA: Your Honour, we are in open session.

3 PRESIDING JUDGE: Thank you. Please proceed, Mr Griffiths.

4 MR GRIFFITHS:

11:00:00 5 Q. Mr Marzah, so far as you transporting arms into Guinea,
6 I suggest that was done without any involvement whatsoever by
7 President Taylor. That's the truth, isn't it?

8 THE INTERPRETER: Your Honours, the witness's microphone is
9 not on.

11:00:21 10 PRESIDING JUDGE: Just pause, Mr Witness. We have to put
11 your microphone on. Thank you, Mr Witness. Please start again
12 from the beginning.

13 THE WITNESS: Yes, yes. It involved Mr Taylor and without
14 him we wouldn't get this and it was through his instruction that
11:00:44 15 we implemented them.

16 MR GRIFFITHS:

17 Q. Because just to look at that enterprise in a little more
18 detail, in order for you to get those arms across the Guinean
19 border you had set up a private arrangement with a Guinean
11:01:03 20 customs officer, hadn't you?

21 A. It was based on Mr Taylor's influence and he asked me to
22 carry out this operation and to establish business by buying kola
23 nut, palm oil, to establish that business for me to be able to
24 convince the securities and for me to be able to be crossing with
11:01:32 25 those items. I never had the experience, but he educated me.

26 Q. Who organised the situation with the customs officers in
27 Guinea? Was it you or was it Mr Taylor?

28 A. I was the one. I was the one. After he gave me.

29 Q. So do you agree that you, Zigzag Marzah, set up a personal

1 relationship with a woman in Guinea?

2 A. Yes.

3 Q. And as a result of that personal relationship you set up
4 with that woman you were thereafter able to cross from Liberia
11:02:27 5 into Guinea unmolested by the Guinean customs?

6 A. Yes, through Mr Taylor's directive for us to be able to
7 transport the weapons.

8 Q. Can we just leave Mr Taylor to one side for the minute and
9 just look at the way in which this was set up. You found the

11:02:52 10 woman, you gave her the money, you made the arrangement. Is that
11 right?

12 A. I did not give the woman money and I cannot put Mr Taylor
13 aside because I never had any authority to do such thing without
14 his effort.

11:03:21 15 Q. I have just been informed, Mr Marzah, that you are not even
16 waiting for the translation. You fully understand me, don't you?

17 A. What do you mean? What?

18 Q. You are not even waiting for the translation. You fully
19 understand what I am saying, don't you?

11:03:46 20 A. Well, I don't understand you. Repeat. The ones that
21 I don't understand, you will repeat it. This is my first time
22 sitting in front of you here, so please educate me.

23 Q. Mr Marzah, you see what I am suggesting is that you have
24 been trying to deceive us throughout your testimony in this
11:04:12 25 Court. That's the truth, isn't it?

26 A. I am not deceiving the Court. I am saying the truth and
27 nothing but the truth before God and man. What I did and the
28 processes I passed through, all what I did are those I am telling
29 you. If it is something that you want me to continue and

1 continue I will still recall so many other activities that went
2 on. It has been a long process and it had happened a long time
3 ago and I cannot just recall them all.

11:04:49 4 Q. As an example of your deceit you had your mobile phone
5 switched on with you in court yesterday, didn't you?

6 A. My phone was not - the phone is spoilt. It is a spoilt
7 phone and even if you say I should send for it, I cannot
8 communicate with that phone here. The phone cannot communicate.
9 The Nokia is now in my residence.

11:05:14 10 PRESIDING JUDGE: Mr Witness, that's not the question. The
11 question was did you have your mobile phone switched on with you
12 in court yesterday?

13 THE WITNESS: The phone was not on, sir.

14 MR GRIFFITHS:

11:05:28 15 Q. Were you not receiving messages on that phone while you sat
16 in that very seat yesterday answering questions?

17 A. No, no, no, no, nothing like that, nothing at all, nothing.

18 Q. Were you asking to go to the bathroom on more than one
19 occasion yesterday in order to check your messages?

11:05:50 20 A. No, no. Going to the bathroom was to free myself. It was
21 not to check messages. What I am telling you were the things
22 that happened and the ones that I can remember are the ones that
23 I am telling you. I am not somebody who somebody will put words
24 in his mouth.

11:06:17 25 Q. Mr Marzah, was there somebody outside of this courtroom
26 giving you instructions whilst you gave your evidence yesterday?

27 A. Upon the oath that I took in this Court I will say the
28 truth and nothing but the truth since I started my testimony and
29 that was the very day that the KPN closed my phone and the phone

1 is spoilt. I have not had - I have not been in touch with
2 anybody at all.

3 Q. Did you have that phone with you in court on Wednesday, the
4 first day that you came to give evidence?

11:07:02 5 A. The phone? No, no. The reason why you saw the phone,
6 I brought the phone to turn it over so that they can service it
7 for me, but the officers, that is the protective officer who is
8 taking care of me, he said the phone will not be fixed until I go
9 through my testimony. Even up to this moment I am angry with
11:07:33 10 them because I would like to be in touch with my family. And
11 since I started this testimony I have not been getting
12 communication easily. I can show you the phone. If you ask for
13 it they can give officers, they will go for it and they will
14 bring it and you will put it on yourself and then you will see
11:07:57 15 it, whether you can make call through it or not.

16 Q. Mr Marzah, what you engaged in in Guinea, if you were
17 engaged in that activity, you were doing that to line your own
18 pockets, weren't you?

19 A. Not my own way. I have always told you, sir, that I was
11:08:27 20 directed by my leader Charles Taylor and during Charles Taylor's
21 administration I can't recall any man doing things on his own,
22 may the Lord forbid.

23 Q. Was the situation this: That a lot of ULIMO arms were
24 floating around Lofa County at the end of the civil war and that
11:08:54 25 people like you were collecting them up and selling them for your
26 own purposes across the border? Is that the situation?

27 A. No, no, no. Even in Liberia if they tell you that
28 I disarmed it will be a black lie because I was instructed by
29 Charles Taylor to take all the weapons to Senaye [phon] and that

1 I did. I left the enemies in Gbarnga and I penetrated with my
2 bare hands and I never had even a round to disarm, yes.

3 Q. Now, I have received some instructions, Mr Marzah, about a
4 particular little detail. There was an occasion when an attack
11:09:45 5 was made on the Executive Mansion in an attempt to kill President
6 Taylor. That is right, isn't it?

7 A. Yes, yes.

8 Q. It is during that attach that you say Victor the Nigerian
9 was injured, is that right, he was shot?

11:10:06 10 A. Yes, even then the desk that Mr Taylor was sitting on, it
11 was God that helped him to rush into the bathroom. In fact the
12 desk was pierced through by a bullet. In fact some people were
13 lucky, they jumped from the first floor over the fence and some
14 people who went inside together, they died, yes.

11:10:34 15 Q. You see, I am asking you about that detail because the
16 Nigerian officer who was liaising with President Taylor and who
17 got shot during that incident his name was Ali not Victor.

18 A. No, no. I said Victor, Captain Victor. Ali is different.
19 Ali was a deputy to Victor. If anybody told you Ali, it is a
11:11:07 20 black lie. The Ali in fact you are talking, it is from this
21 topic now that I have got to recall his name, but it was Victor
22 that I knew as the commander.

23 Q. But it was Ali who was shot. That's right, isn't it?

24 A. It is Victor's that I can recall. Whether Ali was shot
11:11:31 25 I don't know because that day was a busy day and for us to even -
26 to have even taken President Taylor from there to White Flower to
27 come and engage the people again, I can say it was a busy day.
28 So it was Victor who was close to our leader Taylor. He is the
29 one that I know about.

1 Q. And do you recall that Ali had to be airlifted to Nigeria
2 for medical treatment?

3 A. I can't tell. I can't tell. I can't tell. I can't tell.

11:12:26

4 Q. On how many occasions have you transported diamonds from
5 Sierra Leone to President Taylor?

6 A. That was not on record and I can't remember all. From the
7 time of Mosquito's administration and up to Issa's
8 administration, but I cannot check all.

9 Q. Let me try again.

11:12:51

10 A. Yes.

11 Q. On how many occasions did you, Zigzag Marzah, transport
12 diamonds from Sierra Leone to Monrovia?

11:13:16

13 A. I told you it was on many occasions, but I cannot tell you
14 the exact number of trips. I don't want to lie to you, but maybe
15 if I check the trips it might be above 10, 15 to 20 trips, but
16 I cannot recall all the trips. And each time I carried ammos
17 I must bring diamonds along with Mosquito's representatives. And
18 if they were plenty in the jar Mosquito will either send Issa
19 along with me or he himself will come along with me. It happened
20 on many occasions so I cannot recall all.

11:13:40

21 Q. And on each occasion was it a mayonnaise jar that was used?

11:14:10

22 A. Not a mayonnaise jar. It was some kind of a bottle, you
23 know, a bottle which was a size like this glass, but it was a
24 little longer with a small mouth. Sometimes the diamond will
25 stop just by the level, or sometimes the diamonds will not go
26 that far, they will just stop somewhere around here. But the
27 real one that made him to be impressed was the shoulder pad
28 diamond.

29 MR GRIFFITHS: Now, if I can indicate, your Honour, I think

1 the witness indicated a bottle about six inches in height,
2 perhaps three inches in diameter which he said on occasions might
3 be anywhere between two and a half to three inches full with
4 diamonds.

11:14:49 5 THE WITNESS: I don't know the inches. I don't know the
6 inches. But if they brought me a jar here I will show you the
7 difference. Sometimes when they brought big diamonds about 10
8 and 15 and when you put them inside they will go even above the
9 brink of this thing, when they were big in size. But if they
11:15:11 10 were like 10 carats downwards or 20 carats upwards they will not
11 be plenty in the jar and then we would wrap the jar in a piece of
12 cloth and put it into a bag.

13 PRESIDING JUDGE: For the purposes of record, Mr Griffiths,
14 I note that Mr Koumjian appears to have agreed with that
11:15:30 15 estimate.

16 MR KOUMJIAN: Yes.

17 MR GRIFFITHS: I am grateful:

18 Q. Now you took a jar of that size to President Taylor on over
19 20 occasions?

11:15:49 20 A. I told you I can't recall all the trips that I made. They
21 were many trips, I can't recall all. That was what I said to
22 you.

23 Q. But on each trip you would take a jar back of that size?

24 A. Sometimes we did not carry it in jars. When we knew that
11:16:13 25 the big ones - can I go on?

26 Q. I hope not. Let me try a different question because I am
27 anxious that we get on with this. Let me ask it differently. On
28 each occasion that you went back to President Taylor you carried
29 diamonds, whether in a jar, whether in a sock, whether in your

1 underpants. Is that right?

2 A. I wouldn't take diamonds in my briefs. Diamonds is
3 something that you can keep in --

4 PRESIDING JUDGE: The question is on each occasion that you
11:16:54 5 went back to President Taylor did you carry diamonds.

6 THE WITNESS: Yes. When I was coming from Sierra Leone,
7 yes.

8 MR GRIFFITHS:

9 Q. And you did that on more than 20 occasions?

11:17:10 10 A. I told you I can't give an exact account of the trips, but
11 it happened on many occasions and each trip that I made,
12 I brought diamonds along with the representatives of the RUF.

13 Q. And apart from you, other RUF members were taking diamonds
14 to Charles Taylor as well, weren't they?

11:17:34 15 A. Yes, yes, yes.

16 Q. Bockarie would take diamonds - Sam Bockarie would take
17 diamonds, would he, to Charles Taylor?

18 A. Can I talk? Okay, I am a soldier. I talk about what
19 I know and I talk of my very self, so that question is meant for
11:18:01 20 those whose names you are calling. It's not for me.

21 Q. Is it within your knowledge that Bockarie took diamonds to
22 Charles Taylor?

23 A. I can't give you an imaginary answer. I am talking about
24 my own acts. I can't talk about what they carried out or not.

11:18:28 25 PRESIDING JUDGE: Mr Witness, do you know, or do you not
26 know?

27 THE WITNESS: I don't know. I know about my own.

28 PRESIDING JUDGE: Thank you.

29 MR GRIFFITHS:

1 Q. Well, help us then, please. How is it that when you spoke
2 to investigators on 31 January 2006, page 9, your Honours, you
3 said to them, second line:

4 "The witness stated that he knew that Bockarie carried
11:18:56 5 diamonds from Sierra Leone into Monrovia and that the diamonds
6 were for the old man."

7 Why did you tell them that when, according to you now, you
8 knew nothing about it?

9 A. I told you Mosquito and I --

11:19:13 10 PRESIDING JUDGE: Just pause.

11 MR KOUMJIAN: I think in fairness the rest of the
12 paragraph, at least the next sentence should be read.

13 MR GRIFFITHS: Your Honour, I will conduct my
14 cross-examination in the manner I would like to. I will come to
11:19:27 15 the rest of the passage in due course. Mr Koumjian can rest
16 assured that I will, but I am dealing first of all with the
17 contradiction. If my learned friend would allow me a couple of
18 uninterrupted questions - he is the one anxious to finish the
19 witness today. Please let us get on with it.

11:19:49 20 PRESIDING JUDGE: Put the question, Mr Griffiths.

21 MR GRIFFITHS:

22 Q. Why did you tell them in this statement that you knew
23 Bockarie took diamonds to Monrovia and yet you're telling us now
24 that you don't? Which of those two is right?

11:20:09 25 A. The one that is right was the trip that Mosquito made with
26 me and the one that he and I carried and that is what I am
27 talking about. But in the case of his own personal occasions,
28 like Joe Tuah going to collect him or Benjamin Yeaten going to
29 collect him, I can't give accounts about that. But the trips

1 that he made with me with the diamonds is what I am talking
2 about.

3 Q. Did you say to the investigators that you knew that
4 Bockarie carried diamonds from Sierra Leone to Monrovia for the
11:20:41 5 old man?

6 A. Yes.

7 Q. Did you tell them that; yes or no?

8 A. Yes, yes, yes.

9 Q. So if you told them that back in January 2006, why did you
11:20:53 10 tell me something different no more than five minutes ago?

11 A. No, what I am telling you is that the trips that he made
12 with [indiscernible] there or Joe Tuah or Benjamin Yeaten I don't
13 know about it. But the trips that he made with me, he and
14 I escorted the diamonds, that is what I am explaining to the
11:21:17 15 people. But the ones that he did with those people I can't give
16 account about that. So time will come that you will ask me to
17 describe what I carried out and what I saw. So the things that
18 I did not see I am unable to describe them. So he and I, that is
19 Mosquito, we made so many trips with diamonds to Charles Taylor.

11:21:39 20 Q. Because the paragraph goes on:

21 "The witness stated he was present at White Flower on
22 several occasions when Bockarie gave Taylor diamonds. The
23 witness stated that he would pick Bockarie up" --

24 A. Yes.

11:21:57 25 Q. -- "at the RUF safe house in Monrovia (referred to as the
26 YMCA) by car at night and take Bockarie to White Flower where
27 Bockarie would spend the night. He recalled on one occasion
28 being present when Bockarie gave Taylor a large diamond."

29 Is all of that true?

1 A. Yes, it is true.

2 Q. So if you were able to give all of that detail in January
3 2006, why did you give me a contrary answer five minutes ago?

4 MR KOUMJIAN: Objection. That was not a contrary answer.

11:22:33 5 The question of counsel was did he know if Bockarie gave diamonds
6 on trips he wasn't on, this witness wasn't on, and he is talking
7 in this paragraph about trips he was on.

8 MR GRIFFITHS: No, he is not. He is not talking about
9 trips he was not on, your Honour. Look at the passage. If

11:22:52 10 my learned friend can read --

11 JUDGE LUSSICK: The record, Mr Griffiths, at page 61 line 6
12 -beg your pardon, line 4, you asked: "Is it within your
13 knowledge that Bockarie took diamonds to Charles Taylor?" There
14 was no limitation on that. It was just a broad question. His

11:23:15 15 answer was: "I can't give you an imaginary answer. I am talking
16 about my own acts. I can't talk about what they carried out or
17 not." Then the Presiding Judge says: "Do you know or do you not
18 know?" The answer was: "I don't know. I know about my own."

19 MR GRIFFITHS: I am grateful, your Honour.

11:23:36 20 JUDGE LUSSICK: So that's what the record says. You asked
21 a broad question, you didn't put any qualifications on it
22 whatsoever and you got a negative answer.

23 MR GRIFFITHS: I am grateful, your Honour:

24 Q. I asked you about a Mr Sherri f yesterday who worked for the
11:23:57 25 SSS. As far as you are aware did he carry diamonds to
26 Charles Tayl or?

27 A. I don't know about the Sherri f's activities. I cannot
28 guess and give you a wrong answer because Charles Taylor is in
29 problem today. I am telling you what I know. I can't give an

1 account of Sherri f.

2 Q. What I suggest, you see, Mr Marzah, is that once again in
3 relation to diamonds you were telling the investigators what you
4 felt they wanted to hear in order to profit for yourself. That's
11:24:39 5 the truth, isn't it?

6 A. No, I told you, Mr Counsellor, during Charles Taylor's
7 administration, and moreover with things like diamonds, if you
8 did things on your own you were risking your own life. So
9 whatsoever activity went on it was as a result of the approval of
11:25:08 10 Charles Taylor. That is what I am telling you.

11 Q. Because the bottom line is you have been receiving quite
12 considerable sums of money from the Prosecution, haven't you?

13 A. No, no.

14 Q. Can we go to page 107, please.

11:25:34 15 A. Anyway, you will ask.

16 Q. Now starting in about November 2006 you started to receive
17 money from the Prosecution, didn't you?

18 A. Repeat your question.

19 Q. According to the records disclosed to us, from about
11:26:18 20 November 2006 you started to receive money from the Prosecution,
21 didn't you?

22 A. I can't remember that. And moreover that got me annoyed to
23 leave Sierra Leone and even though they used to pay for my
24 transportation from Nimba County to Monrovia.

11:26:44 25 Q. Tell me, the records I have suggest that - I'm sorry. The
26 records I have suggest that the first payment you received was in
27 April 2006 when you received 25 US dollars. Page 103, your
28 Honours. Do you recall that?

29 A. I remember that. Mr Counsellor, please is this thing not

1 coming on? Mr Counsellor, when we talk about money, 25 United
2 States dollars is not money for a type like me to come and work
3 for it. I am here in the best interests of my republic, Liberia.
4 So I am here to say the truth. \$25, I have people who I pay more
11:27:40 5 than that.

6 Q. Well, let us talk about \$400 because it was my mistake, you
7 see. The very first payment you receive from them dated Sunday,
8 26 February 2006 was for 400 US dollars. Is that also a paltry
9 sum, Mr Marzah?

11:28:02 10 A. Yes, it's a small money. From my village to Monrovia is
11 about \$130, USD. So when I make trips to and from and you give
12 me \$400 what was I going to take home? It was something like -
13 I was submissive to them for me to say the truth. Yes,
14 I received the 400. And apart from that on several occasions
11:28:40 15 I received more transportation from them.

16 Q. Well, 400 US dollars may be not a lot of money to you if
17 you had been making thousands selling arms in Guinea. Is that
18 where you made your real money from?

19 A. From which one? I make my money - I make my money out of
11:29:13 20 the proceeds of my farm. I have a large palm farm. I have a
21 large rubber farm. I told you I cover 378 acres of land and
22 apart from that the same thing --

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

11:29:33 25 PRESIDING JUDGE: Just two things. First of all,
26 Mr Witness, you are speaking too fast and, secondly, I think the
27 tape has just about run out. So we will take the opportunity to
28 take the mid-morning break. We will adjourn now and resume at
29 12 o'clock. You understand?

1 THE WITNESS: Thank you, sir. Thank you sir.

2 PRESIDING JUDGE: Please adjourn court until 12.00.

3 [Break taken at 11.30 a.m.]

4 [Upon resuming at 12.00 p.m.]

12:00:04 5 PRESIDING JUDGE: Please proceed, Mr Griffiths.

6 MR GRIFFITHS: May it please your Honour:

7 Q. Mr Marzah, you were telling us before we adjourned that you
8 are a quite substantial property owner and businessman. Is that
9 right?

12:00:28 10 A. Yes.

11 Q. Did you get the money to set up that business from arms
12 dealing?

13 A. No.

14 Q. Where did you get the money from?

12:00:45 15 A. I got the money when I was serving the government from
16 Doe's administration up to Charles Taylor's administration. And
17 my wife is a business woman, up to this moment she has a large
18 business, and also I had a credit union on my own.

19 Q. And so you set up that business purely from your earnings
12:01:13 20 as a soldier under the Doe and Taylor regimes?

21 A. Yes, yes, and also - come in again.

22 Q. You set up that business solely from your earnings as a
23 soldier under the Doe and Taylor regimes?

24 PRESIDING JUDGE: And his wife's business.

12:01:43 25 MR GRIFFITHS: I was going to come to that.

26 PRESIDING JUDGE: It is just the word "solely".

27 MR GRIFFITHS: Yes.

28 THE WITNESS: Yes.

29 MR GRIFFITHS:

1 Q. And also from your wife's business?

2 A. No, what I have is what my wife controls and I don't have a
3 separate business of my own and then my wife's business is not
4 separate.

12:02:13 5 Q. You told us earlier that your wife is a business woman and
6 she has a large business. Is that right?

7 A. Yes, yes.

8 Q. What kind of business is it?

9 A. She sells dry goods and from there she will buy some palm
12:02:36 10 oil and sell them, because we have a palm oil factory, and apart
11 from that she sells --

12 THE INTERPRETER: Your Honours, your Honours, the witness
13 said something. I don't know smell, or what. It is not clear to
14 the interpreter.

12:02:52 15 PRESIDING JUDGE: Mr Witness, the interpreter did not hear
16 you clearly. What is it that your wife sells? You said you have
17 a palm oil factory "... and apart from that she sells --"
18 Continue from there, please.

19 THE WITNESS: Thank you. Apart from that we have cement,
12:03:14 20 she sells them by bags, and also we sell rice in container per
21 bag and also we sell dry goods on old road. And apart from that
22 we have our own credit union and we have over 78 people who
23 contribute towards it. Under the credit union we take the money
24 and then we buy our goods to sell them and gain more profit, so
12:03:53 25 anyone who joins us with 500 Liberian union and based on the
26 credit that you will own in the club we will give you credit by
27 the end of the year, sometimes 500, or 1000, or 2000, and if you
28 credit more money for you to open more avenues we will give you
29 money depending on the credit that you own with us. So, those

1 are some of the businesses.

12:04:46 2 And, moreover, during Charles Taylor's regime we even
3 fought the war as far as from Nimba up to Buchanan. Anything
4 that - any safe that we burst through his directive we will take
5 the safe to him, myself and my commander Paul Well [phon], and
6 then we will take it to him at the Roberts international airport.
7 After the time we took the seven safes from the airport, we took
8 it to him at Gbarnga and then he burst it and he gave me over 8
9 to 9,000 USD and from there I was able to make use of that money
12:05:09 10 during the revolution.

11 And transportation of the diamond also. When I carried
12 ammos for Mosquito, Mosquito would sometimes give me about a
13 million or 2 million leones and when I exchanged that it will go
14 up to 1,000-plus or 2,000-plus United States dollars. That was
12:05:32 15 how I got the money, yes.

16 Q. So, the bottom line is you were profiteering during the
17 Sierra Leone civil war? You were making money out of it?

18 A. Yes, through Charles Taylor.

19 Q. So as a consequence the 3,417,000 in local currency that
12:06:02 20 the Prosecution gave you, that is not a lot of money to you, is
21 it? (Page 1024, your Honours.) That is not a lot of money to
22 you, is it?

23 A. How many millions?

24 Q. 3,417,000 in local currency?

12:06:22 25 A. No. I did not experience such an amount, no. 3 million?
26 No. No, I did not receive 3 millions from anybody.

27 Q. Well these are the records which the Prosecution themselves
28 have given me and, according to those records, you have received
29 since about February 2006 4,785 US dollars, 3 million plus -

1 3,417,000 in local currency and it would appear a further 53,000
2 something although it does not state in what currency. That is
3 not a lot of money to you?

4 A. No, I told you I did not receive such an amount from
12:07:16 5 anybody. What I received, if your record serves you right, when
6 you say it if it is true I will say it is true, but I did not
7 receive the millions and millions you are talking about. What I
8 get is - was through my very self and the struggle that we
9 struggled behind Charles Taylor, and even the time we took the
12:07:45 10 passport size diamond to Charles Taylor the envelope that he gave
11 me and the money that was inside it was above 2,000 United States
12 dollars. I told you previously. So for that reason the
13 Prosecutors in Freetown, I didn't receive the whole lot of
14 millions that you are talking about. If you say in leones then I
12:08:10 15 don't know, but millions, no.

16 Q. I am just going on the records in front of me, Mr Marzah,
17 provided by the Prosecution, and also you see in addition --

18 A. No, no.

19 Q. In addition to those sums, you also received a further 3,
12:08:30 20 300,000 - it looks like 300,600 leones?

21 A. Leones? I don't know the differences. I don't know the
22 difference of the Leone, but if it were US dollars or Liberian
23 dollars if you brought them up I will know the difference. But,
24 you see, the leones that you are talking about, 3,000 - I mean
12:09:00 25 300,000 leones is 6,000 LD, which is 100 US dollars. So if it is
26 leones maybe it could be true, but if it is US dollars or
27 Liberian dollars I did not receive such an amount. A hundred
28 dollars US in Liberian dollars is 6,000 and in leones is 300,000.

29 Q. Very well. There are a couple of matters which I want to

1 clear up before I am going to what we lawyers call put my case to
2 you. Firstly, you told us about the beating to death of
3 Vice-President Enoch Dogolea. Do you remember telling us that?

4 A. Yes.

12:09:53 5 MR GRIFFITHS: And that is spelt, your Honours, E-N-O-C
6 D-O-G-O-L-E-A-H:

7 Q. And you were involved in that, you tell us, Mr Marzah?

8 A. Yes, sir. Yes, sir. I told you it was by the directive of
9 Charles Taylor. When he said that Enoch Dogolea was trying to
12:10:23 10 liaise with the American government, then he pass instructions to
11 Benjamin Yeaten in my presence. Then they pretended as though
12 Enoch Dogolea and Charles Taylor were going to travel, and when
13 Charles Taylor went to the airport they put Enoch Dogolea in a
14 tinted car and they took him to Benjamin Yeaten's yard in the
12:10:44 15 banana bush and he was beaten there to the point of death. Later
16 Ben kept him in his house for three days, and later they called
17 his wife saying that the way Enoch and President Taylor went, he
18 became sick and it was as a result of the sickness. So that is
19 my point, thank you. And apart from that, after Enoch Dogolea I
12:11:16 20 can explain to --

21 THE INTERPRETER: Your Honours, the next --

22 PRESIDING JUDGE: We have heard the explanation, thank you,
23 Mr Witness.

24 THE WITNESS: Okay.

12:11:26 25 PRESIDING JUDGE: Your next question, Mr Griffiths.

26 MR GRIFFITHS:

27 Q. When was that?

28 A. I can't remember the time. I can't remember the time. It
29 happened when Charles Taylor was President. He was President in

1 Monrovia. In Monrovia. It took place in Monrovia right behind

2 --

3 Q. Benjamin Yeaten's address?

4 A. Not Benjamin Yeaten's address. Behind Charles Taylor's

12:11:55 5 fence in front of Benjamin Yeaten's house. In Benjamin Yeaten's
6 banana bush. Fine.

7 Q. The other matter - and these issues I am dealing with are
8 not in any particular order. The other matter I want to deal
9 with is this. As far as you are aware, did Issa Sesay take

12:12:17 10 diamonds to Charles Taylor?

11 A. The one that I know about, yes, he and I made a trip, but
12 at times Joe Tuah used to go for him. So whether he carried it
13 on his own, I don't know, but the trips that I made with him we
14 carried diamonds along with us.

12:12:40 15 Q. The other matter I want to clear up is this. You spoke of
16 an occasion when you went with Sam Bockarie to disarm some United
17 Nations soldiers. When was that?

18 A. It happened when Issa was in control of RUF. We were
19 ordered by Charles Taylor, and in fact we were reinforced with
12:13:13 20 some manpower and enough ammos, and we went and carried out the
21 disarmament in Freetown. That was along with Issa Sesay and then
22 from there he made us to understand --

23 Q. No, you told us that you went with Sam Bockarie to do that.
24 Is that right?

12:13:37 25 A. Sam Bockarie's own was during the ECOMOG administration.
26 ECOMOG administration.

27 Q. Did you go with Sam Bockarie to disarm some UN forces, yes
28 or no?

29 A. Sam Bockarie was not in Sierra Leone during the time the UN

1 deployed. He was there during the ECOMOG administration. It was
2 Issa who was in Freetown during the UN deployment.

3 PRESIDING JUDGE: Mr Witness, you have not actually
4 answered the question. Did you go with Sam Bockarie to disarm
12:14:15 5 some UN forces?

6 THE WITNESS: No, no.

7 MR GRIFFITHS:

8 Q. You told us that, though. You told us that, if memory
9 serves, on Wednesday. You told us you went with Sam Bockarie to
12:14:29 10 disarm UN forces. Did you, or didn't you?

11 A. No, I told you I went with Bockarie to disarm the first
12 ECOMOG troops that were deployed in Sierra Leone. The UN troops
13 case happened during the Issa Sesay administration. That was
14 what I said.

12:14:55 15 Q. Another matter. You told us about a massacre which took
16 place at Carter Camp in Harbal [sic]?

17 A. Yes.

18 Q. In Harbel. Are you aware that the United Nations Security
19 Council ordered an investigation into that, conducted by the
12:15:21 20 former Attorney-General of Kenya, Amos Wako, and they found that
21 it was the Armed Forces of Liberia who were responsible? Did you
22 know that?

23 A. Repeat the statement. The name that you called is looking
24 conflicting.

12:15:38 25 Q. All right. You told us about a massacre at Carter Camp in
26 Harbel. Do you remember telling us about that?

27 A. Yes, yes.

28 Q. And you appeared to be saying --

29 A. Yes, I remember that I said and I told you who spearheaded

1 --

2 Q. Just try and keep the answers short, please.

3 PRESIDING JUDGE: Mr Witness, let counsel ask the question
4 and then answer it.

12:16:00 5 THE WITNESS: Yes, sir.

6 MR GRIFFITHS:

7 Q. You told us about that massacre, didn't you, yes or no?

8 A. Yes, yes. Yes, I did.

9 Q. And you appeared to suggest that Charles Taylor was
12:16:12 10 responsible, didn't you?

11 A. Yes.

12 Q. And I am asking you --

13 A. That is my statement.

14 Q. -- were you aware that an investigation was conducted into
12:16:22 15 that incident under the auspices of the United Nations Security
16 Council and they concluded that it was the Armed Forces of
17 Liberia who were responsible? Did you know that?

18 A. I know about it, but I didn't have any alternative to say
19 any other thing.

12:16:47 20 Q. Say any other thing but what?

21 A. To put objections against our leader, President Taylor,
22 when he had already denied that it was the AFL, and for me to get
23 up during his administration to say, "No, it was the NPFL", I was
24 going to be dealt with. So, what he said was what we agreed
12:17:13 25 with.

26 Q. So are you saying that, because it was under the
27 administration of Charles Taylor, you assumed he must be
28 responsible?

29 A. No, no, not so. What I am trying to tell you is that I

1 will tell you the truth. That is the reason why I came on in
2 open session to say the truth and nothing but the truth. The
3 massacre that took place in Camp Carter was a directive from
4 Charles Taylor. That is what I am telling you.

12:17:55 5 Q. You are just willing to attribute every bad thing that
6 happened to Charles Taylor, aren't you?

7 A. No, no, I am here to say the truth and nothing but the
8 truth. I cannot take an oath to come here and lie against my
9 former leader.

12:18:16 10 Q. Can we look at one other issue. Can we turn to page 87,
11 please. At paragraph 29 on that page you say this:

12 "The witness stated the Taiwanese used to send arms,
13 ammunition and uniforms through Gus Kovwenhoven. Gus's ships
14 would come and dock farther out at sea and the illicit materials
15 would be unloaded by smaller ships. The larger ship would then
16 come into the port of Monrovia and load timber".

17 Is that right?

18 A. It is right, but there is an error there. It is not in the
19 port of Monrovia, but the port of Buchanan. It was at the
12:19:32 20 Buchanan port. That was where we had the station. When the ship
21 came with the materials then they will take the speed boats to go
22 and unload it, and then the ship will come through Buchanan and
23 then they will load up the ship with logs and timber and then it
24 will take it along. I did not say Monrovia port. I said

12:19:51 25 Buchanan port.

26 Q. So they have got that bit wrong, but apart from that bit
27 all of that is correct, is it?

28 A. It is correct. The ones that you read, when they are my
29 statement I will agree with you if they are correct.

1 Q. Now, how did you come to know about this?

2 A. I told you I was chief of operation under Charles Taylor,
3 and even before I became chief of operation I know he and I and
4 very few others passed through, even before he had such
12:20:33 5 confidence in me. So, if he asked me further I will break that
6 down.

7 Q. Well I would like you to just have a look at a photograph,
8 please. (I wonder if Madam Court Officer could put that on the
9 overhead?)

12:21:02 10 A. This picture is not too clear to my sight. Don't you have
11 the actual one? This picture here. You see, what I can recall
12 he was an old man who used to wear shades, but, yes, that was the
13 man who was at Buchanan port. This is him. This is him.

14 Q. And you met him at Buchanan port?

12:21:28 15 A. Yes, twice.

16 Q. And when you met him twice at Buchanan port, that was to
17 pick up arms from him?

18 A. Yes, yes. Not two times, so many times. Not two times.
19 More than two.

12:21:44 20 Q. How many times - how many times did you meet that man at
21 Buchanan port and picked up arms from him? (I think we have
22 copies for the parties of this.)

23 A. Thank you very much. I met Mr Gus at Buchanan port, if I
24 am not mistaken, even though I can't recall the dates and the how
12:22:14 25 many trips I made, but it could be more than ten because I was
26 supposed to go on an assignment with him before they sent Monie
27 Captan to him as chief security, but I made so many trips with
28 him that I can't name all.

29 Q. And --

1 A. And what I have forgotten about, let me explain it. This
2 man and the other tall huge man with a big stomach, sometimes
3 when he came that was the time you will see this man and the
4 other white man move together, yes. These are some of the things
12:23:02 5 that I remember about them.

6 Q. About how many trips did that man make on ships bringing
7 arms into Buchanan?

8 A. I will not lie to you. I am sitting here publicly to say
9 the truth and nothing but the truth. I was not present during
12:23:24 10 all these trips. What I was present about - in was to go and
11 receive the ammo, and in my presence he sent Monie Captan and
12 others over the sea to go and unload. And then after they
13 brought the things from Buchanan port immediately they will put
14 it into my truck and then I will proceed with them, but I cannot
12:23:45 15 recall how many trips he made.

16 Q. How many times did you meet him in Buchanan port?

17 A. Thank you very much, Mr Counsellor. You see, this man is a
18 good man to me. Even though he did extremely well for me by
19 offering me money, I met this gentleman so many times. He was a
12:24:16 20 chief security, Monie Captan, and he was - at the same time he
21 was also my junior officer, so sometimes when I was out of money
22 I used to go to him and he will give me some money.

23 PRESIDING JUDGE: Mr Witness, you are not answering the
24 question. The question was how many times did you meet him in
12:24:34 25 Buchanan port. The question is not about --

26 THE WITNESS: And the one that I can recall when I went
27 across I met Mr Gus over five, six, seven times, but I am unable
28 to give the exact number. Maybe he also can say, "Zigzag went to
29 me for over 15 times", then he will be telling a lie, but it has

1 been a long story and I cannot recall all the trips, but it was
2 over five times.

3 MR GRIFFITHS:

12:25:15

4 Q. And on each occasion that you met him at Buchanan port,
5 that was to receive arms from him?

12:25:45

6 A. Not on all occasions. At the time that his friend came, I
7 escorted his friend that had the big stomach at the time they
8 went there with the man; the round man that looks like a mottled
9 tyre. When they brought it, I was the man who escorted the man
10 to he and Gus at Buchanan port and at that time I received
11 weapons in his presence more than three times. But from there it
12 was the chief security, Monie Captan, with whom we used to go,
13 and what we would receive we signed for it and then we take the
14 document to him and that is what I know about this gentleman.

12:26:14

15 Q. On how many occasions did you receive arms from that
16 gentleman at Buchanan port?

17 PRESIDING JUDGE: Which gentleman, because we have got the
18 big round one and we have got --

19 MR GRIFFITHS: Your Honour, I am sorry, from Gus:

12:26:28

20 Q. On how many occasions did you receive arms from Gus at
21 Buchanan port?

12:26:55

22 A. Yes, sir, Mr Counsellor. I said he himself was present
23 more than three times, but each time we went his chief security
24 that was assigned with him by Charles Taylor - I call this man's
25 name just now, Monie Captan. He was the one that we passed
26 through to receive the things, but the three times I am talking
27 about was the time Monie Captan went across the sea to unload
28 things from the ship and he himself was present, I was present
29 and all those who went with me were all there. And the boys

1 unloaded my truck and from there he gave me something, I placed
2 it in my pocket and then we left. That was over three/four
3 times, but each time we went we passed through his security,
4 Monie Captan.

12:27:35 5 Q. And on each of those occasions it was a large ship load of
6 arms which arrived?

7 A. Thank you, Mr Counsellor. I will say the truth and nothing
8 but the truth. The ship will be over the sea. Across the sea.

9 THE INTERPRETER: Your Honours, your Honours, could the
12:28:00 10 witness slow down his pace a little?

11 PRESIDING JUDGE: Mr Witness, you have speeded up again.
12 Please speak more slowly for the interpreter.

13 THE WITNESS: Okay.

14 PRESIDING JUDGE: Continue from where you said, "The ship
12:28:13 15 will be able over the sea. Across the sea".

16 THE WITNESS: Thank you, sir.

17 PRESIDING JUDGE: And bear in mind the question and answer
18 it.

19 THE WITNESS: Okay. Oh, I know the question he asked me,
12:28:28 20 yes, sir. I mean, the quantity of the weapon - I mean the ammo
21 that I saw sometimes they were in the speed boats, that was
22 during the three trips that I made, but the big boat will be over
23 the sea, over the ocean, and Monie Captan and others will go
24 where the ammos were and then they will bring them. When they
12:28:56 25 brought them they will put them in my car. That happened over
26 three to four times, but the ones that I started receiving they
27 were in the warehouse, but I can't tell the quantity that the
28 ship brought. The ones that they brought from there and the ones
29 that I met in the warehouse are the ones that I know about.

1 MR GRIFFITHS:

2 Q. And were they truckloads of arms and ammunition?

3 A. Yes, yes, yes.

4 Q. How many truckloads?

12:29:29 5 A. I made the trip with the man's truck three different times,
6 on different, different occasions and directly to White Flower,
7 and those items were put in Charles Taylor's warehouse and it
8 took over a month before I shipped one truck to Sierra Leone.

9 Q. And those arms that you took by truck to White Flower, were
12:29:58 10 you escorted by ECOMOG troops ordered by Victor?

11 A. No, no.

12 Q. So, help me. How did you get them from Buchanan port to
13 White Flower past the ECOMOG check point?

14 A. No, this did not happen during ECOMOG administration. At
12:30:21 15 that time, Charles Taylor was President. It was not the time of
16 ECOMOG administration. It was not ECOMOG administration, no.

17 MR GRIFFITHS: Could I ask that this item be marked for
18 identification, please, your Honour.

19 PRESIDING JUDGE: The one page document headed, "Dutch
12:30:48 20 Appeals Court acquits Gus Kovwenhoven" will be marked for
21 identification as MFI-18, is it, or 19?

22 MS IRURA: MFI-18, your Honour.

23 MR GRIFFITHS: I am grateful:

24 Q. You see, Mr Marzah, just so that you are under no
12:31:05 25 illusions, I suggest you are a liar. Is that not true?

26 THE INTERPRETER: Your Honours, the witness's microphone is
27 not on.

28 PRESIDING JUDGE: Pause, Mr Witness. Your microphone is
29 not on. Now, Mr Griffiths, please repeat your question and let

1 the witness start again.

2 MR GRIFFITHS: Very well:

3 Q. What I am suggesting, Mr Marzah, is that you are a liar?

4 A. I am not a liar. If I were a liar I was going to accept a
12:31:48 5 closed session to explain these things, but for the public to see
6 and to know that I, Zigzag, is talking the truth, that was why I
7 decided to do it in open session for you all to have credit for
8 me that I am - that I will not lie against my former leader
9 Charles Taylor, no.

12:32:07 10 Q. I further suggest that you have never sat with Charles
11 Taylor or been in his presence to receive orders from him?

12 A. Well maybe that is what you feel, but I am telling you the
13 accurate facts, yes.

14 Q. Furthermore I suggest that you have never spoken to him on
12:32:31 15 either the telephone, or by radio?

16 A. Should I answer?

17 PRESIDING JUDGE: Yes, please answer.

18 THE WITNESS: I talked to Taylor on so many occasions, and
19 even before Taylor established the Poro society, during which we
12:32:55 20 ate people's livers which we experienced with him, I - since you
21 don't have things to put across to me, let me just break open
22 everything so that you will know the truth.

23 PRESIDING JUDGE: Slowly, slowly.

24 THE WITNESS: My first time to - for you to believe me that
12:33:15 25 I sat with Mr Taylor, let me give you the proof the reason why
26 Mr Taylor had the trust and confidence in me. No matter, the
27 Poro society law maybe I will spoil it here. I don't have any
28 problem with that. Let me be bold to tell you.

29 I started sitting with Mr Taylor during the death of

1 Theodore when we took his liver and we used it at a ceremony and
2 he shared with us. We all ate it. And the same things happened
3 in the case of Sam Dokie. The death of Sam Dokie, his liver was
4 taken away by us and then we carried it and it was cooked by this
12:33:55 5 lady. I will call the woman's name. Annie Yenni. Annie Yenni.
6 Annie Yenni. Annie Yenni cooked it and Charles Taylor shared it
7 with us.

8 I am not talking about the ceremony that took place behind
9 his house. Those were things that we did in Monrovia. At that
12:34:17 10 time we had not yet been in Monrovia and when we came to Monrovia
11 to clarify to you the reason why Charles Taylor trusted me and
12 that, because I kept secrets.

13 And even at the time he escaped from Ghana when we arrested
14 Cooperville along with Moses Blah, we arrested those two people,
12:34:44 15 and he was there in Ben's veranda. Ben and I were sitting down
16 and he said we should "control those people's hearts until I get
17 there". Then we took out those two guys' livers and then, after
18 we had kept it in Ben's freezer for a long time, when Charles
19 Taylor arrived we cooked it and all of us shared it together.

12:35:06 20 Since then he trusted me as a full member of the Poro
21 society. I am sorry to say this now, but once I have been pushed
22 to the corner I am going to say the truth. I am saying the truth
23 nothing but the truth.

24 Q. Have you got a fascination with eating human flesh,
12:35:24 25 Mr Marzah, because my question was simply that you had never
26 spoken to him on the telephone or the radio? Why are you telling
27 me now about eating human beings yet again?

28 A. No, because what I am saying he and I passed through so
29 many things for him to have confidence in me, so if you are

1 asking me that is the reason why I am breaking everything down
2 for you to know. And if you ask him that we ate human beings
3 together he will tell you, yes, and he knows that I am a full
4 member of him. I repeat I wouldn't have come publicly to sit
12:36:03 5 amongst people whilst the whole world is looking at me to sit
6 here and lie to you, no.

7 Q. Let me try my question again. It is a simple question and
8 I would like a simple answer. You never spoke to Charles Taylor
9 on the telephone or the radio, did you?

12:36:27 10 A. I did. I spoke to Charles Taylor. I did speak to Charles
11 Taylor over the radio, over Thuraya phone, and physically we
12 shook hands and we sat together, and this Poro society I am
13 talking about it was something we ate together so that we will
14 safeguard his secret; all of us our secret.

12:36:54 15 Q. Is it the case, Mr Marzah, that when you say Charles Taylor
16 gave orders to do this, that or the other, you are assuming that
17 he did because he was President of Liberia?

18 A. Yes, sir, Mr Counsellor. Why should I lie? Apart from his
19 presidency, what I am talking about now is more than the
12:37:26 20 presidential job and in that case we will die for each other.
21 So, I am saying the truth and nothing but the truth. It is not
22 because he was President of Liberia. It is the truth that you
23 are getting from me.

24 Q. Whatever you did I suggest you did without being ordered to
12:37:50 25 do so by Charles Taylor. That is the truth, isn't it?

26 A. Thank you very much. During Charles Taylor's
27 administration, there was no man to say he will have his own way
28 to do such things. No way. Under no condition. What happened
29 is what I am telling you and I am telling you the accurate story.

1 And now too much of the questioning that you are bringing you
2 have let me disclose to you the secrets of my Poro society and
3 that means at any time I move from here I will no longer be
4 member of that society. That is a secret and that made him
12:38:40 5 Dankpannah.

6 MR GRIFFITHS: I think, your Honours, that the society is
7 called Poro P-O-R-O.

8 PRESIDING JUDGE: Poro society. Yes, that is the common
9 spelling, Mr Griffiths.

12:39:00 10 MR GRIFFITHS: I am grateful, your Honour.

11 JUDGE SEBUTINDE: Mr Witness, your last statement which you
12 said "and that made him Dankpannah", what do you mean?

13 THE WITNESS: Any big person who is part of that Poro
14 society from whom you take instruction is commonly known as
12:39:24 15 Dankpannah, but that Dankpannah name is a society name for him.

16 JUDGE SEBUTINDE: What does it mean?

17 THE WITNESS: The big boss. The big boss. He is over all
18 the bosses, in which case when he got up whilst he was coming
19 closer to you when you look at his face you will be shrouded in
12:39:53 20 fear. That is he had authority, yes.

21 MR GRIFFITHS:

22 Q. Because of what?

23 A. For to hear the voice from us to be able to control the
24 Republic, which we did.

12:40:14 25 Q. And so are you saying that you did all those wicked things
26 out of fear?

27 A. Repeat your question.

28 Q. Are you saying that you did all those wicked things out of
29 fear?

1 A. We did it and it was because I was afraid and I was part of
2 it and that was the culture for us to control the country.

3 Q. No, you did it, Mr Marzah --

4 A. Yes.

12:40:47 5 Q. Why are you crossing yourself, Mr Marzah?

6 PRESIDING JUDGE: Repeat your question.

7 MR GRIFFITHS:

8 Q. Why are you crossing yourself? You just crossed yourself
9 in the chair. Why? Is it because you are lying under oath?

12:41:03 10 A. I have broken the laws of my Poro society. This is not
11 something that I am supposed to expose but, because Charles
12 Taylor did not give you notes to tell you that we should forget
13 about that area and he is sitting down there and you continued to
14 ask me, I have already spoiled my law and even down to him, his
12:41:28 15 very self, everything has been exposed.

16 Q. You see, I suggest you are crossing yourself because you
17 know under oath you have lied and you are concerned about what
18 might happen to you, aren't you? That is the truth, isn't it,
19 because you have lied and you have been lying for the last three
12:41:48 20 days, haven't you, Mr Marzah?

21 A. Thank you very much. I will not lie to you. I am saying
22 the truth. And from here you will see me appear before the TRC,
23 the truth and reconciliation process in Liberia, for you to know
24 that I am saying the truth and nothing but the truth.

12:42:11 25 MR GRIFFITHS: I suggest that what you have told this Court
26 is anything but the truth. That is all I ask, your Honour.

27 PRESIDING JUDGE: That is the end of your
28 cross-examination?

29 MR GRIFFITHS: Yes.

1 PRESIDING JUDGE: Thank you, Mr Griffiths. Re-examination,
2 Mr Koumjian?

3 MR KOUMJIAN: No, thank you, your Honour.

4 PRESIDING JUDGE: Thank you. Just pause. I have - sorry,
12:42:39 5 excuse me, the Bench has no questions of the witness. However,
6 before he can be released there is one document marked for
7 identification.

8 MR KOUMJIAN: There is actually two, I believe. One for
9 the Prosecution, which was the drawing.

12:42:51 10 PRESIDING JUDGE: You are quite correct, Mr Koumjian. I
11 overlooked that one.

12 MR KOUMJIAN: We would move that into evidence.

13 MR GRIFFITHS: I have no objection.

14 PRESIDING JUDGE: So that is one one page document, MFI-17,
12:43:07 15 which becomes exhibit P-92, is it?

16 MS IRURA: That is correct, your Honour.

17 PRESIDING JUDGE: P-92.

18 [Exhibit P-92 admitted]

19 MR GRIFFITHS: And, your Honour, can I ask that this
12:43:21 20 document MFI-18 also be exhibited.

21 PRESIDING JUDGE: That is a one page document, MFI-18,
22 headed "Dutch Appeals Court acquits Gus Kovwenhoven", which will
23 become Defence exhibit D --

24 MS IRURA: D-14.

12:43:38 25 PRESIDING JUDGE: D-14, thank you.

26 [Exhibit D-14 admitted]

27 PRESIDING JUDGE: Mr Witness, that is the end of your
28 evidence. We thank you for coming to the Court to give your
29 evidence and you are now at liberty to leave the Court and we

1 wish you a safe journey. Please assist the witness to leave the
2 Court, please.

3 THE WITNESS: Thank you, sir.

12:44:24

4 PRESIDING JUDGE: Mr Koumjian, I regret to say I can't
5 recall who had carriage of the last witness.

6 MR KOUMJIAN: I did, your Honour, but the witness is not
7 present and so we would ask the Court to resume after the break.
8 Because of the uncertainty, the witness travelled and is no
9 longer in the country.

12:44:42

10 PRESIDING JUDGE: I understand. You have heard the
11 application, Mr Griffiths.

12 MR GRIFFITHS: We have no observations to make, your
13 Honour.

12:44:55

14 PRESIDING JUDGE: In the circumstances then, in the light
15 of the fact that one witness has finished his evidence and the
16 other witness is not available who is part heard, we will adjourn
17 the Court.

12:45:19

18 We are now going into recess with effect today and the
19 Court will resume on 31 March, which is Monday. Oh, I have just
20 been given a clarification that recess actually starts on Monday.
21 We are all working for the rest of the day. We will resume at
22 9:30 on Monday, 31 March, and I wish everyone a pleasant Easter.

23 MR GRIFFITHS: And can we return the compliment, your
24 Honours. I hope you all have a very pleasant Easter.

12:45:46

25 PRESIDING JUDGE: Thank you. Please adjourn the Court to
26 Monday, 31 March.

27 [Whereupon the hearing adjourned at 12.45
28 p.m. to be reconvened on Monday, 31 March 2008
29 at 9.30 a.m.]

I N D E X

WITNESSES FOR THE PROSECUTION:

TF1-399	6087
CROSS-EXAMINATION BY MR GRIFFITHS	6087

EXHIBITS:

Exhibit P-92 admitted	6158
Exhibit D-14 admitted	6158