



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 12 MAY 2010
2.06 P. M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Ms Erica Bussey

For the Registry:

Mr Gregory Townsend
Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

Mr Nicholas Koumjian
Ms Kathryn Howarth
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Morris Anyah
Mr Silas Chekera
Ms Logan Hambriek

1 Wednesday, 12 May 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 2.06 p.m.]

13:59:10 5 PRESIDING JUDGE: Good afternoon. We will take appearances
6 first, please.

7 MS HOWARTH: Good afternoon, Madam President. Good
8 afternoon, your Honours. Good afternoon, counsel opposite. For
9 the Prosecution this afternoon, Mr Nicholas Koumjian, Maja
14:06:26 10 Dimitrova and myself Ms Kathryn Howarth.

11 MR CHEKERA: Good afternoon, Madam President, your Honours,
12 counsel opposite. For the Defence Terry Munyard, Morris Anyah,
13 Silas Chekera, and Logan Hambri ck.

14 PRESIDING JUDGE: Thank you. Mr Zaymay, good afternoon.
14:06:47 15 We continue with your evidence this afternoon, and I will remind
16 you, as I normally do, that you are bound by your former oath to
17 tell the truth.

18 Thank you. Mr Chekera, please continue.

19 WITNESS: DCT-226 [On former oath]

14:07:05 20 EXAMINATION-IN-CHIEF BY MR CHEKERA: [Continued]

21 Q. Mr Zaymay, when we adjourned yesterday I was - we were
22 discussing Zigzag Marzah. I am just going to ask you a few more
23 questions, and then I will refer you to the evidence that he gave
24 before this Court. Last week when you were giving evidence you
14:07:27 25 mentioned the time that Prince Johnson decided to split. Now, my
26 question is: When Prince Johnson took off with some of the
27 recruits that you had recruited within Liberia, do you know what
28 happened to Prince Johnson and that group?

29 A. Prince Johnson - we were ordered to arrest Prince Johnson.

1 Those of us who escaped and went to Mr Taylor, Mr Taylor ordered
2 us to arrest Prince Johnson.

3 Q. Was Prince Johnson eventually arrested?

4 A. Prince Johnson's arrest transformed into an attack between
14:08:29 5 Prince Johnson forces, the INPFL, and the NPFL.

6 Q. And my question is eventually was he apprehended? A yes or
7 a no could suffice.

8 A. No.

9 Q. Now, when you were fighting in the NPFL from the time that
14:08:51 10 you entered Liberia to the time that Mr Taylor moved to Monrovia
11 in 1995, you said, how were you surviving as NPFL fighters? How
12 were you surviving? How were you sustaining your livelihood?

13 A. There was a pay system established within the NPFL.

14 Q. When was that pay system established?

14:09:29 15 A. The pay system came in in 1992 when I was in Maryland.

16 Q. And under that system, who was paid?

17 A. The commanders used to pay the elements within his command.

18 Q. And where was the payment coming from?

19 A. There was a Ministry of Finance in Gbarnga, so it came from
14:10:10 20 the Ministry of Finance.

21 Q. How regular were the payments?

22 A. The pay remained in process until the time we moved to
23 Monrovia.

24 Q. And --

14:10:30 25 PRESIDING JUDGE: What does that mean? The question you
26 asked was how regular, and he says remained in progress. What
27 does that mean?

28 MR CHEKERA: I was going to refer him back to the original
29 question.

1 Q. My question was: Mr Zaymay, at what intervals were people
2 being paid in the NPFL?

3 A. Monthly.

4 Q. And for how long did that payment system remain in place?

14:11:01 5 A. The payment system remained starting from '92 up to '95,
6 when Taylor moved to Monrovia.

7 Q. Would you recall how much it was that an average fighter
8 was getting as payment?

9 A. Within my command, a commander received 1,000; executive
14:11:38 10 officer received 700; the elements within the unit received 500
11 each Liberian dollars.

12 Q. And --

13 PRESIDING JUDGE: Yes. The witness said there was a
14 Ministry of Finance in Gbarnga. This is 1992 we are talking
14:12:08 15 about. Ministry under which government?

16 MR CHEKERA:

17 Q. Yes, Mr Zaymay, you mentioned a Minister of Finance in
18 Gbarnga. Under which government was that minister working?

19 A. Under NPRAG government.

14:12:27 20 Q. Besides the monetary payment that the fighters were getting
21 in the NPFL, were they paid anything else or were they given
22 anything else?

23 A. Yes. We used to get food supplies constantly, plus the
24 payment.

14:12:55 25 Q. And when you say food supplies, what exactly constituted
26 food supplies?

27 A. Rice.

28 Q. And where was that rice coming from?

29 A. I don't know where Mr Taylor was getting the rice from, but

1 the food supply used to come from Gbarnga.

2 Q. Now, I am going to refer you back to the transcript and I
3 am going to refer you to the evidence of Zigzag Marzah. Just for
4 the record, again, it's the transcript of 12 March 2008. I will
14:13:41 5 probably start at page 5851 - or, rather, let me start at 5850.

6 Now, Mr Zaymay, I am going to refer you to the evidence of
7 Zigzag Marzah who testified for the Prosecution in this case.
8 When Zigzag Marzah came before this Court he told the Court that
9 he was a member of the Armed Forces of Liberia, the AFL, from
14:14:19 10 1978 to 1985 when he went into exile in Ivory Coast and in Ivory
11 Coast he was in a place called Zongwe.

12 Madam President, I do not wish to read that part of the
13 evidence. It's at page 5850. I will read the relevant part
14 which I want the witness to comment on on the following page.

14:14:45 15 At page 58581, line 3, Mr Marzah was asked about the time
16 he returned to Liberia and the question was:

17 "Q. Okay. Thank you. Now, when you returned to Liberia,
18 were you alone or were you with a group?

19 A. Yes. I came back along with Prince Johnson's group who
14:15:18 20 were about 17 and I was recruited by him in Ivory Coast."

21 I will go on to the next page where Mr Marzah gives a bit
22 more detail - or, rather, let me end there and ask you this: You
23 said when you entered Liberia you were headed by Prince Johnson.
24 Do you remember Zigzag Marzah being part of your group?

14:15:56 25 A. No.

26 PRESIDING JUDGE: Sorry, Ms Howarth.

27 MS HOWARTH: Yes, I do remember at the end of the session
28 yesterday the witness was asked about Zigzag Marzah and his
29 recollection of him and it strikes me that if counsel is going to

1 a transcript and showing him his being there, he is attempting to
2 refresh his recollection. So I am objecting on the basis of it
3 being leading.

4 PRESIDING JUDGE: I don't know that he did - we did hear
14:16:26 5 some testimony about this witness's knowledge of Zigzag Marzah
6 and when he last saw him and I don't quite recall the answer that
7 he gave, but now I think Mr Chekera is entitled to put a
8 transcript to the witness, this witness, to ask his comment on
9 it. I don't remember what he said yesterday about his
14:16:53 10 recollection, but he has given the answer, he says no, and
11 perhaps there are more questions to arise. But you can take it
12 up in cross-exam.

13 MR CHEKERA: Thank you, Madam President:

14 Q. On page 5852, line 14 --

14:17:23 15 PRESIDING JUDGE: Mr Chekera, I am wondering if the witness
16 was interrupted because you asked him a question and before he
17 had - all he said was no. I don't know if he was about to say
18 anything more and then said - I interrupted with counsel's
19 objection. Or perhaps that's an answer good enough for you. I
14:17:46 20 don't know.

21 MR CHEKERA: Maybe I will probably just ask the witness
22 to --

23 PRESIDING JUDGE: Perhaps he was going to say, no, I don't
24 remember or something. I don't know.

14:17:55 25 MR CHEKERA: That is a fair observation:

26 Q. Mr Zaymay, I had referred you to Zigzag reference to the
27 time that he said he was in Zongwe and he was recruited by Prince
28 Johnson and in a group of about 17 and I had asked you whether
29 you had any knowledge of that. What was your answer?

1 A. I said no. Zigzag Marzah never entered with us. We were
2 all Special Forces who were trained in Liberia that entered
3 Gbutuo.

14:18:40 4 Q. At page 5852, Zigzag Marzah actually says he entered with
5 the group that entered through Gbutuo on 24 December 1989 and
6 this is what he says from line 14:

7 "From Ivory Coast we entered in Gbutuo on 24 December 1989.
8 From Gbutuo at that time I had not yet seen Charles Taylor.

14:19:07 9 Prince Johnson was the commander, but he, Prince Johnson, he told
10 us that there was one William Obey who was going to be the battle
11 group to lead us, but later he was afraid and some of the Special
12 Forces of Charles Taylor were arrested in Ivory Coast. So Prince
13 Johnson and us passed through Gbutuo as far as Bluntou, so we
14 came as far as Tiaplay and that was where we were based."

14:19:35 15 I am just going to ask you a number of questions arising.
16 On 24 December 1989 was Prince Johnson part of your group when
17 you entered through Gbutuo?

18 A. Yes. Prince Johnson was the commander who led us when
19 William Obey retreated.

14:20:00 20 Q. And was Zigzag Marzah --

21 PRESIDING JUDGE: Excuse me. That was not the question.
22 You asked him a particular date. You said on 24 December was
23 Prince Johnson part of your group when you entered through
24 Gbutuo. So he has got to tell us if that is the date they

14:20:17 25 entered, whether Prince Johnson was part of the group and whether
26 they did so through Gbutuo.

27 MR CHEKERA: Yes:

28 Q. Let's unpack that statement, Mr Zaymay. You have told this
29 Court that when you first had entered - when you first entered

1 Liberia you entered through Gbutuo. When did you enter Gbutuo?

2 A. We entered Gbutuo on December 25, 5 o'clock in the morning.

3 Q. What is your comment to the statement by Mr Zigzag Marzah
4 that the forces under Prince Johnson that entered Gbutuo entered
14:21:02 5 on 24 December 1989?

6 A. Zigzag Marzah - I never saw Zigzag Marzah. The forces who
7 entered Gbutuo were all Special Forces who were trained in Libya.
8 There was no civilian whoever entered with us. Zigzag Marzah was
9 not part of the group. He is a great liar.

14:21:28 10 Q. You have told this Court that you then went and established
11 a base at Tiaplay. Now, you have also told this Court about the
12 split between - the split when Prince Johnson left and formed his
13 own group. Now I am going to refer you to the evidence of Zigzag
14 Marzah on that issue and I will ask you to comment on it. I am
14:21:59 15 going to refer, Madam President, to page 5853, line 29. That's
16 the last line to the next page. This is what Zigzag Marzah says
17 about the conflict involving Prince Johnson:

18 "After Tiaplay, that was where we were and a conflict
19 erupted between - among the Special Forces. Between the Special
14:22:27 20 Forces and Prince Johnson who was our commander. And each time
21 we captured an area, Prince Johnson would send a letter to our
22 leader Mr Taylor and the Special Forces would take the letters
23 from the envelope and then they would send a counter letter
24 against Prince Johnson. From there Prince Johnson deployed us to
14:22:49 25 go as far as Tappita and on our way moving, they, the Special
26 Forces, against him, they had a conflict. So he went away and
27 from there some of the Special Forces came and arrested me. They
28 took me to Gborplay."

29 The part I want you to comment on particularly is: Do you

1 know whether Zigzag Marzah was ever arrested?

2 A. No.

3 MR CHEKERA: Madam President, going on to the next --

4 PRESIDING JUDGE: Mr Chekera, how can you go on? What do
14:23:32 5 you understand by that answer?

6 MR CHEKERA: Sorry?

7 PRESIDING JUDGE: What does "no" mean? It means no, he
8 doesn't know? Or no, he was never arrested? What?

9 MR CHEKERA: The question, Madam President, was: Was
14:23:44 10 Zigzag Marzah ever arrested?

11 PRESIDING JUDGE: No, the question was do you know whether.

12 MR CHEKERA: Sorry, yes:

13 Q. Mr Zaymay, was Zigzag Marzah ever arrested?

14 PRESIDING JUDGE: He gave an answer "no". Why don't you
14:24:04 15 build on that. What does "no" mean?

16 MR CHEKERA: I was trying to be more specific:

17 Q. When you said "no", Mr Zaymay, what did you mean?

18 A. No. Zigzag was never arrested. It's a big lie.

19 Q. At page 5855, he goes on to give more detail about his
14:24:38 20 arrest at line 9:

21 "The remaining Special Forces there and the remaining
22 Special Forces arrested me and took me to Gborplay. I was not
23 alone. Myself and Prince Johnson, they took us there and they
24 kept us in an old car box that appeared like a container. And
14:24:59 25 they were lighting fire, lighting fire on top of the container,
26 and while it was burning we were shaking inside the container and
27 at that time some of our friends had already died."

28 Do you recall an incident when Prince Johnson and Zigzag
29 Marzah were apprehended?

1 PRESIDING JUDGE: Yes, Ms Howarth.

2 MS HOWARTH: I am informed by Mr Koumjian there has been an
3 errata in relation to this page in relation to the arrested
4 aspect.

14:25:46 5 PRESIDING JUDGE: What is the nature of the errata? Is
6 this not the official record that we are looking at?

7 MS IRURA: Your Honour, this is the official transcript.

8 PRESIDING JUDGE: So what errata are we talking about?

9 MS HOWARTH: I am informed it's an errata dated 15 March
14:26:47 10 2010 and it relates to page 5855, lines 8 to line 16.

11 PRESIDING JUDGE: Could Madam Court Officer scroll down so
12 we can see the lines 8 to 16. I don't understand how this errata
13 business works, but I thought that the errata means going back
14 into the official transcript and actually correcting the errors,
14:27:33 15 not having two records side by side. I don't know how this
16 errata business works. So, Madam Officer, I would like a word
17 from you as to what we are supposed to do. If, indeed, there is
18 an errata, let somebody bring it to our attention.

19 MS HOWARTH: Madam President, if you will excuse me for
14:27:55 20 interrupting. In that regard, our case manager is just printing
21 out the copy of the errata, if that assists.

22 PRESIDING JUDGE: Madam Court Officer, the document you
23 have just handed to the judges on the face of it shows that these
24 were apparent interpretational errors that occurred. The
14:29:53 25 transcript we are looking at is a transcript of 12 March 2008.
26 The errata is done in March 2010 - that is two years down the
27 road - by somebody who says that there was an interpretational
28 error. Is that correct?

29 MS IRURA: Your Honour, as far as I am aware, that is the

1 situation. No transcript was re-issued, therefore, the
2 transcript that we have before us presently is the transcript on
3 the record.

14:30:31 4 PRESIDING JUDGE: So who authorised this kind of thing to
5 go on? Who authorises things like this to happen? At whose
6 initiative was this correction done?

7 MS IRURA: Your Honour, I would have confer with chief of
8 languages, because that errata seems to stem from the language
9 section of the Court Management Unit.

14:30:50 10 PRESIDING JUDGE: Because where does that leave the
11 official court record that we are aware of? Indeed, if there is
12 an error done in translation, it's usually corrected during the
13 Court and before the judges. But who does this kind of thing
14 privately two years down the road to change the testimony of a
14:31:10 15 witness because, in their opinion, the whole testimony was
16 mistranslated? This is what we are wondering, whether this has
17 been going on or whether this is a one-off thing.

18 Madam Court Officer, could you please print out a copy of
19 this transcript for us, this page, so we can see what the
14:32:00 20 differences are?

21 MS IRURA: I will do that, your Honour.

22 PRESIDING JUDGE: This is what I am going to say in
23 relation to this discovery that we have made: First of all, we
24 are shocked that proceedings can take place in court in whatever
14:35:11 25 language the interpretation happens as it happens by people we
26 trust the Court appointed knowing that they are capable of
27 interpreting accurately. Two years down the road someone quietly
28 determines to change the interpretation because they know better
29 and actually publishes it as a correction of the official record.

1 The Trial Chamber is the trier of fact. We do not recognise
2 these additions and changes that are done behind the scenes.
3 These changes rob the parties of an opportunity to comment on
4 what was heard in court and frankly, I am shocked that this has
14:35:56 5 been going on. I do not know how long this has been going on,
6 but it's not good and it's not right. It is illegal; let me call
7 it what it actually is. It is illegal for anyone, I don't care
8 if it's the chief of languages, to change the official transcript
9 outside of the court sitting, and I hope it doesn't happen again.

14:36:21 10 We do not recognise it and we will go by the official
11 record in this case.

12 Mr Chekera, please continue.

13 MR CHEKERA: Thank you, Madam President:

14 Q. Mr Zaymay, I had just referred you to an excerpt of the
14:36:38 15 evidence of Zigzag Marzah where he said - maybe it would be
16 easier if I would just read the relevant part again. Line 9:

17 "The remaining Special Forces were there and the remaining
18 Special Forces arrested me and took me to Gborplay. I was not
19 alone. Myself and Prince Johnson, they took us there and they
14:37:02 20 kept us in an old car box that appeared like a container" - if
21 you could just wait for me --

22 A. That's a lie.

23 Q. Just hold on and wait for me until I finish:

24 "And they were lighting fire - lighting fire on top of the
14:37:21 25 container whilst it was burning. We were shaking inside the
26 container, and at that time some of our friend had already died."

27 Do you remember this incident that Zigzag Marzah is talking
28 about?

29 A. It's a big lie. In fact, Prince Johnson was not arrested.

1 Had Prince Johnson been arrested, he wouldn't have been fighting
2 at the front against the NPFL. That is just to prove to you that
3 it's a big lie.

14:38:04 4 Q. Very well. What about the other persons? Was Zigzag
5 Marzah ever arrested and put in an old car box at Gborplay?

6 A. It's a lie. It's a big lie. Zigzag Marzah was not in fact
7 ever arrested. It is a lie.

8 PRESIDING JUDGE: Mr Chekera, the witness says - I don't
9 know if this is really what the witness said concerning Johnson.
14:38:28 10 He says if in fact - if Prince Johnson had been arrested, he
11 wouldn't have been fighting at the front against the NPFL. Isn't
12 the testimony that the NPFL soldiers arrested Prince Johnson,
13 tortured him; that is why he broke away? Isn't that the gist of
14 this testimony, Zigzag Marzah's?

14:38:51 15 MR CHEKERA: Let me clarify, Madam President:

16 Q. Mr Zaymay, what Mr Marzah was suggesting when he was giving
17 this piece of evidence was that it was actually as a result of
18 the arrest that Prince Johnson broke away and formed his own
19 group. Do you know anything about that?

14:39:31 20 A. Prince Johnson was never arrested. He was never, ever
21 arrested. The order came for him - for Prince Johnson to be
22 arrested, but we told him that if we arrested to --

23 THE INTERPRETER: Your Honours, could the witness be asked
24 to slow down.

14:39:52 25 PRESIDING JUDGE: Please slow down with your testimony.
26 Just repeat what you were saying in the last sentence. The order
27 came. The order came from who? Continue from there.

28 THE WITNESS: The order came. When Degbon left the base
29 and went to Ivory Coast, Degbon met Mr Taylor and told Mr Taylor

1 that Prince Johnson gave orders to execute some Special Forces.
2 It was then that Taylor sent a letter of arrest. I received the
3 letter of arrest and gave him the letter of arrest - I was the
4 1st Battalion commander - saying that we should arrest Prince
14:40:33 5 Johnson saying that he had gone against the SOP. So all of us,
6 the commanders, held a meeting, and we discussed that it will not
7 be easy to arrest Prince Johnson, because he had a unit called
8 the task force - that it would not be easy to arrest him, and if
9 we attempted to arrest Prince Johnson, if we failed, in fact, in
14:40:57 10 trying to arrest Prince Johnson, there would have been an attack
11 against each - the two groups, and we - there would have been a
12 bloodshed because it would have led to gunfire between us. So
13 the best we said we could do was to escape from Prince Johnson.
14 That was how we escaped from Prince Johnson and went to Mr Taylor
14:41:21 15 in Gborplay. Prince Johnson was never even arrested in Tiaplay.
16 Q. In your evidence last week you said that when Mr Taylor
17 moved to Gborplay he then constituted another group, which was
18 sent to arrest Prince Johnson. Did that group ever arrest Prince
19 Johnson?
14:41:46 20 A. No. When Taylor gave the order for his arrest and when
21 they went to arrest him, it transformed into an attack, and that
22 became an attack between the INPFL and the NPFL until Prince
23 Johnson - who proceeded to Monrovia. He was not even ever
24 arrested.
14:42:09 25 Q. Were there any persons who were arrested at Gborplay and
26 placed in an old car box?
27 A. No. There was a military police commander in Gborplay.
28 There was no old car used as a jail house. It is a great lie.
29 Q. Very well. I am going to take you to another allegation

1 that is slightly different at page 5855, line 29, to the next
2 page.

3 JUDGE LUSSICK: Just before you move, perhaps this could be
4 clarified, Mr Chekera. The witness is thinking of people being
14:43:00 5 kept in an old car, by his last answer. That's what he is
6 thinking. He is saying there was nobody kept in an old car.
7 It's a great lie. But nobody was ever talking about an old car.

8 MR CHEKERA: Let me just clarify that. Thank you:

9 Q. Mr Zaymay, my question was: Were there any persons who
14:43:24 10 were ever arrested at Gborplay and placed in an old car box that
11 appeared like a container?

12 A. It's a lie. It's a big lie. The only jailhouse that was
13 in Gborplay that I knew about was the - a military police cell
14 and there was an MP commander in Gborplay who had a jailhouse
14:43:52 15 there.

16 Q. The Military Police cell if you can just quickly describe,
17 I don't want you to go into detail, what was the military police
18 cell like?

19 A. There were two big rooms. One was for the Special Forces
14:44:17 20 and one was the others. And me, myself, I was confined in there
21 for 72 hours.

22 Q. Page 5855, line --

23 JUDGE LUSSICK: Could those two rooms be described as
24 something like a container?

14:44:43 25 MR CHEKERA: Let me just probe a little bit further.

26 Q. Now, Mr Zaymay, the two rooms that you referred to, would
27 you describe them as a container?

28 A. No. It was a house in which people were living, but the MP
29 commander declared there as the headquarters. It was a house and

1 not a container.

2 Q. You have told us about the name NPFL and when you, the
3 trainees in Libya, acquired that name. This is what Mr Marzah
4 has to say and I want you to comment on that. He was asked.

14:45:40 5 "Q. Now, with the organisation that you joined and you
6 said you then entered Liberia with Prince Johnson, did that
7 have a name? What was the name of the organisation?

8 "A. At first we never had a name. We called ourselves
9 freedom fighters.

14:46:03 10 Q. Did you later get a name?

11 A. Yes, after the arrival of Mr Taylor in Gborplay that we
12 had the name the NPFL, the National Patriotic Front of
13 Liberia."

14 Do you agree with Mr Marzah's evidence here that you
15 started using the name NPFL at Gborplay when Mr Taylor arrived?

16 A. The organisation was named in Libya NPFL. In Libya. That
17 was the name of the organisation that we moved with into Liberia.

18 Q. And what, therefore, is your comment in relation to
19 Mr Marzah's allegation there?

14:47:08 20 A. What I have to say here is that you don't know Zigzag
21 Marzah. Zigzag Marzah is not a sound person. When Zigzag Marzah
22 was with Benjamin Yeaten, he used to take drugs, opium,
23 excessively. Sometimes they tied him and he was thrown into
24 dirty water.

14:47:40 25 THE INTERPRETER: Your Honours, could the witness be asked
26 again to slow down.

27 PRESIDING JUDGE: Please pause. You are running again and
28 the interpreter can't keep up with you. Please slow down. The
29 last thing we have you saying is "they tied him and he was thrown

1 into dirty water". Now, continue from there slowly.

2 THE WITNESS: Zigzag Marzah is not sound. Zigzag Marzah is
3 one who smokes opium. He smokes drugs excessively. He was the
4 one who brought in --

14:48:22 5 THE INTERPRETER: Your Honours, could the witness be asked
6 to repeat the name of that tablet.

7 PRESIDING JUDGE: Sorry, Mr Witness, you said he brought in
8 what tablet?

9 THE WITNESS: Yes.

14:48:34 10 PRESIDING JUDGE: Repeat the name of the tablet.

11 THE WITNESS: We called the tablet Ten Ten. Ten Ten. They
12 are tiny tablets. When you take it then you become dizzy. It
13 was Zigzag Marzah who brought those tablets. And he induced some
14 other guys who started taking it and when that was discovered by
14:49:02 15 Benjamin Yeaten, that Zigzag Marzah was the one who brought about
16 the tablets, and that it was also a drug, he brought it into his
17 unit, he ordered that Zigzag Marzah be dragged. He was dragged
18 for two hours. Zigzag Marzah was just a dirty man in the NPFL
19 that everyone knew about. He smoked opium excessively. We later
14:49:31 20 got to know that Zigzag Marzah was not someone who was sound.

21 Zigzag Marzah lies like someone I don't even know how to
22 describe. Zigzag Marzah is not straight, he is not competent.
23 Benjamin Yeaten himself did not use to allow Zigzag Marzah to go
24 close to him. Zigzag Marzah was always in the kitchen. That is
14:50:02 25 what I know about Zigzag Marzah.

26 MR CHEKERA:

27 Q. You referred to a drug called Ten Ten that Zigzag Marzah
28 brought in. When you say brought in, what do you mean?

29 A. You know, those drugs were discovered during the ECOMOG

1 raid, during Octopus, when ECOMOG was bombarding us. The ECOMOG
2 used to take those drugs with them in their chopper and they used
3 to drop them all over around the NPFL-controlled area so that
4 when you took it in you will become dizzy and you could even take
14:50:50 5 it and then you end up shooting your own friend or maybe you end
6 up shooting your own hand or your own palm. You would not even
7 feel it - get a feeling of it. So it was Zigzag Marzah who
8 discovered that. And he brought it. Now --

9 Q. Just before you proceed, do you know why ECOMOG was
14:51:14 10 dropping off these drugs?

11 A. Yes. To make the NPFL soldiers dizzy, to make them
12 useless. Because at that time the ECOMOG were fighting against
13 the NPFL. So when the leader, Charles Taylor, got to know about
14 those drugs, he informed each and every one of us that the ECOMOG
14:51:48 15 were dropping certain drugs into your controlled areas. So he
16 said, "You guys should not take any drugs that had not been
17 prescribed by your doctor that you find in the streets or you
18 find on the ground - on the floor or that you find in the
19 jungle." So that was how we got to know about those drugs.

14:52:10 20 Q. And you said when Zigzag Marzah discovered these drugs,
21 what did he do?

22 A. Zigzag Marzah brought it in the midst of his friends, in
23 the midst of his colleague forces, friendly troops, and the boys
24 started taking it in. So sometimes some people started acting
14:52:36 25 funny. So that was the time that Benjamin Yeaten got to know
26 that it was Zigzag Marzah who brought the drugs. That was how
27 Zigzag Marzah was disciplined. He was disciplined by dragging
28 him.

29 Q. What do you mean disciplined by dragging him? Can you

1 just - I don't want you to give a long explanation. Disciplined
2 by dragging him, what does that mean?

3 A. They punished him. They build a circle, they put him on
4 the floor and he was being dragged from one point to the other
14:53:16 5 for bringing bad drugs in the midst of the soldiers.

6 Q. And when was this that this happened? You said --

7 JUDGE LUSSICK: How was he dragged? On the end of a car or
8 at the back of a horse or what?

9 MR CHEKERA: Yes:

14:53:34 10 Q. How was Zigzag Marzah dragged around? Can you just briefly
11 describe the dragging process? I don't want you to give a long
12 explanation. Just to give us a picture of the punishment you are
13 talking about.

14 A. The soldiers formed a circle about five metres from one
14:54:00 15 person to the other and they will hold his two legs, they drag
16 him on the ground and pass it on to another person and the person
17 too would drag him from one point to the other point and give it
18 to another person. It was not by car.

19 Q. And you said that lasted for two hours?

14:54:19 20 A. Yes.

21 Q. You mentioned that the drugs were being dropped off by
22 ECOMOG around 1992, did you say?

23 A. Yes.

24 Q. And when was this punishment when - the punishment that
14:54:37 25 Zigzag Marzah got, when was this?

26 A. It was during the Octopus when those drugs were discovered.
27 During Octopus, '92.

28 Q. And beside Zigzag, were there any - do you know whether
29 other fighters were using the drugs?

1 A. There was a group - a special group with Zigzag Marzah and
2 it was that group that was dealing with those drugs. I think
3 there were about five or six persons.

14:55:30 4 Q. And after Zigzag Marzah was punished, do you know whether
5 he stopped using the drugs?

6 A. Well, he stopped the drugging and he went back to his
7 opium.

8 Q. How do you know about Zigzag Marzah's opium?

14:56:03 9 A. He and I were in the same unit. I was fighting within the
10 Jungle Fire. He smoked cigarettes, he smoked opium. I used to
11 see him with opium.

12 Q. At what point were you fighting in the same unit, Jungle
13 Fire, with Zigzag Marzah?

14 A. During the time Gbarnga fell and during the recapture of
14:56:27 15 Gbarnga. No, no, no - yes, it was during the recapture of
16 Gbarnga, yes, in '94.

17 Q. Now, I am going to take you back to the transcript and move
18 on with Mr Marzah's evidence. Page 5858, line 14:

19 "A. After my release from the container by Charles Taylor,
14:56:57 20 he assigned me with the 1st Battalion under Edward Millen
21 [phon]."

22 On the next page, 5859:

23 "I was ordered by Charles Taylor along with the Special
24 Force member by the name of Godfather. His full name is
14:57:21 25 Alfred Mieh. We took the route and went to battle at
26 Tappita along with some Special Forces under Edward Millen,
27 who was the battalion commander."

28 When Mr Taylor appointed you, you said your first
29 appointment was 1st Battalion commander. Is that right?

1 A. Yes.

2 Q. When was it that you were appointed 1st Battalion
3 commander? Where were you, rather, when you were appointed
4 1st Battalion commander?

14:58:07 5 A. After we had escaped from Prince Johnson, that was the time
6 I was appointed as the 1st Battalion to be based in Gbutuo.

7 Q. And for how long did you remain in that position?

8 A. Um, I remained in the position for about a month, and I was
9 called - I remained in the position for about a month.

14:58:51 10 Q. And who was appointed to replace you?

11 A. When I was there, Francis Mewon was my assistant officer,
12 and it was Francis Mewon who remained in charge in Gbutuo.

13 Q. When you gave us the respective commanders for the unit,
14 you said that Edward Mineh was the 1st Battalion commander. Do
15 you know when he was appointed 1st Battalion commander?

14:59:27 16 A. I do not remember when the changes were made from Francis
17 Mewon to Edward Mineh, but Edward Mineh was the 1st Battalion
18 commander who attacked Monrovia.

19 Q. Now, who was responsible for appointing members into
14:59:55 20 respective battalions?

21 A. At that time during the early times of the war, it was
22 Mr Taylor himself.

23 Q. Do you therefore agree with Mr Marzah here, where he says
24 that after his release from the container he was assigned with
15:00:18 25 the 1st Battalion by Mr Taylor?

26 A. All what Zigzag Marzah has said is a lie. I do not agree
27 with him. Zigzag Marzah is a liar.

28 Q. Now, Zigzag Marzah --

29 JUDGE DOHERTY: Mr Chekera, that's a very generalised

1 statement. You asked a specific point, and I don't know if that
2 generalised statement answers that specific point.

3 MR CHEKERA: Let me push the question a bit further.

4 Q. Specifically, you have agreed that Mr Taylor was appointing
15:01:00 5 members to respective units, and Zigzag Marzah here says that he
6 was appointed to the 1st Battalion unit by Mr Taylor. Do you
7 agree with that - or, rather, let me put it this way: Do you
8 know anything about that appointment of Zigzag Marzah into the
9 1st Battalion unit by Mr Taylor?

15:01:28 10 A. No.

11 Q. No, he was not appointed; or no, you don't know?

12 A. Zigzag Marzah was not appointed into any unit. I was the
13 1st Battalion commander in Gbutuo. Zigzag Marzah was not
14 appointed into any unit by Mr Taylor. Zigzag Marzah was a very
15:01:53 15 small man down the line. He did not know, in fact, anybody. He
16 was not anybody, in fact, to go close to Mr Taylor.

17 Q. Just to be clear. Zigzag Marzah says he was appointed to
18 the 1st Battalion in Gborplay. Was he appointed to the
19 1st Battalion in Gborplay, if you know?

15:02:20 20 A. No. I don't know. It did not even happen. Zigzag Marzah
21 would not even go close to Mr Taylor for any appointment.

22 PRESIDING JUDGE: Mr Witness, yesterday you gave us a list
23 of the battalions and the units of the NPFL and their leaders, in
24 which you told us where you were a commander. You have now said
15:02:53 25 that you were the battalion commander of the 1st Battalion in
26 Gbutuo. Is that correct?

27 THE WITNESS: Yes.

28 PRESIDING JUDGE: When?

29 THE WITNESS: When we escaped from Prince Johnson, that was

1 early 1990, I was the first person who took the assignment as the
2 battalion commander for about a month. For about a month, until
3 when I had an accident.

4 MR CHEKERA: Do you want to pursue that, Madam President?

15:03:39 5 PRESIDING JUDGE: Yes, because I took notes yesterday when
6 the witness was telling us who the battalion commander was for
7 the 1st Battalion. That was Edward K Mineh; not the witness.
8 The witness, on the other hand, appears as the battalion
9 commander for, first of all, the 2nd Battalion from 1990 to '91,
15:04:09 10 and then later he was transferred to the 6th Battalion. So,
11 Mr Witness, when were you commander of the 1st Battalion?
12 Specifically: When?

13 THE WITNESS: Okay. I think it was about March or April I
14 was at first appointed - my first assignment was - my appointment
15:04:51 15 as 1st Battalion commander to move to Gbutuo and after one month,
16 when I had an accident --

17 THE INTERPRETER: Your Honours, could be the witness the
18 asked to slow down and repeat that area.

19 PRESIDING JUDGE: Slow down. Yes, you said after your
15:05:07 20 accident, what happened?

21 THE WITNESS: I was taken to Burkina Faso for treatment,
22 and after my treatment I came back to Gborplay. At that time
23 Gbarnga had been captured. The only target was Monrovia. So I
24 was appointed as 2nd Battalion commander to move and then attack
15:05:40 25 Monrovia.

26 PRESIDING JUDGE: So you were commander for the
27 1st Battalion for how long?

28 THE WITNESS: For about a month in Gbutuo.

29 PRESIDING JUDGE: And based on that one-month experience,

1 your evidence is that Zigzag Marzah was never a member of the
2 1st Battalion - based on that one month? There is no possibility
3 that after you left that 1st Battalion, Zigzag Marzah was
4 appointed to that 1st Battalion, in your opinion?

15:06:22 5 THE WITNESS: Yes.

6 PRESIDING JUDGE: "Yes" what? There is a possibility?

7 THE WITNESS: Zigzag Marzah was not even competent to take
8 any assignment within the 2nd Battalion.

9 PRESIDING JUDGE: I am not asking your opinion. I am
15:06:42 10 saying your testimony is based on your one month as commander of
11 the 1st Battalion to say that Zigzag Marzah never was appointed
12 to the 1st Battalion.

13 THE WITNESS: Yes.

14 PRESIDING JUDGE: Okay. Thank you. Please continue.

15:07:08 15 JUDGE DOHERTY: To confuse the issue further, the witness
16 has now said that Zigzag Marzah was not even competent to take
17 any assignment within the 2nd Battalion.

18 MR CHEKERA: Yes, I heard that. I was just going to refer
19 - in reference to the issue that Madam President was asking, I
15:07:26 20 was going to refer to the transcript of 7 May, page 40701, line
21 225. That's when the issue was raised by the witness for the
22 first time in relation to his appointment.

23 PRESIDING JUDGE: What issue exactly?

24 MR CHEKERA: Just a minute, Madam President. Sorry,
15:08:16 25 Madam President, I was referring to the appointment of the
26 witness to the 1st Battalion, and I thought that reference might
27 assist in that regard.

28 PRESIDING JUDGE: Yes, it would be interesting to - what
29 does it say?

1 MR CHEKERA: Let me just get the --

2 PRESIDING JUDGE: Just refer us to the page number. I am
3 sure Madam Court Officer will bring it up on the --

4 MR CHEKERA: Page 40701, 7 May, line 225.

15:09:05 5 "So when we went, Mr Taylor ordered me, said, 'Zaymay, you
6 would go to the base. I am coming to the base. You go to the
7 base, collect and organise a unit and move, and you would go
8 there as the 1st Battalion commander to be based in Gbutuo.'"

9 That was when the issue was first raised for the first time
15:09:30 10 in relation to that appointment, and I think this was in relation
11 to a meeting that was in Ivory Coast.

12 PRESIDING JUDGE: But this doesn't throw light on the dates
13 in question.

14 MR CHEKERA: No, no --

15:09:41 15 PRESIDING JUDGE: I don't even remember if you asked him
16 whether he actually went and established a base in Gbutuo. All I
17 was going by was the question you asked him yesterday, to give us
18 the details of the command structure, and he didn't include
19 himself in the 1st Battalion.

15:09:55 20 MR CHEKERA: Yes, I noticed. That's why I was giving that
21 background, just for the issue to be clear.

22 PRESIDING JUDGE: In any event, continue.

23 MR CHEKERA:

24 Q. Mr Zaymay, do you know where the 1st Battalion was
15:10:08 25 deployed?

26 A. Yes. The 1st Battalion deployed between Gbutuo and
27 Gborplay by the side of the riverbank between Liberia and Ivory
28 Coast.

29 Q. Sorry, maybe I should have been clearer. In 1990 - do you

1 know where the 1st Battalion was deployed in 1990?

2 A. Yes.

3 Q. And do you know how far they advanced?

4 A. No. The 1st Battalion was only deployed to protect the
15:10:52 5 border so that Prince Johnson will not be able to cross and go
6 back into Ivory Coast. They remained in that position until I
7 had the accident.

8 Q. And when was it that you had the accident? Just for that
9 part of the evidence to be clear.

15:11:14 10 A. I had the accident between March and April.

11 Q. Of 19?

12 A. Of 1990 early. March to April 1990.

13 Q. And when you came back - you said you came back after three
14 months - do you know where the 1st Battalion was deployed?

15:11:43 15 A. When I came back, yes. When I came back, Edward Mineh was
16 in the position. Edward Mineh was now the commander of the 1st
17 Battalion.

18 Q. My question was: Do you know where it was now deployed?
19 Where was the 1st Battalion at this point when you came back from
15:12:05 20 hospital after three months?

21 A. The 1st Battalion was in Firestone, Harbel.

22 Q. Did it proceed beyond Harbel?

23 A. The 1st Battalion was in Harbel itself. Firestone, Harbel
24 and RIA.

15:12:31 25 Q. My question was: Did the 1st Battalion go anywhere beyond
26 Harbel?

27 A. Yes.

28 Q. Could you tell me how far it went?

29 A. The 1st Battalion went to attack the 1st Battalion of the

1 Samuel Kanyon Doe government, AFL, at Schefflein, whilst the
2 2nd Battalion was engaged in attacking Monrovia.

3 Q. Now, I am going to refer you to the evidence of Mr Marzah
4 where he discusses the disciplinary system within the NPFL.

15:13:24 5 Remember yesterday we talked about the SOP. Now, Mr Marzah was
6 asked to draw a comparison between the time that Prince Johnson
7 was leading your group, the group that - before Prince Johnson
8 split to form the INPFL in relation to the time after Prince
9 Johnson had left and I am going to read you what he said about
15:13:56 10 that and I will ask you to comment. The question was at page
11 5861:

12 "Q. Mr Witness, you have told us that you fought before
13 being placed in the container with Prince Johnson forces
14 and you told us you remained with the NPFL and its
15:14:20 15 successors up to 2003. Can you compare how the Prince
16 Johnson forces treated civilians with how the NPFL forces
17 treated civilians?

18 A. I said during the Prince Johnson's administration,
19 there was no authority to go and harass civilians, or even
15:14:45 20 to rape, or to loot during Prince Johnson's administration.
21 When you joined Prince Johnson, the cloth that you had on
22 you would battle with it until you return. At any time he
23 saw something strange with you, he would either execute
24 you, or you will go through military discipline, so there
15:15:06 25 was no way you could play around with civilians during
26 Prince Johnson's administration. What he told us was to
27 battle against soldiers and to ensure that we overthrow Doe
28 from the directive from Charles Taylor to him."
29 Do you agree with this summation of the disciplinary system

1 during the time of what the witness calls Prince Johnson's
2 administration when Prince Johnson was the leader?

3 A. Yes. Those were the orders of the SOP. No looting, yes.

4 Q. My question is: Was this how Prince Johnson was instilling
15:15:58 5 discipline, that what Mr Marzah is saying is that Prince Johnson
6 was a strict disciplinarian. Do you agree with that?

7 A. Yes. Prince Johnson was our commander, when we entered we
8 were enforcing the SOP, yes.

9 Q. Now at line 26 the witness was asked:

15:16:26 10 "Q. And how did that compare with your time with the NPFL?
11 How were civilians treated with the NPFL?

12 A. I will say the truth and nothing but the truth. When
13 our leader himself was present in Liberia, there were more
14 opportunities for us. We had a chance to do anything, like
15:16:47 15 to loot, to rape. At the same time what you got was for
16 you to be courageous and to battle for him."

17 Do you follow what Mr Marzah is saying in this context?

18 Mr Zaymay, do you follow what Mr Marzah is saying? He is saying
19 that the disciplinary system that ensued under Prince Johnson's
15:17:23 20 administration fell apart when the leader - and by the leader he
21 refers to Mr Taylor - was now present in Liberia. Do you agree
22 with that observation?

23 A. No. The SOP was given to us by Mr Taylor. When Mr Taylor
24 came, the SOP still remained; there should be no looting and no
15:17:56 25 raping.

26 Q. Yes. And was that SOP enforced, because Mr Marzah is
27 saying here that the disciplinary system crumbled under
28 Mr Taylor?

29 A. It's a big lie. Marzah is lying. Marzah is lying. The

1 SOP father himself, Mr Taylor, was on the ground. Nobody will
2 tamper with the SOP. No violations at the front, no lootings, no
3 rapings. In fact those of us, the commanders, were enforcing it.
4 We did not allow soldiers to rape, no. It's a lie.

15:18:43 5 Q. Why do you refer to Mr Taylor as the father of the SOP?

6 A. He headed the organisation. He brought the SOP to us. And
7 how would he sit down and tell us to go against it? We wouldn't
8 have allowed that. It did not in fact happen. That was why I
9 said he was the SOP father.

15:19:14 10 PRESIDING JUDGE: Mr Chekera, when you or when the witness
11 speaks of the time of Prince Johnson being the leader, what time
12 are we talking about?

13 MR CHEKERA: Yes, let me - do you want me to verify with
14 the transcript or with --

15:19:32 15 PRESIDING JUDGE: Yes, please, with the witness.

16 MR CHEKERA: Okay. Yes.

17 PRESIDING JUDGE: What time are we talking about when
18 Prince Johnson was the leader?

19 MR CHEKERA:

15:19:44 20 Q. Mr Zaymay, when Prince Johnson was leading your group when
21 you entered through Gbutuo to the time that he then split and
22 formed his own organisation, you said the INPFL, was he strictly
23 applying and enforcing the SOP?

24 A. Yes.

15:20:20 25 Q. And after Prince Johnson left and formed his own
26 organisation, the INPFL, did that strict application of the NPFL
27 - sorry, did that strict application of the SOP crumble under
28 Mr Taylor's leadership when Mr Taylor came to Gborplay?

29 A. No. The SOP still remained.

1 MR CHEKERA: Does that assist?

2 PRESIDING JUDGE: Absolutely not. I am asking about time
3 frames. I want to know the years that we are talking about.

4 MR CHEKERA: Yes:

15:21:06 5 Q. You entered through Gbutuo on 25 December, you said, 1989.

6 Mr Zaymay, you entered through Gbutuo in 1989, 25 December, yes?

7 A. Yes.

8 Q. And you were led by Prince Johnson?

9 A. Yes.

15:21:38 10 Q. You said at that time Mr Taylor was still in Ivory Coast?

11 A. Yes.

12 Q. And you said that Prince Johnson was the most senior NPFL
13 member at the time in Liberia?

14 A. Yes.

15:21:55 15 Q. When was it that Prince Johnson split to form his own
16 organisation, the INPFL?

17 A. From December 1989 to mid-March Prince Johnson was in
18 command.

19 PRESIDING JUDGE: Mid-March of which year?

15:22:29 20 THE WITNESS: March 1990.

21 MR CHEKERA:

22 Q. And when was it that Mr Taylor came to Gborplay?

23 A. Mr Taylor came to Gborplay in 1991.

24 Q. Do you know which part of 1991?

15:22:58 25 A. I do not recall the month, but it was in 1991. He got a
26 base in Gborplay.

27 MR CHEKERA: Does that put the evidence into perspective?

28 THE WITNESS: No, no, no, excuse me. Taylor came to
29 Gborplay in 1990. 1990.

1 MR CHEKERA:

2 Q. Do you remember which part of 1990, if you can give us a
3 month?

4 A. No, I do not recall the month.

15:23:35 5 PRESIDING JUDGE: My next question logically is this: The
6 witness earlier on today, when you asked him were they paid and
7 how were they paid, he said that they were paid I think from 1992
8 they were paid some kind of salary, regularly or not regularly,
9 but they were paid. My question is: How did they make a living
10 before 1992? I would like the witness to throw some light on
11 that. How did they earn a living before 1992?

12 MR CHEKERA: I was hoping to go that - when you look at the
13 page where I am, we're going to discuss looting. Let me just
14 deal with that right away:

15:24:22 15 Q. From the time that you entered, Mr Zaymay - from the time
16 that you entered Liberia from Ivory Coast, until the time that a
17 salary payment system was instituted in the NPFL, how were the
18 NPFL fighters sustaining their livelihood?

19 A. When we entered Gbutuo in 1990, the civilians within the
15:25:00 20 entire Nimba County embraced the revolution, the NPFL. And it
21 was those very civilians who used to collect food around on their
22 own. They brought cows, chickens, rice, goats and sheeps to the
23 fighters willingly and they were saying they were coming to thank
24 us. They said they had suffered in the hands of the Krahn wicked
15:25:32 25 people. So the civilians embraced the organisation. They were
26 feeding us willingly.

27 Q. And for how long did you remain surviving on the goodwill
28 of the civilians?

29 A. That remained until I had an accident and I was taken to

1 Burkina. Yes, until I went to Burkina.

2 Q. And would you know how the NPFL fighters were surviving
3 during the time that you were away?

4 A. Yes. It was from the same civilians in the entire Nimba
15:26:32 5 County. I even learned later that - because by then I was not
6 there, I was in the hospital. I learnt from Agnes Taylor, the
7 witness of Mr Taylor, that the NPFL had captured the Nimba
8 headquarters of Sanniquellie and that the chiefs and the zo in
9 Nimba were all contributing food for the fighters.

15:27:11 10 THE INTERPRETER: Your Honours, that was not clear to the
11 interpreter.

12 PRESIDING JUDGE: What did you say, Mr Witness? We didn't
13 catch it. Something about Gbarnga. What did you say?

14 THE WITNESS: I said it was the same thing that happened in
15:27:30 15 Gbarnga. The same way the Nimba County citizens were bringing
16 food for the fighters in Nimba, that was the same thing that the
17 Bong County people did in Gbarnga. Taylor was to pass and go
18 straight to Monrovia, but the Bong County people said that they
19 would not allow him to pass. They said they will give him a
15:27:51 20 place and he will live there with them. They said they would not
21 allow him to pass. So that was how Taylor managed to be based in
22 Gbarnga.

23 MR CHEKERA:

24 Q. Why did you Bong County people refuse Taylor to pass to go
15:28:08 25 to Monrovia?

26 A. They embraced the organisation. They embraced the
27 organisation. They said they liked the movement and they liked
28 the NPFL, so they said the leader will not pass. He should stay
29 with them in Gbarnga until the time he will be ready to go to

1 Monrovia. But they said they would not let him pass. So the
2 superintendent, the commissioner and the heads, the elders and
3 the zos, all of them, they all willingly said it. That was how
4 Taylor was based in Gbarnga, but he was on his way straight to
5 Monrovia.

15:28:54

6 Q. Mr Zaymay, Zigzag Marzah says that you were surviving on
7 looting. Page 5862, line 11:

8 "Q. Now, Mr Witness, before the election of Charles Taylor
9 as President, were the NPFL soldiers paid any salary?

15:29:21

10 A. Before election, or after elections?

11 Q. Before the election.

12 A. No, we had go ahead that what - wheresoever we
13 captured, what we got there was for us. So, we were
14 encouraged to battle. We were not physically paid, no."

15:29:43

15 Do you follow what Zigzag Marzah is saying, Mr Zaymay? He
16 says before Mr Taylor was elected President, the NPFL was
17 not - the NPFL fighters were not paid anything and you were
18 surviving on looting. Actually, you were encouraged to go into
19 battle, and that would be your opportunity to loot. What's your
20 comment?

15:30:06

21 A. It's a lie. A big, big lie. The NPFL was paid. The
22 payment started since '92. I could - I remember when I was
23 commanding general in the southeastern region in Maryland, I was
24 called directly by Mr Taylor asking me - he said, "General
25 Zaymay, report to Gbarnga to receive the salaries of the
26 soldiers." And I went there, I got the monies from him, and he
27 asked me to give the strength, my total - the total strength of
28 my men. And he calculated, he did the breakdown: Commander,
29 1,000; deputy commander general, 700; and going right down to the

15:30:44

1 least person, 500. And that total was calculated, and it was
2 signed by him and it was taken to the Chief of Finance, and it
3 was taken to the Ministry of Finance. I took it to the Ministry
4 of Finance, and the Ministry of Finance approved it. They gave
15:31:28 5 me a cheque, I took it there, and I received my money. I took it
6 with me. I went and paid the soldiers. And the salary system
7 started from 2000 up to the time Taylor left Monrovia in 2005.
8 No soldier ever looted for payment. The SOP was strong. No one
9 could tamper with it. It's a big lie.

15:31:57 10 Q. I just want to be clear about something. When did the
11 salary system start again? You have given two different dates.

12 A. The salary started in 2002 when I was in Maryland. When I
13 was in Maryland.

14 Q. And when did it end?

15:32:33 15 A. No, no, no. No, no, no. The salary started in 1992. In
16 1992. 1992. It's a mistake by saying 2002. The salary system
17 started in 1992. When I was transferred from Bomi Hills to
18 Maryland in 1992. Not 2002.

19 Q. On the same page, still on page 5862, Mr Zigzag Marzah also
15:33:07 20 alleges that the NPFL were using terrorist tactics against
21 civilians. I will refer you to the relevant portion. Line 18:

22 "Q. Sir, when you were with the NPFL, were there any
23 tactics that were used to create fear in your opponents and
24 those around you, those civilians around the area?

15:33:30 25 A. Yes. When I was with the NPFL to fight from Tappita to
26 go to Grand Bassa, the tactics that we used sometimes we
27 set ambushes, but before setting any ambush anywhere,
28 anywhere we are going to capture, the battle that we do
29 there there is no rescue for any civilian. From there you

1 take the human head and you would place it over your car
2 bumper and when people see it they become afraid, and when
3 the enemy hears that news they will say the people who are
4 coming, the men who are coming, they do not forgive any
15:34:08 5 person. So, for that reason they too would vanish."

6 Mr Marzah is giving evidence about the time that the NPFL
7 was fighting from Tappita to Grand Bassa. Were you involved in
8 any fighting in Tappita to Grand Bassa?

9 A. Yes.

15:34:45 10 Q. When was it that you were involved in fighting from Tappita
11 to Grand Bassa, this area?

12 A. 1990.

13 Q. Where were you in 1990?

14 A. I can remember 1990. There was a mission that was given to
15:35:17 15 me that Krahn soldiers, the AFL, were coming to Tappita by
16 entering Nimba County in Tappita. So I was to move and block the
17 bridge between Grand Gedeh - between Grand Gedeh and Nimba
18 County. Between Grand Gedeh and Nimba County. There was a
19 special unit that was given to me that was prepared from Gborplay
15:36:09 20 just for this mission, so I moved from Gborplay with this unit
21 along with Godfather. I went and captured Tappita successfully
22 and deployed men on the bridge - at the bridge between Grand
23 Gedeh and Nimba County. Between Grand Gedeh and Nimba County.
24 Then I returned to my assignment area.

15:36:48 25 Q. Now, do you know anything about these allegations that are
26 made by Mr Marzah? Did you see any of this during the time that
27 you were fighting in the NPFL?

28 A. No. That is why I say Zigzag Marzah was lying. When you
29 enter where NPFL was fighting - let me say this: The reason that

1 NPFL was strong to advance into Monrovia within six months was
2 that we used the very civilians to give us information. We
3 used - we embraced the civilians. Before attacking any town, we
4 would get information from the civilians. We would ask them if
15:37:43 5 there were soldiers in the town and they will say yes, and they
6 will give us the position of the soldiers. Then we would move
7 straight to where the soldiers were living and leave the
8 civilians alone. The very civilians whom we had embraced would
9 give us the location of the soldiers. If you do not know a place
15:38:03 10 and you set the civilians aside, who would give you the
11 information to move ahead? That was a big lie. We used the
12 civilians to feed us with information. The embraced the very
13 civilians whom we had gone to embrace. How would we have killed
14 everybody? That is a great lie.

15:38:24 15 Q. Just to be faithful to the evidence, Mr Marzah did not say
16 you killed everyone. He said you - the NPFL would put - would
17 take a human head and place it over the bumper of a car to create
18 fear, and my question specifically relates to that practice. Is
19 this a practice that you know of from being a member of the NPFL?

15:38:59 20 A. I said it's a lie. It's a lie. It's never even happened.
21 It's a great lie. Nobody used human skulls on vehicles. It's a
22 lie.

23 Q. Again to be faithful to the evidence by Mr Marzah, he did
24 not say "human skull". He said "human head".

15:39:28 25 A. I continue to say it is false. It's a lie.

26 Q. Next page, 5863, line 1:

27 "Q. Was there a practice that you used at checkpoints with
28 the NPFL to create fear?

29 A. Yes, after we left Nimba to go as far as Kamutes [phon]

1 Town, as far as Monrovia, any checkpoint we use human
2 intestine, sometimes we put the head on a stick for people
3 to be afraid."

4 Did the NPFL, during the time that it was advancing as far
15:40:17 5 as Monrovia, to your knowledge use human intestines at
6 checkpoints in order to create fear?

7 A. No, it's a lie. No, it never happened.

8 Q. Line 8:

9 "A. When the person is executed, when he is executed his
15:40:44 10 stomach is slit and you take the intestine and you use it
11 as a rope and you take the head and place it on a stick and
12 you put it aside the checkpoint."

13 More graphic details there. Do you now remember? Did you
14 see any of this happen?

15:41:09 15 A. Not in my command. I never saw it. I was the commander
16 for Kakata straight to Monrovia. I never used - nobody ever used
17 human - the intestine of a human being as a gate. It's a lie.
18 This is a lie.

19 Q. Page 5864, line 13:

15:41:33 20 "Q. Mr Witness, do you know if Charles Taylor ever passed
21 these checkpoints that had the displays that you are
22 talking about of human heads and intestines?

23 A. Yes, he was aware. He made us understand that as
24 guerillas you have to play with human blood so that the
15:41:54 25 enemy forces would be afraid of you."

26 Do you - is this within your personal knowledge, that
27 Mr Taylor used to encourage NPFL fighters to play with human
28 blood so that the enemy forces would be afraid?

29 A. No, it never happened. No.

1 MR CHEKERA: Madam President, I will refer to, briefly,
2 exhibit P-436A.

3 MS IRURA: Your Honour, we did not have notice of this
4 exhibit. We would require some time to locate it.

15:43:23 5 MR CHEKERA: Madam President, I could just read the
6 excerpt. It's only two lines. My apology for overlooking that
7 notice.

8 PRESIDING JUDGE: Sorry, this is an excerpt of what?

9 MR CHEKERA: It was a Prosecution exhibit used in
15:44:08 10 cross-examination.

11 PRESIDING JUDGE: Yes, but it's a document - what document
12 is it?

13 MR CHEKERA: The description of the document, I think it
14 was an excerpt of the Liberian TRC report.

15:44:22 15 JUDGE DOHERTY: Mr Chekera, do you think or do you know?

16 MR CHEKERA: The ERN number I have is 874 and, yes, it was
17 an excerpt.

18 PRESIDING JUDGE: You see, we have this exhibit in our
19 courtroom folder, but we just have that page 175.

15:44:49 20 MR CHEKERA: Yes, that's --

21 PRESIDING JUDGE: And there is no description of what this
22 document is.

23 MR CHEKERA: That is what we also have in our --

24 PRESIDING JUDGE: Yes, but if you are going to rely on it
15:44:58 25 for cross-examination, I am asking you for the record to state
26 what it is.

27 MR CHEKERA: Yes, yes.

28 PRESIDING JUDGE: What is it? What is this document?

29 MR CHEKERA: It is an excerpt from the Liberian TRC report.

1 PRESIDING JUDGE: Now you can put it before the witness.

2 MR CHEKERA:

3 Q. Mr Zaymay, you remember when you talked about the
4 disarmament of ECOMOG forces in 1992. This is an exhibit that
15:45:41 5 was put before this Court by the Prosecution and I am going to
6 refer to the September 1992 part which was isolated by the
7 Prosecution for purposes of this trial:

8 "Nearly 600 ECOMOG soldiers were taken prisoner, some of
9 whom were severely beaten by their NPFL captors."

15:46:13 10 In September 1992, Mr Zaymay, do you know of any case of
11 600 ECOMOG soldiers who were taken prisoners by the NPFL and
12 severely beaten?

13 JUDGE LUSSICK: Some of which. Some or whom were --

14 MR CHEKERA: Sorry, yes, your Honour:

15:46:35 15 Q. Some of whom were severely beaten?

16 A. No, not to my knowledge.

17 Q. When you disarmed ECOMOG, do you know whether there was any
18 ill-treatment of the ECOMOG soldiers who were disarmed under your
19 command?

15:46:54 20 A. No. No ECOMOG was maltreated under my command after the
21 disarmament.

22 Q. Were ECOMOG soldiers disarmed elsewhere other than under
23 your command?

24 A. I only know about my command.

15:47:13 25 Q. I might as well while at it go to the September '94 entry
26 second from the bottom:

27 "September 1994: The NPFL reportedly detained and
28 ill-treated 30 civilians from the Bassa ethnic group in Gbutuo
29 and Niamba County accused of supporting the LPC."

1 Mr Zaymay, in September '94 do you know about 30 civilians
2 from the Bassa ethnic group in Gbutuo, Nimba, that were detained
3 and ill-treated for supporting the LPC?

4 A. No, I don't know about this.

15:48:07 5 Q. The last paragraph:

6 "September 1994: Large numbers of civilians and refugees
7 were beaten and raped and their property looted by the armed
8 groups involved in the fighting around Gbarnga."

9 You said that Gbarnga fell and was recaptured in 1994, yes?

15:48:34 10 A. No, not to my knowledge. By NPFL? By NPFL? No. But
11 there were two forces that were in Gbarnga, LPC and ULIMO. The
12 two of them attacked Gbarnga. ULIMO first entered and the LPC
13 later entered and LPC took ULIMO to be the NPFL. ULIMO took the
14 LPC to be the NPFL, so these two units fought for one week before
15:49:21 15 we could attack them. So no NPFL fighter ever arrested any
16 civilian.

17 JUDGE DOHERTY: Mr Chekera, the citation that you read
18 doesn't refer to the arrest of a civilian.

19 MR CHEKERA: Yes, I note that and I was going to correct
15:49:45 20 that:

21 Q. The allegation here, Mr Zaymay, is large numbers of
22 civilians and refugees were beaten and raped and their property
23 looted by the armed groups involved in the fighting around
24 Gbarnga, that was around September 1994. Did the NPFL beat, rape
15:50:11 25 and loot the property of civilians around Gbarnga during that
26 time?

27 A. I repeat, no, no. I want to say something concerning this.
28 I said no. The two armed groups, ULIMO first entered Gbarnga.
29 LPC came. ULIMO took LPC to be the NPFL. LPC took ULIMO to be

1 the NPFL. So these two units fought. They fought artillery war.
2 It was not easy. The leader, Mr Taylor, told us that the two
3 units have met and they were taking each other to be the NPFL.
4 So NPFL should retreat to the rear and let them fight each other.
15:51:03 5 So they fought each other for about a week before NPFL could come
6 in. There were no civilians in Gbarnga during the time those two
7 units were fighting. Before NPFL entered, there were no
8 civilians in Gbarnga. So the NPFL never raped nor flogged any
9 civilian.

15:51:24 10 Q. Now, I am going to ask you about - just a few more
11 questions. The time that you were in Libya, when you were at
12 Tajura taking training, you said you took your training at
13 Tajura. Where the trainees at Tajura allowed to go outside
14 Tajura?

15:52:19 15 A. No. No trainee went out of the fence. The fence was
16 electrified. No trainee went outside that fence. Only our
17 heads. The only way you could go out of the fence is when you
18 reported sick. When you reported sick, they had a government
19 hospital. They had a military hospital in Metiga. That was
15:52:49 20 where the government hospital - the military hospital was
21 located. If you reported sick, one man from your group, as your
22 leader, would go to the instructor together with the instructor
23 with you to the hospital. That's the only time you could see
24 outside, when you reported sick, when you were to go for
15:53:13 25 treatment. Apart from that, nobody was allowed to go outside the
26 fence.

27 Q. And you mentioned a place called Tajura. Did they
28 trained - sorry, called Mathaba. Did the trainees at Tajura have
29 access to Mathaba?

1 A. No. Not to my knowledge, it never happened. What are you
2 going to do in Mathaba? The restriction there was high. You
3 couldn't go outside.

4 Q. I want you to be very clear in that answer because you seem
15:53:53 5 to be saying two different things. Did the trainees have access
6 to Mathaba or not, or you don't know?

7 A. The trainees did not have any access to Mathaba.

8 Q. Now, when you were at Tajura you told the Court that
9 Mr Taylor came and addressed you for the first time you had a
15:54:29 10 meeting where he outlined the objectives of the NPFL while they
11 were training. Now, I am going to read you what the Prosecution
12 alleges were the reasons for the training of the NPFL at Tajura
13 and I am going to ask you to comment on it.

14 Madam President, I refer to the opening statement of 4 June
15:54:58 15 2007 and I will refer to page 282.

16 MS IRURA: Could you kindly indicate the CMS number?

17 MR CHEKERA: I am afraid I do not have the CMS number. I
18 pulled it off the website.

19 PRESIDING JUDGE: So how are we supposed to follow?

15:55:37 20 MR CHEKERA: Madam President, would it be convenient for us
21 to do that after the break?

22 MS IRURA: Your Honour, I have the relevant transcript.

23 PRESIDING JUDGE: Display the transcript.

24 MR CHEKERA: May I proceed, Madam President?

15:56:07 25 PRESIDING JUDGE: Yes.

26 MR CHEKERA:

27 Q. I will begin at line 12. This was the statement by the
28 Prosecutor - the opening statement by the Prosecutor when he
29 opened the case against Mr Taylor and these were the allegations

1 he was saying the Prosecution would put forward through their
2 evidence. At line 12:

3 "A plan was there formulated" - that is a plan at Tajura in
4 Libya. "A plan was there formulated by the accused and others to
15:56:42 5 take over political and physical control of Sierra Leone in order
6 to exploit its abundant natural resources and to establish a
7 friendly or subordinate government there to permit - to
8 facilitate this exploitation. This was part of a larger strategy
9 that included helping others militarily in their respective
15:57:05 10 revolutions to take over their respective countries, and the
11 first one was to be Liberia. For that there was created the
12 National Patriotic Front of Liberia, the NPFL, and then of course
13 there was the RUF, the Revolutionary United Front, created for
14 Sierra Leone.

15:57:27 15 The agreement made by the accused and Foday Sankoh was to
16 begin, as I say, in Liberia with the help of Sankoh's forces, and
17 Liberia would then be used as a base from which to move into
18 Sierra Leone with the help of the forces of the accused."

19 I will just pause there.

15:57:52 20 JUDGE LUSSICK: What page was that? You said page 282. I
21 don't think there are that many pages in the opening statement.

22 MR CHEKERA: Of the transcript, as it is posted on the
23 official website of the Court.

24 PRESIDING JUDGE: Did you give us a proper quotation of
15:58:11 25 this transcript, namely, the date.

26 MR CHEKERA: 4 June 2007.

27 PRESIDING JUDGE: And the lines that you were reading?

28 MR CHEKERA: 12 to 23.

29 JUDGE LUSSICK: I was looking at a different document,

1 Mr Chekera.

2 MR CHEKERA: Has that been -

3 PRESIDING JUDGE: It is in order for you to cite the
4 official transcript because that's what happened in court, what
15:58:46 5 you were reading. I was just concerned that you hadn't put on
6 the record where you were reading from.

7 MR CHEKERA: Oh, yes, yes:

8 Q. The Prosecutor, Mr Zaymay, alleges here that the plan was
9 that was formulated in Libya was for the NPFL and the RUF to take
15:59:14 10 over political control of Sierra Leone in order to exploit its
11 abundant natural resources and to establish a friendly or
12 subordinate government. Do you agree with that?

13 A. No.

14 Q. Where do you disagree with the statement?

15:59:44 15 A. The - our motive in the NPFL, our plan was to liberate our
16 country, not to go anywhere else. We had our own problem and we
17 had not solved our problem. How could we go somewhere else?
18 That's why I said, no, it's not to my knowledge. No.

19 Q. Again, I just want you to be very clear. Are you saying,
16:00:08 20 no, this was not the case, or are you saying whatever is alleged
21 by the Prosecutor is not within your personal knowledge?

22 A. I said, no, that was not the NPFL plan. No.

23 Q. The Prosecutor goes on to allege that this was part of a
24 larger strategy that included helping others militarily in their
16:00:38 25 respective revolutions to take over their respectively countries,
26 and in this instance it says that, in terms of this agreement,
27 the NPFL was specifically created in Liberia and the RUF was
28 created specifically for Sierra Leone as part of a common purpose
29 or a common plan to take over control of Sierra Leone.

1 PRESIDING JUDGE: Mr Chekera, you are making a mistake. It
2 doesn't say the NPFL was created in Liberia.

3 MR CHEKERA: Sorry, I observed the mistake as soon as I
4 said it. Let me rephrase.

16:01:22 5 PRESIDING JUDGE: Perhaps you can do that after the break
6 because we have come to the end of the tape. We are going to
7 take half an hour's break and reconvene at 4.30.

8 [Break taken at 4.01 p.m.]

9 [Upon resuming at 4.35 p.m.]

16:35:12 10 PRESIDING JUDGE: I understand the head of the sub-office
11 has an announcement or something that he would like to bring to
12 everybody's attention. Mr Gregory Townsend, please.

13 MR TOWNSEND: May it please the Trial Chamber. Thank you
14 very much for the audience, your Honours. I know that there's
16:35:44 15 been a lot of communication, but I just wanted to make myself
16 available here to answer any questions and to apprise the Trial
17 Chamber and the parties that as discussed previously the move to
18 the Special Tribunal for Lebanon courtroom would be implemented
19 and, in effect, this would be our last hearing of the evidentiary
16:36:02 20 phase of the Taylor trial here in the ICC Courtroom II and that
21 tomorrow during the ICC holiday we would effect a move and we
22 would be ready for this case to continue in the STL courtroom
23 from Monday at 9.30, your Honours. I'm available for any
24 questions. Thank you.

16:36:31 25 PRESIDING JUDGE: I do not think that there are any
26 questions. The people that are concerned in this courtroom I
27 think are aware of what the move entails. But it remains for me
28 to say on the record publicly that we - on behalf of my
29 colleagues and I think on behalf of the parties, that we are

1 grateful and thankful to the ICC administration for permitting us
2 to use the courtroom facilities and the office facilities since
3 the year 2007 when we first came to The Netherlands for purposes
4 of this trial and also to use their detention facilities for the
16:37:17 5 accused person Mr Taylor. And I wish everybody a smooth transfer
6 to the premises of the Special Tribunal for Lebanon.

7 MR MUNYARD: Madam President, I did actually have a
8 question, but I was about to ask it when you started to make
9 those comments. As you know, in November of last year we were
16:37:46 10 told by the Registrar that tomorrow would be a public holiday and
11 we wouldn't be sitting because it's a public holiday here in The
12 Netherlands, so many of us had made plans, including in the case
13 of one of my colleagues booked air tickets. Last week we're
14 suddenly told it's not going to be a holiday. So some of us have
16:38:08 15 changed our plans and we'll be available to be at the Lebanese
16 Tribunal tomorrow, but it would be helpful to us, because we're
17 having to change things at short notice, to know, where it says
18 1430 practice and moot Court, how long it's anticipated that will
19 last so that we can then make our arrangements.

16:38:37 20 PRESIDING JUDGE: Mr Townsend, you've understood the
21 question?

22 MR TOWNSEND: Absolutely. The schedule indicates a start
23 time of 1430 tomorrow at the STL courtroom, and it's only
24 contained in the text of the email, but that session is scheduled
16:38:54 25 for 90 minutes. So it would end at 1600. 2.30 to 4 p.m.
26 tomorrow. I hope that's clear.

27 MR MUNYARD: Thank you very much. And I would like on
28 behalf of the Defence to endorse Madam President's thanks to the
29 staff here at the ICC, in particular the staff who have been of

1 assistance to us and I'm talking about a whole range of people
2 from the toilet cleaners right through to the IT people. They
3 have all been very helpful and they have made our time here a lot
4 easier, particularly in light of some of the bureaucratic
16:39:33 5 difficulties that we've faced in our time here. We're very
6 grateful to them.

7 PRESIDING JUDGE: Thank you. I couldn't agree with you
8 more. I think, Mr Townsend, that will be all.

9 MR TOWNSEND: Thank you, your Honour. I ask leave and I
16:39:49 10 join you in your thanks to the ICC and thank everyone for their
11 appreciation and consideration and assistance.

12 PRESIDING JUDGE: Mr Chekera, we may now continue with the
13 witness on the stand.

14 MR CHEKERA: Thank you, Madam President:

16:40:13 15 Q. Mr Zaymay, just a few more questions. From the time that
16 you left Liberia after you left Libya - Madam President, I will
17 pursue the other line of questioning that you had adverted to
18 earlier in a different way. You had pointed out a correction to
19 the question I had earlier posed and I'm referring to that
16:40:30 20 question through another way. From the time that you left Libya
21 to enter Liberia to start your revolution as the NPFL were you
22 ever joined by any members of the RUF?

23 A. No, I never.

24 Q. And during the time that you were at Tajura was there ever
16:41:02 25 a time when there was a meeting between any member of the NPFL
26 and any member of the RUF to chart or to come up with the
27 objectives of their respective revolutions in their respective
28 countries?

29 A. No, nobody ever discussed such.

1 PRESIDING JUDGE: Mr Chekera, you ask a witness whether
2 from the time that you left Libya to enter Liberia to start your
3 revolution you were ever joined by any members of the RUF, and he
4 answers, "No, I never." What does that mean?

16:41:46 5 MR CHEKERA: Yes, let me clarify. Thank you:

6 Q. Mr Zaymay, the question I asked earlier on was whether the
7 NPFL was ever joined by any member of the RUF from the time you
8 started your revolution in 1989 to the time that Mr Taylor was
9 elected President?

16:42:14 10 A. No, not to my knowledge.

11 Q. Again I want you to be very clear. Are you saying you were
12 never joined by - or, rather, the NPFL was never joined by any
13 member of the RUF, or are you saying you do not know?

14 PRESIDING JUDGE: Were you objecting to anything,
16:42:36 15 Ms Howarth?

16 MS HOWARTH: No, I do apologise.

17 THE WITNESS: I said no, I never saw any NPFL joining the
18 RUF. No, I never saw it.

19 PRESIDING JUDGE: It's twisted the other way round. Is
16:42:58 20 that what you asked? Perhaps that's how it was interpreted.

21 MR CHEKERA: Let me ask again:

22 Q. The question was: Was the NPFL ever joined by any member
23 of the RUF?

24 A. No, I did not see any RUF man joining the NPFL, no.

16:43:23 25 Q. During the time that you were at Tajura, do you know
26 whether Mr Taylor, your leader in the NPFL, ever had any meeting
27 with any member of the RUF where they discussed their respective
28 objectives in Liberia and Sierra Leone?

29 A. No, I never saw it and I never heard of it.

1 Q. Do you know whether Mr Taylor ever had a meeting with any
2 member representing himself or herself as the leader of the RUF
3 to discuss the respective objectives of the RUF and the NPFL?

4 A. No, I never heard and I never saw it.

16:44:21 5 MR CHEKERA: Madam President, that will be all in
6 evidence-in-chief, thank you. Thank you, Mr Zaymay.

7 PRESIDING JUDGE: Ms Howarth, are you taking the
8 cross-examination of this witness?

9 MS HOWARTH: Yes, I will be.

16:44:57 10 PRESIDING JUDGE: Please continue.

11 CROSS-EXAMINATION BY MS HOWARTH:

12 Q. Good afternoon, Mr Witness. Can you hear me okay? You are
13 not answering yes or no. Can you hear me okay?

14 A. Yes, I can hear you.

16:45:21 15 Q. Mr Witness, can you tell us how did you come to be involved
16 in this case?

17 A. What case?

18 Q. The case against Charles Taylor.

19 A. I was called as a witness by the Court.

16:45:45 20 Q. How did you come to be called as a witness?

21 A. I was in Liberia, Monrovia. The Defence team called me
22 that I was needed at the international court, the war crime
23 court, as a witness. That was how I knew, and I came.

24 Q. Who was it from the Defence team that called you?

16:47:01 25 A. We have the office in Liberia from the lawyers. One
26 Mr Gray called me and said I was needed in The Hague. That was
27 how I got to know that I was needed here.

28 Q. When was it that Mr Gray called you?

29 A. Last year.

1 Q. Can you remember when last year?

2 A. I cannot be exact with the month, but it happened last
3 year.

4 Q. Do you remember if it was the beginning, middle or end of
16:48:12 5 last year?

6 A. At the beginning of last year.

7 Q. You mentioned an office in Liberia. Without being
8 specific, can you say - maybe I'll rephrase that, but which town
9 or city is that office in, if you know?

16:48:42 10 A. Liberia, Monrovia.

11 Q. Do you know Mr Gray as a member of the NPFL?

12 A. I don't know - I did not know Mr Gray in the NPFL, but I
13 knew Mr Gray as Vice-President to - Vice-President of Liberia.

14 Q. Having had that call from Mr Gray, what decision did you
16:49:44 15 then make?

16 A. Oh, I told my family that I was in The Hague, and they said
17 okay, be brave and know what to say.

18 PRESIDING JUDGE: Mr Interpreter, did you say be brave or
19 did you say be brief?

16:50:19 20 THE INTERPRETER: Brave.

21 PRESIDING JUDGE: Sorry?

22 THE INTERPRETER: Brave.

23 THE WITNESS: Be brave. My family told me to be brave and
24 to know - and to say what I know.

16:50:40 25 MS HOWARTH:

26 Q. Before we get to The Hague, Mr Zaymay, what discussions, if
27 any, did you have in Liberia about this case?

28 A. After they had acquainted me with the information, I was
29 called by Mr Gray to make a statement. That's the statement that

1 I'm asking - I'm asking questions from.

2 Q. Just to clarify something you said. You said "after they
3 had acquainted me with the information". When you said that,
4 what were you referring to?

16:51:46 5 A. When they acquainted me with the information, I was called
6 by Mr Gray to give a statement, and I gave a statement about what
7 I know.

8 PRESIDING JUDGE: Mr Witness, you are not answering the
9 question. The question is when you say "when they acquainted me
16:52:11 10 with the information", what do you mean "when they acquainted me
11 with the information"? Who? Who acquainted you with
12 information? Who acquainted you with what information?

13 THE WITNESS: Mr Gray. When Mr Gray called me and told me
14 that I was needed in The Hague, that is the information.

16:52:45 15 MS HOWARTH:

16 Q. In relation to that information, do you know why Mr Gray
17 came to call you, Mr Zaymay?

18 A. Well, I did not know why he came to call me until later I
19 was told that I was needed here.

16:53:17 20 Q. Do you know how he got your number to call you?

21 A. Mr Gray knew me in Liberia. He knew where I lived.

22 Q. Did he also know your telephone number?

23 A. Yes.

24 Q. Tell me, how do you know Mr Gray in Liberia, other than in
16:53:55 25 relation to your involvement in this case?

26 A. I knew Mr Gray as one of my ex-Vice-Presidents of Liberia.
27 That's how I knew him.

28 Q. When you are talking about ex-Vice-Presidents of Liberia,
29 under what administration are you referring to?

1 A. Under Moses Z Blah's administration.

2 Q. And can you remind me, between when and when was Moses Z
3 Blah's administration in terms of years?

4 A. Moses Blah took over in 2003 for about - he remained in
16:55:08 5 command for about a month - two or three months or so.

6 Q. The ex-Vice-President of Liberia that you are referring to
7 as Mr Gray, whom appointed him to that position, if you know?

8 A. Mr Gray, I do not know who appointed him, but I heard that
9 the Vice-President to Moses Blah was Mr Gray - was Mr Gray.

16:55:48 10 Q. He was appointed to the Senate by Mr Taylor, wasn't he?

11 A. I don't know.

12 Q. You don't know? Or you don't want to know?

13 A. I don't know. I was at the front line fighting against
14 LURD when Taylor left. I did not know what happened. I did not
16:56:22 15 know who brought Mr Gray in. I only heard it over the radio,
16 over the media. I was at the front.

17 Q. Did you hear whether he was the senator after the 1997
18 election?

19 A. I did not know Mr Gray before I knew him when he was
16:56:48 20 Vice-President.

21 Q. Now, you mentioned giving a statement. Can you say when
22 last year you gave that statement? Again, was it at the
23 beginning, middle or end of the year?

24 A. At the beginning. I can't remember the exact month.

16:57:17 25 Q. And where was it, in terms of a town or a city, that you
26 gave that statement?

27 A. In Monrovia.

28 Q. Can you remind me, please, where is it that you live?

29 A. Where I left? Come again.

1 Q. It was: Where do you live? L-I-V-E.

2 A. I live at ELWA Junction in Monrovia.

3 Q. Now, when you gave that statement, who did you give the
4 statement to?

16:58:17 5 A. Mr Gray asked me to give a statement, and Mr Gray recorded
6 me.

7 Q. Was it just Mr Gray there, or was there anyone else?

8 A. There is a small office, but the one I could recognise
9 there was Mr Gray.

16:58:49 10 Q. I'm not sure whether something was lost in translation
11 there because I was asking if there was another person there and
12 it's come out on the transcript as there is a small office. So
13 perhaps I'll try again. Mr Zaymay, was there any other person
14 than Mr Gray there when he took a statement?

16:59:16 15 A. There were other persons, I think one or two persons in the
16 office with Mr Gray, but I did not know them. They were
17 Liberians, but I did not know them. It was only Mr Gray that I
18 knew because he was Vice-President. He was the only person that
19 I could recognise.

16:59:35 20 Q. Mr Gray didn't introduce these people?

21 A. He did an introduction, but I can't remember the people.
22 That was my first time of seeing them. It was only Mr Gray that
23 I focused on.

24 Q. How long did you spend with Mr Gray on that occasion?

17:00:06 25 A. It took me two days with Mr Gray the first time I met him
26 taking the statement and he was recording.

27 Q. When you say he was recording, do you mean that he was
28 writing down what you were saying?

29 A. Yes, he was recording and the person - the other person was

1 doing the writing.

2 Q. Then what do you mean when you say he was recording?

3 A. For the first - the first time that Mr Gray called me, I
4 was giving the statement and they were doing the recording.

17:01:09 5 There was another person there, but I did not know him. The
6 person was doing the recording and Mr Gray was taking down my
7 statement. When I explained, he will take it down and this
8 person was doing the recording. That was the very first time in
9 two days.

17:01:27 10 Q. Do you mean someone was tape-recording?

11 A. Yes.

12 Q. Someone else was writing down? Have I got you right on
13 that?

14 A. Yes. Mr Gray was writing down my statement and at the same
17:01:50 15 time somebody else was doing the recording, the very first time
16 when we met.

17 Q. Do you mean on the very first time you met with them? Or
18 that that was the first time they were doing the recording?

19 A. My very first time. My very first time when Mr Gray sent
17:02:21 20 for me for the very first time.

21 Q. Now, you said your meeting with Mr Gray and the others took
22 two days. Was that two full days?

23 A. No, not full days. I will go there at 10 and I'll leave
24 there at 2. I will go there at 10 and leave there at 2. It was
17:02:51 25 not the whole day.

26 Q. I understand. The information that you had given having
27 been written down, did you then see the information that was
28 written down?

29 A. I never saw it. It was not given back to me.

1 Q. Do you mean at that time, or at all?

2 A. Yes, the information that was taken down, they told me that
3 they will send it to The Hague. It was not handed over to me. I
4 never saw it.

17:03:42 5 Q. Was it read back to you?

6 A. Yes. They played it. My own statement, after they had
7 recorded it, they played it and I listened to it.

8 Q. And do you know why that was taking place?

9 A. Yes, I knew. When he called me, he told me that they were
17:04:19 10 going to record me. They were going to take a statement from me
11 because the statement would be sent The Hague and you will go The
12 Hague. That was time that I knew why they were recording it.

13 Q. Do you know what was going to happen to the recording?

14 A. He told me that the recording - they would have to sit down
17:04:57 15 and finalise it. They would sit down and draw questions from my
16 statement in order to answer questions in The Hague.

17 Q. Were you happy when you listened to the recording that they
18 got it right, what you had said?

19 A. Yes. I listened to it and I said, yes, that's my
17:05:36 20 statement.

21 Q. And did you sign anything at all to say, "Yes, they got it
22 right. That's my statement"?

23 A. I did not sign.

24 Q. So, Mr Zaymay, this is the first occasion where you meet
17:06:01 25 with the Defence team. What was the - or, rather, when was the
26 next time that you met with a member of the Defence team?

27 A. I met a member of the Defence team this year. This year -
28 yes, this year.

29 Q. Who was that?

1 A. I met with the Defence team, Sillah, for the last - for the
2 last time before coming here.

3 Q. Who is Sillah? Is it Silas? Is it the lawyer sitting in
4 court who was asking you questions earlier?

17:07:31 5 A. Yes.

6 Q. And where was it that you met with him?

7 A. In Monrovia.

8 Q. And you said it was this year. Can you tell us which month
9 it was?

17:08:05 10 A. February or March.

11 Q. And, again, in terms of a town or city - I'm so sorry. You
12 said you met him in Monrovia. When you met Silas in Monrovia,
13 was it just yourself and Silas, or was there anyone else there?

14 A. I met Silas and Logan. And apart from them, there was a
17:08:44 15 man called Abraham from Sierra Leone. He had the office in
16 Monrovia from the Defence team.

17 Q. For how long did you meet with Silas and Logan on this
18 occasion?

19 A. I met them on two occasions within the same month.

17:09:16 20 Q. If you can recall, how far apart were those occasions? Was
21 it within the same week or --

22 A. Yes, within the same week and the same month.

23 Q. And on the first of those two occasions, how long did you
24 spend with Silas and Logan?

17:09:42 25 A. Within two days.

26 Q. And, again, how long on each of those two days did you
27 spend with them?

28 A. About three hours.

29 Q. So is that about three hours each day? Is that what you're

1 saying?

2 A. Yes.

3 Q. And on this occasion was anything written down?

4 A. They did not write anything down for me to see, but they
17:10:46 5 cross-examined me from my question - I mean, from my statement.

6 Q. And is this what happened on the first time you met with
7 them?

8 A. Yes.

9 Q. What happened on the second time you met with them?

10 A. I met them for the second time here.
17:11:33

11 Q. Earlier you said there were - I'll just get this right -
12 two meetings within the same week and the same month. I got the
13 impression that you met them twice in Monrovia. Is that correct
14 or have I got that wrong?

15 A. I met them twice in Monrovia and from Monrovia here.
17:12:04

16 Q. So on the first time you met them, you said "they
17 cross-examined me from my question". Was that on the first time
18 or the second time?

19 A. The two days that I met with them, they cross-examined me
17:12:29 20 in those two days for the first and second cross-examination.

21 Q. Was any statement taken from you on either of those two
22 occasions?

23 A. When they asked me questions from my statement, when I
24 explained and give answers, they take them down.

17:12:58 25 Q. Do you mean they write them down?

26 A. I did not know whether they wrote it down or not, but they
27 would mark it on a piece of paper, the cross-examination.

28 Q. So were they writing on a piece of paper?

29 A. Yes.

1 Q. So moving on from - I'm sorry. On the second occasion when
2 you met them in Monrovia, can you just tell me for how long did
3 you meet with them on that occasion?

4 A. Always three hours. Three hours on those two occasions.

17:13:46 5 Q. Now, what was the next thing for you in terms of your
6 involvement in this case?

7 A. What was the next thing? What do you mean? I do not
8 understand it.

9 Q. That's fair enough. It's not the best phrased question.
17:14:14 10 When did you next meet with someone from the Defence team?

11 A. After Monrovia, within those two days?

12 Q. Yes.

13 A. Here in The Hague.

14 Q. Can you tell me when was it that you arrived in The Hague?

17:14:40 15 A. I left Liberia on the 28th.

16 Q. Is that 28 April?

17 A. Yes, April 28. And I got here on April 29.

18 Q. And which date did you first meet with the lawyers?

19 A. My first time that I met the lawyer was on the 3rd or the
17:15:27 20 4th.

21 Q. And how many times have you met with the lawyer or lawyers
22 while you've been here in The Hague?

23 A. Two times.

24 Q. And which lawyer or lawyers did you meet with?

17:15:52 25 A. I met with Silas and Logan.

26 Q. And on the first occasion, for how long did you meet with
27 them?

28 A. I do not have a watch on my wrist, but I can estimate for
29 about four hours.

1 Q. Your estimations are fine, thank you. On the second
2 occasion, for how long did you meet with them?

3 A. Three hours.

4 Q. And was any statement taken on either of those two
5 occasions?

6 A. No.

7 Q. Was anything being written down or typed by the lawyers on
8 those two occasions?

9 A. No.

10 Q. Are you sure about that?

11 A. Yes, I did not see them writing down anything.

12 Q. Now, Mr Witness, have you been following this case, the
13 case against Charles Taylor, while you've been in Liberia?

14 A. No.

15 Q. Haven't you taken any interest in it at all?

16 A. The man was arrested by the United Nations. They would
17 investigate him. If he is free, they will release him. That's
18 what I'm looking up to.

19 Q. Which man are you referring to?

20 A. Mr Taylor.

21 Q. So while you've been in Liberia you haven't taken any
22 interest at all in this case?

23 A. Oh, I was expecting the release of my ex-President, for him
24 to come back. That was all I believed in.

25 Q. Are you saying you believe in the release of your
26 ex-President?

27 A. I wish - I'm wishing for his release. For long we've never
28 had any ex-President in Liberia apart from Moses Blah that was
29 there for only months, so we're expecting at least to have some

1 of our ex-Presidents in Liberia with us.

2 Q. Are you here to give evidence because you wish for his
3 release?

4 A. At not here to give evidence because I wish him to be
17:19:13 5 released. I'm giving evidence of what I saw, what happened.

6 Q. Now, you've said that you wish for his release. Given that
7 that's your wish, have you not followed at all the proceedings
8 that have happened here in The Hague from Liberia?

9 A. I am following the proceedings. What I'm saying in the
17:19:45 10 Court here --

11 THE INTERPRETER: Your Honours, can he kindly repeat his
12 answer.

13 PRESIDING JUDGE: Mr Witness, the interpreter didn't get
14 what you said. Kindly repeat your answer slowly.

17:20:01 15 THE WITNESS: Ask the question again.

16 MS HOWARTH:

17 Q. I certainly can do that. Now, you've said that you wish
18 for his release. Given that that's your wish, have you not
19 followed at all the proceedings that have happened here in The
17:20:23 20 Hague from Liberia?

21 A. I have been following the proceedings, to answer questions
22 about what I know and what I saw.

23 Q. How have you been following the proceedings?

24 A. To answer all questions.

17:20:53 25 Q. Mr Witness, you just told me "I have been following the
26 proceedings." How have you been following the proceedings?

27 JUDGE LUSSICK: It looks as though there might be some
28 misunderstanding here, Ms Howarth. I think he is referring to
29 these present proceedings with him as the witness and he's saying

1 "to answer all questions about what I know and what I saw".

2 MS HOWARTH: Very well, I'll try and clarify that. That
3 may well be the case:

4 Q. Mr Witness, when you say "I've been following the
17:21:28 5 proceedings", do you mean you've been following the proceedings
6 whilst being a witness in court here?

7 A. Yes.

8 Q. So you're saying whilst in Liberia you haven't followed the
9 proceedings at all?

10 A. When I was in Liberia, what proceedings would I follow in
11 Liberia? I was told to give a statement and I gave a statement.
12 I was told that there would be a Defence team that will be coming
13 to interact with me to cross-examine on the statement that I
14 gave. The Defence team came and cross-examined me. From there
17:22:23 15 you'll be called at any time to come The Hague to answer
16 questions against your statement, and I did. That's why I am
17 here answering questions today in The Hague. So that's the
18 proceedings I'm following.

19 Q. You're interested in the fate of Mr Taylor, aren't you?

17:22:47 20 A. Not per se that I have faith in him. The judgment would
21 decide. Not that I have faith in him.

22 Q. But you would like to see him released?

23 A. Yes, he's one of my ex-Presidents.

24 MR CHEKERA: I apologise for interrupting my learned
17:23:19 25 friend. I think my learned friend and the witness are
26 communicating at cross-purposes. My learned friend was asking
27 about fate and the answer related to faith.

28 MS HOWARTH: I do see what --

29 PRESIDING JUDGE: Possibly. Possibly the interpreter

1 interpreted it differently. Perhaps you would like to take those
2 questions again.

3 MS HOWARTH: I'm happy to move on from that point. I think
4 it's been dealt with:

17:24:00 5 Q. Have you not followed any news reports about what's been
6 going on in this case whilst you've been in Liberia?

7 A. I listened to the BBC, I listened to Network on Africa and
8 it was said that Mr Taylor was being tried in The Hague. That
9 was the information I heard.

17:24:32 10 Q. So you say you are someone who listens to the BBC. Is that
11 right?

12 A. Yes.

13 Q. You listen to Network on Africa?

14 A. Yes.

17:24:50 15 Q. But the only information that you've heard about this case
16 is that Mr Taylor is being tried in The Hague. Is that right?

17 A. Yes.

18 Q. Do you read the newspapers at all?

19 A. Sometimes, but I do not always have money to buy the
17:25:17 20 newspapers. Once in a while.

21 Q. And you've never read a newspaper article in relation to
22 this case. Is that right?

23 A. Sometimes I do read newspapers.

24 Q. Mr Witness, are you aware of the work of the Truth and
17:25:45 25 Reconciliation Commission in Liberia?

26 A. Yes.

27 Q. Now, aren't I right that you are in fact somebody who gave
28 evidence before the Truth and Reconciliation Commission?

29 A. Yes.

1 Q. And that was in Montserrado County. Is that right?

2 A. Monrovia, the capital, yes.

3 Q. And it was on 4 February last year, 2009, that you gave
4 evidence?

17:26:35 5 A. Yes.

6 Q. I'm going to move on to the testimony that you've given in
7 these proceedings. You spoke at the beginning of your evidence
8 about Belle Yella prison camp. Do you remember that?

9 A. Yes.

17:26:58 10 Q. And you explained that after the Doe coup, members of the
11 True Whig Party were arrested and taken to the Belle Yella prison
12 camp?

13 A. Yes.

14 Q. And you described the Belle Yella prison camp as being the
17:27:22 15 highest prison camp?

16 A. Yes.

17 Q. Is that the highest prison camp in Liberia?

18 A. Belle Yella is the maximum. There are other prison camps
19 in Liberia, but Belle Yella is the maximum.

17:27:50 20 Q. And going back to the arrest of those members of the True
21 Whig Party, do you know how they were taken to Belle Yella prison
22 camp?

23 A. Yes.

24 Q. And can you explain how, please?

17:28:09 25 A. They were taken there by a helicopter. There was no car -
26 there is no car road - there was no car road at that time from
27 Monrovia to Belle Yella. They were flown there in a helicopter.

28 Q. You mentioned LAMCO in your evidence. You said it was the
29 Liberian and American Mining Company. Do you remember that?

1 A. Yes.

2 Q. Can you confirm, is that an iron ore mining company in
3 Ni mba County?

4 A. Yes.

17:28:57 5 Q. If I could ask for the Court Manager's assistance. I would
6 like to pull up a transcript. That is of 6 May 2010 at page
7 40592. I'm starting right from the top, line 1. Mr Witness,
8 this is a part of your evidence when you arrived in the Ivory
9 Coast where you've taken exile. It reads:

17:30:08 10 "When I got there, I found many - I met many civilians, old
11 women, pregnant women, of the Gio ethnic group. We were from the
12 same area. I met many of them there and I asked them why they
13 were there and they said, oh, we learned that you too were - you
14 were not coming to exile so why are you here? And I said it's
17:30:31 15 not easy."

16 THE INTERPRETER: Your Honour, the learned counsel is not
17 clear. Can she kindly repeat the last statement, please.

18 PRESIDING JUDGE: Ms Howarth, perhaps you could take it a
19 little slower for them to interpret back to the witness.

17:30:44 20 MS HOWARTH: Yes, I will. I think I inadvertently sped up
21 because I was going to skip a small section. Perhaps if I check
22 the LiveNote:

23 Q. "When Qui wonkpa spoke, we heard Qui wonkpa over the radio.
24 Those of us who were here were jubilating. But later when the
17:31:15 25 English changed, when Doe spoke, all of us went into our shells.
26 Now the Krahn soldiers came here and they were patrolling in a
27 truck, in a pick-up full of armed men, and at night they would
28 come to the town and start beating up people and killing people.
29 Even some of the towns were burnt down, the villages. Even many

1 of the villages were burnt down. Everybody here was a rebel.
2 That was what caused us to run away to go into exile. That was
3 what they told me."

4 Now, Mr Witness, who was it telling you that?

17:32:00 5 A. The civilians whom I met in exile who had come from our
6 area, from our homeland in the other towns nearby.

7 Q. And from what tribe were those civilians?

8 A. The Gio ethnic group. Gio tribe.

9 Q. And when you say the civilians were telling you that, how
17:32:32 10 many civilians were telling you that?

11 A. There were over 30,000 civilians all over in the various
12 towns. There was a big displaced camp that was built with tents,
13 and I went in their midst. They were all my people.

14 Q. So were all of the people that you spoke to telling you
17:33:05 15 that?

16 A. Yes, Gio people.

17 Q. And what was their emotional state when they were telling
18 you this?

19 A. They were crying on me. Some children were sick with
17:33:31 20 malnutrition. People were emaciated and you can see their bones.
21 There was no food, no refugee supplies. They had to go to work
22 in people's farms for survival.

23 Q. The people who were crying, how did they feel about what
24 had happened to Quiwonkpa?

17:34:05 25 A. They were crying for their own lives. They did not have
26 time for Quiwonkpa. Quiwonkpa had been killed. They were crying
27 for their own lives, how they were suffering in exile. "So you,
28 Zaymay, you are in the army. We are depending on you and now you
29 have come here in exile? How are we going to make our lives?"

1 How are we going to live? How are we going to get back home? We
2 have no hope now." That was what they were saying.

3 Q. What about the Krahn soldiers that they said came there and
4 were patrolling, how did they feel towards these Krahn soldiers?

17:34:45 5 A. They felt bad about the Krahn soldiers. They were crying.
6 They felt bad about the treatment they had received. That was
7 what they were saying. How are they to go home? How are they
8 going back home? Are they going to die in exile? They are
9 feeling bad about the idea. That is what they were crying, that
17:35:09 10 they were not going to go back home because the Krahn soldiers
11 were there.

12 Q. I want to move on now from - to the journey that you took
13 from the Ivory Coast via Burkina Faso to Libya. You explained
14 that you took a bus to Abidjan. Is that correct?

17:35:34 15 A. Yes. From where I was, I boarded a bus to Abidjan.

16 Q. And can you just remind me, where was it that you were?

17 A. I was in Zongwe.

18 Q. And having taken a bus to Abidjan, you then took a train to
19 Burkina Faso?

17:36:01 20 A. Yes.

21 Q. And from Burkina Faso, you then took a plane to Tripoli?

22 A. Yes.

23 Q. On this journey, can you tell us what travel documents did
24 you use?

17:36:24 25 A. When we went into exile Houphouet-Boigny, the President at
26 that time, issued refugee carte d'identite. The Ivorians called
27 it carte d'identite. Carte d'identite was what we travelled
28 with.

29 Q. Whose name was on the carte d'identite that you had used?

1 A. They prepared mine in my own name. Every individual's own
2 was prepared in his or her own name.

3 Q. And who prepared them?

4 A. It was signed by the chief of immigration.

17:37:23 5 Q. The chief of immigration of where?

6 A. Of the Ivory Coast.

7 Q. Now, you - did you have tickets for the train?

8 A. Yes.

9 Q. And who provided those?

17:37:46 10 A. I did not know who provided the ticket. It was in French.
11 I do not read French.

12 Q. You took a plane from Burkina Faso to Tripoli. Was that a
13 private or a commercial flight?

14 A. It was a private plane.

17:38:17 15 Q. And did you have tickets for that trip or not?

16 A. Yes, they gave us a ticket.

17 Q. And whose name was on the ticket?

18 A. I cannot remember. I cannot read French. I did not know
19 whose name was on the ticket.

17:38:44 20 Q. So you didn't recognise your own name on the ticket?

21 A. Oh, the ticket? The ticket was prepared in the same way as
22 our - as our train tickets were prepared with our individual
23 names.

24 Q. Were there persons on the flight other than those heading
17:39:10 25 to Tajura?

26 A. No. We took a special flight.

27 Q. I'm going to skip ahead and go to your - the route you take
28 from Libya to Guinea. So you told us that you took a plane from
29 Tripoli to Abidjan. Is that right?

1 A. Yes.

2 Q. And from Abidjan you take a bus to Sepulou?

3 A. Yes.

4 Q. And from Sepulou you go to - is it Nzerekore in Guinea?

17:40:06 5 A. Nzerekore in Guinea.

6 Q. What documents did you use to travel with on those
7 occasions?

8 A. When we got to Abidjan, the identity card that they gave to
9 us was requested for and they gave us another, because it was
17:40:44 10 given annually. From the time we left and the time we spent on
11 the base, when we got there it was renewed and we were given a
12 different one and the other one was destroyed; they burnt it.

13 Q. Where did you get the new identity card from?

14 A. At the bus park in Abidjan.

17:41:17 15 Q. Which country issued the identity card?

16 A. Cote d'Ivoire, the Ivory Coast.

17 Q. Whose name was on that identity card?

18 A. The signature, or what? Which are the names? My own name
19 was on my own identity card signed by the immigration.

17:41:53 20 Q. You mentioned that the old identity cards were burnt. Do
21 you know why?

22 A. Our chief who was travelling with us who spoke French,
23 Godfather, he burnt them and gave us another one.

24 Q. Do you know why?

17:42:16 25 A. I don't know.

26 Q. Now, when you took this flight, again was that a private or
27 a commercial flight?

28 A. From where to where?

29 Q. Yes, from Tripoli to Abidjan?

1 A. I can't tell. There were other people on board the flight
2 apart from my group that I went with.

3 Q. Did you have tickets for this flight?

4 A. Yes, I had a ticket.

17:43:02 5 Q. The other people on board the flight, do you know who any
6 of those were?

7 A. No.

8 Q. Were they just ordinary people as far as you're aware?

9 A. Yes, I was only focused on my group.

17:43:23 10 Q. The ticket, did it have your name on it or a different
11 name?

12 A. I had my name on my ticket that was given to me.

13 Q. What language was this ticket in?

14 A. The ticket was prepared in French, but I saw my name.

17:43:45 15 Q. Did anyone check your ticket?

16 A. My ticket was given to me at the airport. Nobody checked
17 my ticket.

18 Q. Who gave it to you?

19 A. Degbon gave it to me at the airport.

17:44:06 20 Q. Now, moving on to something different again. You mentioned
21 Samuel Varney in your evidence. You explained that he was from
22 Nimba. Am I right that he is also a Gio?

23 A. Yes, he was a Gio man.

17:44:45 24 Q. Am I right that during Operation Octopus it's Isaac Musa
25 who is the battle group commander?

26 PRESIDING JUDGE: Have you understood the question, sir?

27 THE WITNESS: Come back with it again. I thought she was
28 still talking.

29 MS HOWARTH: I'm sorry:

1 Q. Yes, am I right that during Operation Octopus it's Isaac
2 Musa who is the battle group commander?

3 A. Isaac Musa was the chairman of the joint chiefs.

4 Q. And he was the battle group commander. Is that correct?

17:45:36 5 A. No, he was chairman of the joint chiefs, not battle group.

6 Q. We might come back to that later. Benjamin Yeaten, you
7 said yesterday that he was an SS commander. Can you tell me what
8 rank he was?

9 A. SS commander Benjamin Yeaten was colonel.

17:46:07 10 Q. You've mentioned - you have to bear with me on the
11 pronunciation, but Edward Mineh spelt M-I-N-E-H. Do you know who
12 I'm referring to?

13 A. If you say Edward Mineh I know who you are talking about.

14 Q. I wanted to ask you when was it that you first met him?

17:46:40 15 A. Where?

16 Q. When? What year?

17 A. I met Edward Mineh when he was in exile in the Ivory Coast
18 when we all fled into exile in '86.

19 Q. Just so we're clear, my question was when you first met
17:47:00 20 him. Was it in 1986 in the Ivory Coast that you first met Edward
21 Mineh?

22 A. Yes, I first met Edward Mineh in 1986 in the Ivory Coast.

23 MS HOWARTH: If I could ask the Court Manager for
24 assistance again. I wanted to refer to the trial transcript of
17:47:28 25 11 May this year at page 40750:

26 Q. It's starting from line 24, please. I don't know if I said
27 the right - I'm sorry, it should be 40745. It's my error. I've
28 got the wrong page. It's the same line. So at line 24 it reads:

29 "Q. Now beside the fighting that you had with ULIMO when

1 you were in Cape Mount, was there anything else of note
2 that happened in Cape Mount while you were in Cape Mount?

3 A. Yes.

4 Q. Yes, what was that?

17:48:59 5 A. When I was in command as the 6th Battalion commander,
6 that was before the first attack by ULIMO, during the
7 ceasefire, there were captured arms in my arms room that
8 were sent to Mr Taylor in Gbarnga, and Anthony Mekunagbe
9 and Timothy connived and sold those arms to the RUF in
17:49:24 10 Freetown through Lofa."

11 Now, Mr Witness, my question is this: When you referred to
12 Freetown, you are referring to the country Sierra Leone there,
13 aren't you?

14 A. Yes.

17:49:45 15 Q. Yes, I'm just coming back. Who was the battle group
16 commander for Octopus - Operation Octopus?

17 A. Octopus? Octopus operation, at this time all the units had
18 been changed to different names. Battle group - battlefront
19 commander Isaac Musa was changed to chairman of the joint chiefs.
17:50:33 20 Battlefront commander Sam Larto had died, so there was no battle
21 group commander. There was only the chairman of the joint chiefs
22 to supervise the front.

23 Q. Again in relation to Operation Octopus, this ultimately
24 fails in 1992, doesn't it?

17:51:07 25 A. Yes.

26 Q. And immediately after this, where are you stationed?

27 A. When Octopus failed we went back to Gbarnga and I was based
28 in Kakata.

29 Q. You said that you were based in - "we went back to Gbarnga

1 and I was based in Kakata." So did you go to Gbarnga before
2 Kakata?

3 A. No. From Monrovia, Kakata. Kakata is in Margibi County.
4 Gbarnga is in Bong County. Gbarnga is far away from Kakata. It
17:52:20 5 is way behind Kakata.

6 Q. What was your assignment in Kakata?

7 A. During Octopus, I hadn't an assignment at the time. I was
8 merged in the army division.

9 Q. Yes. I mean in Kakata, what was your assignment when you
17:53:12 10 were there?

11 A. After Octopus, when I was called from Maryland an army
12 division was in charge. After the mission, I did not have any
13 assignment. I was just merged into the army division. I was now
14 an army division personnel.

17:53:43 15 Q. For how long were you in Kakata?

16 A. We were in Kakata until '94 during the fall of Gbarnga.

17 Q. So you were in Kakata up until the fall of Gbarnga in 1994.
18 Is that correct?

19 A. Yes.

17:54:15 20 Q. When Gbarnga fell, where did you go, if anywhere?

21 A. When Gbarnga fell, it was not easy. You couldn't go
22 through Gbarnga. ULIMO was in complete control of Gbarnga. So
23 we had to make our way in the jungle to get to Ganta in Nimba
24 County.

17:54:46 25 Q. So you went from Kakata to Ganta. Is that right?

26 A. Yes.

27 Q. You've said that from about 1997, I believe it was until
28 2003, but you can let me know if I've got that wrong, you were in
29 the Military Police. Is that right?

1 A. '93?

2 Q. 1997 until 2003.

3 A. Yes, I was then the Military Police commander.

17:55:54 4 Q. Can you tell me who was your superior? In other words, who
5 did you report to?

6 A. The Military Police reported to the provost marshal
7 general, PMG, at the Defence.

8 Q. You individually, Mr Zaymay, what person did you report to?

9 A. Who?

17:56:22 10 Q. Yes. Did you report to anybody?

11 A. Militarily, as Military Police commander, I reported to the
12 provost marshal general. He was the chief. He was the boss for
13 the MPs at the Defence.

14 Q. And who was that?

17:57:00 15 A. Colonel Brian.

16 Q. And do you know who he reported to?

17 A. He reported to the Defence Minister - no, I mean, to the
18 chief of staff. The PMG reports to the chief of staff.

19 Q. And in your role as a Military Police commander, who was
17:57:22 20 subordinate to you? Who reported to you, if anyone?

21 A. My deputy MP commander who was next to me.

22 Q. Who was that?

23 A. He was Colonel George Pratt, P-R-A-T-T.

24 Q. And what was your function as Military Police commander?

17:57:58 25 A. The responsibility of the Military Police is to regulate.
26 We were the regulatory arm of the army. We arrested AWOL
27 soldiers and we arrest criminals. We arrest and investigate and
28 confine. We were responsible for all military detainees. We
29 receive, confine and release.

1 Q. And were your responsibilities relating to the entirety of
2 Liberia, or certain areas?

3 A. The entire Liberia. The entire Armed Forces of Liberia.
4 The command was under the Military Police for the entire Liberia.

17:59:13 5 Q. And as Military Police commander, how many persons were you
6 responsible for in terms of staff?

7 A. 350 men was the full strength.

8 Q. Again, if I could trouble Madam Court Manager. The
9 transcript of 7 May 2010 at page 40693. I'm going to read from
18:00:22 10 the top:

11 "That was when Prince Johnson and Samuel Varney were
12 inciting us that we could be making the same mistake and
13 that we shouldn't say because we were bankrupt in Ivory
14 Coast and that the same Congo people who had been in power
18:00:43 15 during the days of Tolbert and that it was the same Congo
16 leadership that were about to take to Liberia again. So if
17 that man came here, he wanted all of us to arrest him. He
18 said if we took that man --

19 Q. What man were you going to arrest? What man are you
18:01:01 20 talking about? Or what man was he talking about?

21 A. Charles Taylor. He said if we took Charles Taylor with
22 us as our President to Monrovia, Liberia, he said those
23 very Congo people who the PRC government had overthrown
24 will come back to power. So he said, 'You guys, I would
18:01:22 25 want you to understand this.' So there was a serious
26 misunderstanding that erupted between us. So some of us
27 started saying, 'Oh, it's not every one of us who will be
28 ready to betray the leader,' and we were in the majority.
29 'This man suffered along with us. We did not die in exile.

1 We have entered - he took us for training and we have
2 entered. The contacts that this man have, we don't have
3 them. And if we arrested this man, this war will not
4 be successful because we do not have any contacts.' The
18:02:02 5 war will not be successful, so we decided not to accept
6 that from Prince. So those were some of the
7 misunderstandings that brought disunity amongst us."

8 So, Mr Witness, this is the occasion where Prince Johnson
9 is talking to yourself and other members of the Special Forces
18:02:26 10 about breaking away from Charles Taylor. Is that right?

11 A. Yes.

12 Q. And you and your fellow Special Forces are discussing the
13 merits of Prince Johnson's proposal. Is that right?

14 A. Yes.

18:02:51 15 Q. And you and some of the others were opposed of breaking
16 away because of the contacts that this man had. And when you're
17 referring to "this man", you're referring to Charles Taylor. Is
18 that right?

19 A. Yes.

18:03:14 20 Q. Now, Mr Witness, when you referred to "contacts", can you
21 help me, what were you referring to?

22 A. That means that when we were in exile, we were suffering
23 there and we were looking for someone to assist us and we did not
24 get anybody. But it was Taylor who arranged and took us for
18:03:45 25 training. So that meant that the arrangements he was bringing
26 forward, we were not part of that arrangement. Had we had that
27 kind of arrangement, we would have executed it ever since.

28 But --

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

1 to take that area slowly.

2 PRESIDING JUDGE: Pause, Mr Witness. You said you had a
3 kind of arrangement. Now, please repeat your evidence and
4 explain this arrangement.

18:04:18 5 THE WITNESS: I said the contacts I'm talking about is the
6 arrangements that he had made because by then we were suffering
7 in exile. We were crying to get a leadership to come and pick us
8 from there. We were there. We did not know anyone and we did
9 not know anywhere else. And this Taylor man came and took us to
18:04:45 10 a far place for training. So now we are saying that we did not
11 have any contacts, meaning that we did not have anyone - anybody
12 else to help us. We did not know any other place besides where
13 we were in Ivory Coast. So that was what I meant by that, that
14 the contacts he had.

18:05:11 15 MS HOWARTH:

16 Q. So did you believe that the contacts that Mr Taylor had
17 would help you get the supplies, the arms, the ammunition, that
18 you needed to overthrow the Doe government?

19 A. Mr Taylor, yes. Mr Taylor might have had money to buy arms
18:05:38 20 to fight - to fight with. We did not have money to buy arms.

21 Q. What do you mean by "might have had money"?

22 A. I mean that, you know, that was the same thing I was
23 explaining to my comrade when he said we should break away. In
24 Kenya [sic] we did not have money to buy arms. So I was saying
18:06:20 25 that Mr Taylor had money to buy arms to be given to us to fight.
26 You cannot fight a whole government with pieces of sticks or
27 empty hands or empty arms. You must have an arm to fight.

28 Q. And it's right, isn't it, that Mr Taylor did have that
29 money to buy arms and ammunition to help you fight the Doe

1 government, didn't he?

2 A. Yes.

3 Q. And, again, in relation to that help, where was it he was
4 getting that help from?

18:07:08 5 MR CHEKERA: Sorry, maybe before the witness takes the
6 answer.

7 PRESIDING JUDGE: Yes, Mr Chekera.

8 MR CHEKERA: I notice there's a reference to Kenya on the
9 record and I'm not sure whether that was a typographical error on
18:07:18 10 the part of the stenographers or in the translation of the
11 evidence.

12 PRESIDING JUDGE: Where is the word "Kenya"?

13 MR CHEKERA: Line 15 on mine, page 90.

14 PRESIDING JUDGE: I don't know what that means. "In Kenya
18:07:39 15 we did not have any money to buy arms." That is definitely
16 wrong. The witness never made a reference to Kenya.

17 Mr Witness, you said where did you have - you did not have
18 money to buy arms in where?

19 THE WITNESS: I said we were fighting the war and we did
18:08:01 20 not have any monies to buy arms and that Mr Taylor will provide
21 arms. Mr Taylor had money. He will provide arms for us to fight
22 with.

23 PRESIDING JUDGE: Did you mention a country?

24 THE WITNESS: No, no, no.

18:08:21 25 PRESIDING JUDGE: In any event, I think that will be picked
26 up at correction.

27 THE INTERPRETER: Your Honours, the word used there was
28 "exile", not Kenya. It was "exile" that the witness said. He
29 said "in exile".

1 PRESIDING JUDGE: Thank you, Mr Interpreter.

2 MS HOWARTH:

3 Q. I just want to follow up on the answer you just gave. You
4 said Mr Taylor had money. Do you know where he got that money
18:08:55 5 from?

6 A. I don't know.

7 Q. And you've also said - sorry. On that point, how did you
8 know that he had money?

9 A. A man who was trying to stage a revolution usually have
18:09:26 10 money. A war requires money.

11 Q. So it was your belief that he had money, but you don't know
12 where that money came from. Is that fair?

13 A. Yes.

14 Q. And you said in the same answer "he will provide arms for
18:09:46 15 us to fight with". Can you tell us, where did those arms come
16 from?

17 A. I don't know. A man - a man who was staging the war was
18 responsible to bring the arms. Whether he was bringing them from
19 above, from the air, or anywhere else, I didn't know.

18:10:07 20 Q. But you saw, didn't you, as [i ndi scerni ble] Doe progressed
21 that Taylor was indeed able to supply arms and ammunition?

22 PRESIDING JUDGE: Ms Howarth, you have to repeat your
23 question. It's i ndi scerni ble.

24 MS HOWARTH: Sorry:

18:10:34 25 Q. Mr Taylor was able to supply the NPFL with those arms and
26 ammunition s to fight Doe, wasn't he?

27 A. Yes.

28 Q. In terms of these supplies of arms and ammunition, are you
29 able to help as to how often there were arms supplies?

1 JUDGE DOHERTY: Ms Howarth, I find that a bit vague. Do
2 you mean how often the supplies were coming into the country, how
3 often they were being handed out to the troops, or how often they
4 were being stored?

18:11:37 5 MS HOWARTH: Yes, I take your Honour's point.

6 Q. Mr Witness, are you able to say how often supplies of arms
7 and/or ammunition were coming into the country, i.e. Liberia?

8 A. I received small quantities of supplies at one time from
9 William Obey. That was what we attacked with. And when we
10 attacked the Krahn soldiers, the captured arms were what we used
11 against them.

12 Q. And on that occasion, what arms were supplied? What types
13 of arms were supplied?

14 A. AK-47, Beretta rifles, RPG. Those were the weapons.

18:12:46 15 Q. Was any ammunition also supplied on that occasion?

16 A. Yes, few boxes of ammunition. About ten boxes, and those
17 were used to capture more arms from the Doe forces.

18 MS HOWARTH: Could I please refer to the transcript of 7
19 May 2010. That's at page 40682:

18:13:57 20 Q. I'm going to read from line 7, the sentence beginning with
21 an "and", and this is part of an answer given by yourself,
22 Mr Zaymay:

23 "And then Prince said, 'Okay, that's fine. Gentlemen, we
24 have to go in. The area is safe.'

18:14:36 25 And whilst we were on that process, we saw William Obey,
26 the first commander that entered with us at Gbutuo, and he
27 retreated, William Obey, and he said, 'Gentlemen, I've
28 heard that you retreated, so I have brought some supplies
29 for you.' And William Obey gave us the supplies, we

1 received them and we crossed and we based in Bluntuo for
2 the second time to better train those people.

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

18:15:12 5 A. Arms and ammunition."

6 Mr Witness, that's the occasion that you're referring to in
7 relation to William Obey, isn't it?

8 A. Yes, that was the first supply that William Obey brought
9 for us.

18:15:36 10 Q. You just said that was the first supply. Are there further
11 supplies that William Obey brought for you?

12 A. Yes.

13 Q. Can you tell us how many, if you can estimate?

14 A. When those arms, the AKs, the Beretta and the RPG, when we
18:16:19 15 got them we went - we were short of ammunition and then we were
16 using the captured arms against the Doe forces. But for the
17 attack on Monrovia, William Obey brought supplies for those arms.
18 I think they were about ten boxes. That was what we used to
19 launch the attack on Monrovia.

18:16:40 20 Q. Yes, that's the - you described it as the first supply that
21 William Obey brought for us. Were there further supplies that
22 William Obey brought for you other than that first time?

23 A. Yes, that was what I said. I said he only brought
24 ammunition for those rifles. They were 20 boxes to be used to
18:17:19 25 launch attack on Monrovia.

26 Q. What were the other times that William Obey brought
27 supplies for you?

28 A. In July 1990 in Kakata to launch an attack on Monrovia with
29 those.

1 Q. And where did those supplies come from?

2 A. Oh, I don't know. I was at the front. I don't know where
3 he brought them from.

4 Q. What supplies did he come with on that occasion?

18:17:56 5 A. I said he brought 20 boxes of AK, Beretta and RPG. They
6 were 20 boxes all put together for the three types of arms. And
7 at that time we had sufficient arms and ammunition that had been
8 captured from the enemy forces.

9 Q. Yes, I would like to refer to another transcript. Again
18:18:36 10 it's 7 May, but this time at 40704, again starting from the top.
11 Just to establish the date, you say:

12 "Within that same April 1990, Mr Taylor moved and was
13 based in Gborplay, April 1990."

14 Then I'm going to skip down to line 11.

18:19:33 15 "Q. And for how long did you remain in Gbutuo?

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

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

19 A. From Gbutuo the old man, Mr Taylor, called me to report
18:19:49 20 at Gborplay for my supply."

21 Now, Mr Witness, that's an example of Mr Taylor delivering
22 in terms of your expectations that he would be somebody who could
23 supply you with arms and ammunition so that you could overthrow
24 Doe; is that fair to say?

18:20:26 25 A. I mean supplies of food. Food supply. Food supply. I had
26 sufficient captured arms that I was using to fight. In fact, I
27 reported some arms at Gborplay. From then, all other commanders
28 were bringing - reporting captured arms at Gborplay. And the
29 arms were there and at any time you wanted to move, if you were

1 out of ammunition and you were moving on another target, you
2 would go to Gborplay and you will be resupplied. We did not keep
3 captured arms at the front line because at any time the enemy
4 will overrun you, so at any time you had captured - the captured
18:21:08 5 arms and ammunition, you just send them at Gborplay. So if you
6 wanted - you needed supplies to advance, you go Gborplay for food
7 supply. All the captured arms were at Gborplay that we were
8 using.

9 Q. [Microphone not activated].

18:21:30 10 PRESIDING JUDGE: Sorry, Ms Howarth, this supplies thing.
11 Mr Witness, you said you would take the captured arms and
12 ammunition to Gborplay. And so any time you needed supplies to
13 advance, you would go to Gborplay for food supply. Are you
14 saying you needed food supplies to advance?

18:21:49 15 THE WITNESS: The arms supply to advance.

16 PRESIDING JUDGE: So when you needed arms supply to
17 advance, you would go to Gborplay to be supplied with arms and
18 ammunition; is that what you're saying?

19 THE WITNESS: Yes. Yes, sir. Yes, sir. Yes, Madam
18:22:10 20 President.

21 PRESIDING JUDGE: Which then comes - brings you back to the
22 question that Ms Howarth asked you in this text she has just read
23 to you. When you said Mr Taylor called me to report at Gborplay
24 for my supply, was that a supply of food? Was it a supply for
18:22:30 25 arms and ammunition? What was it a supply of?

26 THE WITNESS: Both food and ammunition. Food and
27 ammunition.

28 MS HOWARTH: [Microphone not activated] it's the same
29 transcript. It's on page 40706 going from line 3 - I'll maybe

1 start at line 2. That's a question. It's better:

2 "Q. And from Tappita did you proceed to go anywhere else?

3 A. From Tappita I was called - no, from Tappita I

4 remained. Emmer Glee Johnson came to me in Tappita with

18:23:52 5 instruction that we should move to Bassa ... refer to Emmer

6 Glee Johnson one of the US ex-Marines from Liberia.

7 Q. You came with instruction that you should move to

8 Bassa. Where was the instruction coming from?

9 A. From Charles Taylor in Gborplay.

18:24:18 10 Q. [Microphone not activated] followed the instruction and

11 moved to Bassa?

12 A. The instruction was to proceed first to Gborplay for

13 the supply before moving.

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

18:24:37 15 A. Yes, when I went to Gborplay, during that time that I -

16 during my travels to Gborplay I had an accident on the

17 truck and I was taken to Burkina Faso for treatment."

18 Now, Mr Witness, first in relation to the person mentioned,

19 it's put in the record as "Emmer Glee Johnson". That's in fact

18:25:00 20 Elmer Glee Johnson, is it not?

21 A. Yes, it's Elmer Glee Johnson that I'm talking about.

22 Q. And he was a member of the US army and quite popular in the

23 NPFL, correct?

24 A. Yes.

18:25:28 25 JUDGE LUSSICK: I think the Marines would jump on you there

26 if you said he was a member of the US army.

27 MS HOWARTH: Yes, it's just been pointed out to me. I

28 should have said ex-member of the US army before --

29 JUDGE LUSSICK: No. He was in the Marines.

1 MS HOWARTH: Oh, in the Marines. Yes:

2 Q. Now, Mr Witness, are you aware that Elmer Glee Johnson has
3 acknowledged that although around 30 per cent of the weapons used
4 by the NPFL were captured, that the rest were arms that had been
18:26:11 5 supplied to Mr Taylor? Are you aware of that?

6 A. No. I was in hospital when I heard that Elmer Glee Johnson
7 fell in an ambush and was killed. I was not in Liberia by then,
8 so I don't know.

9 Q. Very well. But his statement is correct, isn't it, in as
18:26:45 10 far as most of the supplies that you had indeed came from the
11 contacts that Mr Taylor had?

12 A. In Elmer Glee Johnson's statement?

13 PRESIDING JUDGE: Yes, Mr Chekera.

14 MR CHEKERA: I'm hoping learned counsel will give us a
18:27:12 15 reference to the statement by Elmer Glee Johnson in the
16 not-too-distant future.

17 PRESIDING JUDGE: Well, I think that is a question from
18 both the witness and the lawyer. What statement are you
19 referring to?

18:27:21 20 MS HOWARTH: If Madam President might give me a moment to
21 pop under the table and get my reference. Yes, the reference
22 comes from a book entitled "The Liberian Civil War". It's a book
23 by Mark Huband. I believe it is - reading from 2005 print.
24 Looks like first edition and it's page 85.

18:28:11 25 PRESIDING JUDGE: Is this a book that's exhibited before?

26 MS HOWARTH: No, it's not.

27 PRESIDING JUDGE: Well, how can you read from a book that
28 we don't have copies of?

29 MS HOWARTH: I'm merely putting it by way of proposition to

1 the witness for him to agree or disagree with. I don't intend to
2 seek to admit it.

3 PRESIDING JUDGE: Mr Chekera?

4 MR CHEKERA: It's either learned counsel puts it as a
18:28:49 5 proposition coming from the Prosecution or they do not cite
6 extraneous evidence.

7 PRESIDING JUDGE: How can it be a proposition from the
8 Prosecution?

9 MR CHEKERA: If they are alleging that that is indeed the
18:29:10 10 case, I don't know how they could do that.

11 PRESIDING JUDGE: Ms Howarth, you may put the proposition
12 to the witness.

13 MS HOWARTH: I'm grateful:

14 Q. Mr Witness, I'm going to put my previous question to you
18:30:29 15 again. You know who Elmer Glee Johnson was, correct?

16 A. Yes. I knew Elmer Glee Johnson before in the NPFL.

17 Q. And he is somebody who has acknowledged that although
18 around 30 per cent of the weapons used by the NPFL were indeed
19 captured, that the rest were supplied by Mr Taylor. Are you
18:31:02 20 aware of that?

21 A. I don't know. What I know is, the weapons that William
22 Obey brought to me were in small quantities. That is the one I
23 know about and the captured arms. I don't know what Elmer Glee
24 Johnson knows.

18:31:34 25 PRESIDING JUDGE: Ms Howarth, we are designated to end
26 round about now for today and I think we'll have to pick this up
27 on Monday when we sit next. We're supposed to close at 6.30
28 today.

29 So, Mr Witness, we're going to continue with your testimony

1 on Monday in a different courtroom than this at 9.30 at the Court
2 for the Special Tribunal for Lebanon.

3 Just to remind the parties and everybody concerned of the
4 move tomorrow and Friday, you know according to the schedule who
18:32:14 5 is supposed to do what and when. So Court adjourns to Monday at
6 9.30 to the STL.

7 [Whereupon the hearing adjourned at 6.32 p.m.
8 to be reconvened on Monday, 17 May 2010 at
9 9.30 a.m.]

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I N D E X

WITNESSES FOR THE DEFENCE:

DCT-226	40843
EXAMINATION-IN-CHIEF BY MR CHEKERA	40843
CROSS-EXAMINATION BY MS HOWARTH	40890