

## CHARLES TAYLOR TRIAL REPORT (May 1 – June 2, 2008)

### Overview

Proceedings started late in May due to Dutch holidays and were cut short one week with a court break. Following the evidence of three insider witnesses during the month of April, the trial against Charles Taylor continued in May with the testimony of a former child soldier followed by evidence from a victim of sexual violence. The prosecution also called three insider witnesses to testify about the links between Taylor and activities in Sierra Leone. This group notably included Taylor's former vice president, Moses Blah, who was led by prosecutor Stephen Rapp in a rare courtroom appearance. The court heard from five witnesses during this reporting period for a total of 27 to date in the case against Charles Taylor.

As with the three previous reports, available online at <http://charlestaylortrial.org/trial-reports/>, this report summarizes witness testimony heard during this period and identifies issues that have arisen at trial. It also notes significant submissions by both parties and decisions by the Trial Chamber.

The following witnesses testified during this reporting period:

1. TF1-143 – crime-base (child soldier)
2. TF1-028 - crime-base (sexual violence)
3. TF1-571/ Karmoh Kanneh - linkage
4. TF1-561/ Moses Blah - linkage
5. Samuel Kargbo - linkage

Proceedings this period began with the testimony of a former child soldier, who gave evidence regarding his capture and training as a twelve year old in the Koinadugu district. He testified about atrocities committed by junta troops in 1998 leading up to the invasion of Freetown. The following crime base witness's testimony was suspended due to a dispute over his protective measures. The court then heard from a victim of sexual violence, who gave evidence about atrocities committed against some of her family members and neighboring villagers in the Bombali district. She also gave evidence of abuses by junta forces that she witnessed while forced to travel to Freetown with other captured civilians before the 1999 invasion. Unlike some other victim witnesses, this witness was cross-examined by the Taylor defense, though the cross-examination was restricted to details about the fighting forces. Neither of these witnesses led any evidence that linked directly to Charles Taylor, though the prosecution elicited evidence of the presence of Liberian troops with the RUF/AFRC junta forces.

The prosecution called three additional linkage witnesses during this trial period. Former RUF officer Karmoh Kanneh gave potentially incriminating testimony about Taylor's knowledge of RUF diamond mining activities and his acquisition of Sierra Leonean diamonds during the

AFRC junta period in 1997. Kanneh also alleged that Taylor was responsible for instigating AFRC/RUF attacks on Kono and Freetown, and he suggested that Taylor could have ordered the death of Saj Musa, a key RUF figure. Former Liberian vice president Moses Blah also testified about arms shipments to Liberia while Taylor was president, and he noted a number of executions of high-profile commanders and members of the NPFL who may have been a threat to Taylor. Under cross-examination, however, Blah admitted that he had no direct knowledge of Taylor sending munitions or financial support to Sierra Leone, and he did not know of Taylor collaborating with top RUF commanders in military operations during the indictment period.

This group of witnesses also provided two accounts of the death of notorious RUF commander Sam “Mosquito” Bockarie, whose indictment by the Special Court was withdrawn. Kanneh suggested that Bockarie may have been killed in Côte d’Ivoire under Taylor’s orders, while Blah claimed he was killed in Liberia by Benjamin Yeaten as a “military” solution that may have been ordered by Taylor. A third linkage witness, former AFRC combatant Sam Kargbo, gave testimony regarding links between the AFRC and Taylor, as the witness himself had participated in the 1997 coup which overthrew the Kabbah government.

### **Prosecution Themes and Strategies**

The prosecution continued to elicit evidence from witnesses that fell outside the temporal jurisdiction to Taylor’s indictment in order to demonstrate long-standing ties between Taylor and the RUF. In response to a defense challenge that evidence elicited from a victim of sexual violence did not substantiate any of the indictment charges, the prosecution responded that the evidence was relevant to proving a planned campaign of terror rather than the actions of rogue commanders. Following the AFRC Appeals Chamber judgment, which overturned this Trial Chamber’s rejection of joint criminal enterprise (JCE) as it was pled in the indictment, the prosecution is continuing to elicit evidence in support of its claim that there was a common plan or conspiracy between Taylor, the RUF, and the AFRC.

The prosecution also attempted to highlight Taylor’s direct involvement in the actions of RUF fighters, including organizing their forces and ordering attacks. For instance, Karmoh Kanneh’s testimony suggested that Taylor was informed of RUF diamond-mining activities, which included the use of forced civilian labor. Kanneh also described Taylor’s direct involvement in the exchange of diamonds for munitions. Prosecutors continued to elicit details that may demonstrate Taylor’s authority over key RUF commanders such as Sam Bockarie and Foday Sankoh. Picking up on a theme that they had already developed through the prior testimony of Alimamy Bobson Sesay and Varmuyan Sherif, the prosecution suggested through Karmoh Kanneh’s testimony that Taylor supplied troops with ammunition before the 1999 invasion of Freetown, a notoriously brutal period of the conflict. Kanneh noted the close communication between Sam Bockarie and Taylor, possibly corroborating Isaac Mongor’s previous testimony about the close ties between the RUF commander and the former Liberian president.

### **Defense Themes and Strategies**

The defense has sought to foreground the role of the AFRC, many of whom were former members of the Sierra Leonean Army (SLA), in committing some of the worst atrocities brought

up in witness testimony, including planning and executing the 1999 Freetown invasion. The defense also attempted to draw out the tensions between the RUF and the AFRC, which contests the prosecution's claim that the two groups were operating together during the junta period and the Freetown invasion. In particular, the defense paid attention to the role of now deceased AFRC soldier Saj Musa in Karmoh Kanneh's testimony. According to Kanneh, Musa refused to take orders from senior RUF commander Sam Bockarie, and Kanneh claimed that Musa wanted to assume control of Freetown before the RUF units in order to become president himself.

As with the last three insider witnesses, the defense continued to emphasize where witnesses may have added key details at trial or expanded upon what they had stated in their pre-trial interviews with the prosecution. The defense also explored whether witnesses had been following previous witness testimony and adding related details to their own testimony, such as Moses Blah mentioning cannibalism after "ZigZag" Marzah's publicized treatment of the topic during his April testimony.

The defense previously attempted to focus on other sources of munitions apart from Taylor. With the testimony of former vice president Moses Blah, the defense emphasized the short supply of arms available for the government fighting forces following the UN embargo, which made it difficult for the government to legitimately arm its own military forces and police.

In contrast to the prosecution's account of Taylor's meetings with Foday Sankoh and Johnny Paul Koroma, which the prosecution contends was a sign of Taylor's authority over the different factions operating in Sierra Leone, the defense maintains that Taylor agreed to assist in brokering peace in Sierra Leone leading up to the Lomé Accord.

## **Legal and Procedural Issues**

### Witness Protective Measures

Some of the witnesses testifying in the Taylor trial have testified in other cases before the Special Court, and security threats or witness conditions may have changed since the original protective measures were granted. The Chamber has developed a practice of permitting oral applications at trial to vary the protective measures that had been previously granted to witnesses. During this trial period the process produced an impasse between the prosecution and the bench, which resulted in the prosecution refraining from calling a witness whose protective measures were stripped. Witness TF1-215 had been granted protective measures in 2004 including the standard pseudonym and testifying behind a screen. Based on a document related to witness protection issues filed in the summer of 2004, the prosecution argued that all witnesses of fact – that is, all witnesses before the court except expert witnesses – should be given a pseudonym and should be permitted to testify behind a screen. The bench contested the existence of a general category of witnesses of fact that did not fall under specific subcategories, such as victims of sexual violence or child witnesses, and they refused to grant that a general witness of fact could testify from behind a screen. The Chamber determined that nothing in the previous decision from 2004 would entitle Witness TF1-215 to *any* protective measures, and the witness would need to testify in open court. The prosecution then announced that it would not call the witness.

During this period the bench was also asked to rule on whether the defense should have victim impact statements disclosed to them if witnesses would be discussing the impact of their injuries at trial. The defense objected to the prosecution's effort to lead evidence of impact upon Witness TF1-143 without disclosing statements before his testimony, as they claimed had been done for another witness who would testify about the impact of their injuries. The judges ruled against the defense, stating that the court's Rules of Evidence and Procedure do not distinguish between evidence and impact statements.

### Pending Motions

The prosecution has filed a confidential request for a contempt investigation, though due to the confidentiality of these submissions it is not yet clear to whom it is directed or what the substance of the complaint contains. Contempt proceedings have been initiated by the Special Court before, and have been directed against members of the public as well as Special Court employees.

The prosecution also filed an application seeking leave to appeal a previous decision by the Trial Chamber. In the last reporting period, the Trial Chamber ruled that the locations of Witness TF1-334's relatives would remain on the record despite evidence of threats to the witness's family.<sup>1</sup> In order for leave for appeal to be granted, the prosecution must satisfy the Chamber that the decisions give rise to exceptional circumstances and amount to irreparable harm.

Taylor's defense team also sought to restrict the content of public statements made by the Special Court prosecutor. The motion dealt specifically with public statements by the lead prosecutor relating to allegations of Taylor's hidden wealth. The team claims these remarks are "prejudicial and unsubstantiated," and unless the prosecution can demonstrate that Taylor is no longer indigent, the prosecution should refrain from making prejudicial comments that may elevate public condemnation of Taylor. The defense also argued that any information substantiating these claims should be disclosed to the defense. The prosecution responded that the rule cited by the defense in support of their argument only refers to evidence that will be used at trial, and was not relevant to the public comments the prosecutor had made to the media.

### **Witness Testimony**

#### Witness TF1-143 - Former Child Soldier

The prosecution called witness TF1-143, a former child soldier, who testified about atrocities committed in the Koinadugu district in 1998 and in the lead-up to the 1999 Freetown invasion. In 2004 Trial Chamber I had granted the witness special protective measures because he was testifying underage as a child witness. Since the witness is now 22, the prosecution applied to vary the protective measures to only include a screen and facial distortion without the previously granted request for a closed session. The defense did not contest the application, and it was granted by the Trial Chamber.

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<sup>1</sup> For an account of this incident please refer to Trial Report 3, available online at <http://charlestaylortrial.org/trial-reports/>

*Child Conscription in Koinadugu District, 1998*

The witness testified regarding events that occurred in the Koinadugu district in September of 1998, when he was 12 years old. He described how over 200 armed rebels were pushed into the village where he was staying by Nigerian and Guinean soldiers. The witness and his family were captured with a larger group of civilians, and the children were marked with a razor blade by two rebels, who carved "AFRC" and "RUF" on their bodies. The captured children were taken by Kabila, the witness's immediate commander, as well as "0-Five" and "Five-Five," to Saj Musa, the overall commander. The witness claimed the group was a mix of AFRC and RUF fighters, and the child soldiers were distributed among the other commanders.

The witness testified about the training and orders he received as a child soldier, including orders to kill, rape, and burn property. He also testified about disciplinary practices used by the rebels whenever the boys and girls disobeyed orders. In particular, he noted an incident when he was ordered to rape a woman, and he described the punishments he was subjected to when he refused. He also testified that he had been forced to take drugs by RUF soldiers, including marijuana and "blue tablets" that made him more aggressive in battle.

*Atrocities en route to Freetown*

The witness gave testimony that may support charges of sexual enslavement and unlawful killings. In particular, he noted how a young girl training with him had been captured as a wife by the witness's commander Kabila. The witness also described how commander "0-Five" severed the head of a man who was captured and alleged to be a Kamajor, and how "Five-Five" shot a Nigerian man in uniform. He also described the arrival of reinforcements who spoke with Liberian accents en route to Freetown.

The witness described his own participation in killings in a village under the instructions of Kabila, who showed him how to hack civilians with a machete. They proceeded to Colonel Eddie Town and met AFRC commanders Saj Musa, Junior Lion and Gullit. Saj Musa ordered that they should focus on overthrowing the government in Freetown and should refrain from killing, looting, and amputating during the invasion, but the witness's immediate commander Kabila said that they should continue the order of "Operation Spare No Soul" given previously by "0-Five."

The mixed group of AFRC and RUF troops under Saj Musa proceeded from Colonel Eddie Town to Freetown along with a second group under Junior Lion, which was known as the Red Lion group. They arrived at Benguema barracks, which they looted for ammunition. Saj Musa died at the barracks from a bomb explosion, and he was buried alongside a woman who was buried alive as a sacrifice for the coming invasion. The troops looted and burned villages en route to Freetown. The witness was sick and claimed he was treated by a woman by the name of Adama Cut Hand, who was also ordering amputations that were carried out at her post in Allen Town. The witness pointed a gun at two men while they were amputated, and following the amputation Adama Cut Hand told the amputees to return to President Kabbah and ask for hands. While on patrol the witness participated in amputating two more men who refused to let him into their shop, and he looted the shop following the amputation.

The witness was eventually captured by Nigerian soldiers. He was operated on by an NGO to have his “RUF” carving scars removed, and the prosecution asked to admit photographs of his pre-op and post-op photos entered into evidence. The witness was also permitted to testify about how his injuries impacted his life after the conflict.

#### *Cross-examination*

Defense began cross-examination late in the afternoon on the fifth of May and continued through the following morning. Counsel established that the witness had not discussed the role of the Red Lion Group in any of the statements he gave before testifying in court, and suggested that the witness had learned information from other people that he then added to his testimony. The defense also focused on inconsistencies in the witness’s account of where he had been when Saj Musa died in the explosion at Benguema. In responding to some of the inconsistencies pointed out by the defense, the witness admitted that he had not told the truth at first because he was afraid of being implicated.

#### Witness TF1-028 – Bombali Crime Base

Witness TF1-028 had testified previously in the RUF case during March of 2006. She was called to give evidence in the Taylor trial regarding events in the Bombali crime base following the junta period as well as atrocities committed before and during the Freetown invasion of 1999. In particular, the witness testified about being raped and captured by the junta forces, as well as the atrocities committed by junta forces against numerous civilians, including her own family members. Although the defense objected that much of this testimony did not go to a specific indictment count because the Bombali district charge only concerned looting, the Chamber allowed the evidence to go toward demonstrating the widespread and systematic nature of the attack, which is required in order to prove the charge of crimes against humanity.

#### *Delays and Distress*

Due to the delay caused by the applications and ruling relating to Witness TF1-215, who was originally scheduled to testify, Witness TF1-028 did not begin her testimony until shortly before the end of proceedings on May 6. As a Category A protected witness, she was permitted to testify from behind a screen with voice distortion measures in place. Once the protection measures were set up, the witness was not in the box and the WVS representative noted that she was not feeling well. When she appeared, the presiding judge asked if she was feeling better, and the witness responded “no.” The following morning she announced that she had been sick and was taken to the hospital before she testified, and the doctor informed her that she had a heart problem and “will die at any time.” She also noted that she had been upset because of a member of the WVS staff, who she claimed had provoked rather than encouraged her. The witness established that she wanted to testify, however, and asked to start over with her testimony that morning.

#### *Testimony regarding Bombali District, 1998 and Freetown 1999*

The witness is a 42-year old Sierra Leonean of the Mandingo tribe, and she testified in Krio. She does not read or write, and she works as a farmer and petty trader to support her four children. The witness began by describing the ECOMOG intervention in 1998, when she moved from Freetown to the village of Karina in the Bombali district. She related how junta soldiers invaded Karina and captured people, including the witness's own brother, who they beat and burned with melting plastic. She also claimed that the juntas raped several girls as young as 7 or 8. The witness described widespread looting by the soldiers in an attack known as "Operation Pay Yourself." Following the departure of the juntas, the RUF (both Sierra Leoneans and Liberians) invaded the village and stayed for two weeks. During that time they also looted property, and the witness's own daughter was raped.

The witness described the state of captured civilians in Karina, many of whom had been amputated and raped. After fleeing to the bush, the witness herself was captured by junta soldiers and was taken to a mosque where she saw a number of corpses. She described how many of her male relatives were hacked by junta soldiers, and she described how a junta soldier took her 13-year old sister as his wife. The witness gave testimony about rapes in Camp Rosos, including her own rape by a man who had captured her there and the rape of her 13-year old sister. The women in the camp cooked for the men and were raped by them regularly.

Much of the witness's testimony concerned actions of AFRC commanders, including Five-Five and Gullit, both of whom were tried and convicted by this same trial chamber. The witness explained how RUF commander Superman sent reinforcements and ammunition to her group in Colonel Eddie Town, and members of the junta force went to receive these RUF soldiers, who were referred to as "Red Lion" and were comprised of both Sierra Leoneans and Liberians. Under the command of Five-Five the group left for Freetown. At the outskirts of the capital the group split, with the witness and others staying behind in Ferry Junction and the others continuing on to the center. The witness remained at Ferry Junction for two weeks, where she saw junta troops killing civilians.

#### *Cross-Examination*

The witness's testimony did not implicate Taylor in any of the atrocities. Although the defense has largely opted out of cross-examining crime-base witnesses, Taylor's team cross-examined Witness TF1-028 on issues relating to the composition of the forces whose acts she had described. In particular, the defense focused on trying to establish that the evidence the witness gave was largely about the activities of the AFRC junta members, ostensibly because Taylor's links to the AFRC are supported than his alleged links to the RUF. The defense established that the witness had been with Five-Five's group and under this group's control until the Red Lion group came to Colonel Eddie town. The defense also focused on discrepancies in the witness's earlier statements that the Red Lion group was the group of Foday Sankoh, as she had previously claimed that Superman sent them. In 2006 she had testified that the Red Lion group was mostly made up of the Special Task Force (STF), though on re-direct she claimed that she did not know what STF meant. The defense established that the witness had not mentioned the Liberian members of the group in her previous testimony in the RUF case, which expands upon the defense's general contention that witnesses were adding in links to Taylor that they had not mentioned before.

## TF1-571/ Karmoh Kanneh - linkage

Witness Karmoh Kanneh agreed to testify in public with his protective measures removed. The witness was an RUF insider, and he testified for several days about his involvement in combat operations in Sierra Leone and Liberia as well as the links between the RUF and Charles Taylor. He began by describing his abduction from his village in 1991 and his military training from rebels, who were largely comprised of Liberians from Taylor's NPFL. Following his training, which he received with a group of captured civilians that included young children, he was deployed to attack a village in southeastern Sierra Leone.

### *Evidence of early Taylor-RUF collaboration*

Kanneh gave extensive evidence about the links between Taylor and the RUF, though some of the more potentially incriminating aspects of this testimony fall outside the temporal scope of the indictment. For instance, the witness described collaboration between Taylor and RUF leader Foday Sankoh during the period following his training, which culminated in a meeting attended by Taylor in Liberia. Kanneh claimed that Taylor had supplied the troops with arms and ammunition, and he divided them into different formations. He alleged further that Taylor and Sankoh directly ordered the troops to attack enemy soldiers and to remove civilians from villages.

### *Forced mining and diamond transfers*

The witness was stationed with Foday Sankoh in Zogoda and later with Sam "Mosquito" Bockarie. Following the Abidjan accords of 1996, the witness claimed he was present at a meeting with RUF commanders where Sankoh instructed Bockarie that he would be taking orders from Taylor via satellite phone. Kanneh remained with Bockarie on assignments in Bo, Kenema and Freetown before invading Tongo Field with a group of RUF fighters. Kanneh claimed that after Tongo Field fell to the RUF, he overheard Bockarie call Taylor to inform him over the satellite phone and Taylor thanked Bockarie. The witness described forced mining by civilians in Tongo Field in 1997, and he related how Bockarie would inform Taylor about the number of diamonds he had found before sending them to Taylor through "Jungle," Taylor's representative to the RUF.

### *Planning and ordering operations*

Kanneh also described a meeting convened by Bockarie in June of 1998 with over 600 RUF commanders and combatants. Bockarie had recently returned from Monrovia and relayed messages from Taylor, including Taylor's promotion of Bockarie and Issa Sesay to the rank of general and his instructions that the AFRC should be subordinate to the RUF. In addition to these signs that Taylor may have exercised command over both the RUF and AFRC at this point, Kanneh also gave evidence that Taylor ordered the RUF to undertake "Operation Fiti Fata" in the mining areas, and he announced that Bockarie and Ibrahim Bah would be sent to Burkina Faso to obtain munitions from Burkinabe president Blaise Campaore. Kanneh claimed Bockarie left for Burkina Faso following the "Fiti Fata" mission, and he added that Taylor had said the

munitions would be used to retake Freetown from ECOMOG and to free Foday Sankoh from prison.

#### *Ammunition deliveries*

Kanneh also described three arms shipments linked to Taylor, including shipments in 1998 and 2000. The witness claimed that he accompanied Bockarie to receive arms in Foya, Liberia after the 1998 ECOMOG intervention. They arrived by military helicopter from Monrovia, and Bockarie informed the witness that the arms were from Taylor. On the second occasion, following successful attacks by the RUF against LURD forces in 1998, Taylor invited Bockarie to Monrovia to receive a “morale booster” of 10,000 and ammunition for the RUF’s work against LURD and ULIMO in Lofa county. On a third occasion in May 2000 the witness claimed he helped load arms and ammunition from the back of the President’s house onto a jeep followed by a helicopter. Kanneh testified that Issa Sesay was commanding the operation, and the munitions were not used until 2001.

#### *Bockarie, Taylor and the Special Court*

Kanneh also described a conversation with Sam Bockarie in 2000 in which Bockarie explained that he had been detained by Taylor, who was under pressure to turn him over from the international community, and eventually released when he threatened to tell the Special Court about Taylor’s relationship with the RUF. Bockarie was eventually killed in Côte d’Ivoire, and Kanneh stated that he thought Taylor had him killed. Under cross-examination, the defense pointed out that the Special Court was not yet in existence in the year 2000, and the judges ruled in favor of a defense objection to the prosecution’s efforts to submit a document that demonstrated the court had already been contemplated in 2000.

#### *Cross-Examination*

Under cross-examination the defense attempted to establish that Kanneh had not mentioned substantial details of Taylor’s involvement in pre-trial interviews, and many of these details were only now emerging at trial. At numerous points the witness agreed with counsel that the prosecution had made mistakes in their interview notes, and he also agreed that the prosecution had “invented” questions and answers in their notes. In particular, the defense pointed out that the witness stated was taken by helicopter to Monrovia to receive arms on three occasions in his interview, but at trial he only stated this had happened on two occasions, and he added the detail that he was taken by two Ukrainians. The defense also focused on Kanneh’s testimony about prosecution witness “ZigZag” Marzah’s cannibalism, and pointed out that Kanneh had not mentioned it in any pre-trial statements. Counsel continued to highlight substantial details that were not mentioned by the witness before, such as Kanneh’s account of Saj Musa’s death, where he had claimed Taylor suggested Musa should be killed in a military operation.

#### TF1-561/Moses Blah - linkage

The former vice-president (and briefly former president) of Liberia, Moses Blah, testified from May 14 to the morning of May 21 in open session. In an unusual development, lead prosecutor

Stephen Rapp led the witness through direct examination and remained in the courtroom for cross-examination. A large portion of Blah's testimony involved events that precede the temporal jurisdiction of the indictment, including the formation of the NPFL and the training of RUF and NPFL troops in Liberia and Sierra Leone.

*Training and early formation of the NPFL, and Small Boy Units*

Blah described the Tuajura camp in Tripoli, where a group of nearly two hundred fighters were trained from 1989. He noted that Gadaffi had started an organization known as Mataba, which was established to help oppressed groups overthrow their governments. The witness claimed that Taylor was based in Burkina Faso at the time. Taylor would occasionally visit the camp, and he announced that he would liberate the people of Nimba who had been oppressed under then-president Samuel Doe. The group remained in the Libyan camp for about a year and a half, and while there Blah met Foday Sankoh and a group of Sierra Leoneans. The men were moved to Burkina Faso following training, and then to Côte d'Ivoire.

The witness described receiving an early order to transfer weapons from Taylor, as well as false allegations of his involvement with Prince Johnson in a breakaway faction from Taylor. Blah claimed a Small Boy Unit (SBU) detained him when he was investigated for this charge, and the unit consisted of boys younger than 15 who were particularly aggressive. He was cleared of the charge and later learned that the weapons had been transferred to Liberia in anticipation of the planned NPFL attack.

*Blah's appointment as Inspector General, and the role of Benjamin Yeaten*

The witness was appointed Inspector General of the NPFL in 1990, which required ensuring that troops did not harm civilians or their property through investigating charges of looting, rape, and killings. Blah claimed that he was tasked with setting up investigation boards, and Taylor alone had the sole authority to order executions. The witness described the limitations of his position, including his inability to exercise authority over the brutal Executive Guards Unit, whom he claimed did not follow the normal chain of command and exclusively took orders from Taylor. The witness described making a complaint to Taylor about a battle group commander affiliated with the Executive Guards who had killed a number of civilians, but Blah did not think anything was done about it. Taylor eventually ordered the man's execution for another incident.

The witness also discussed the role of Benjamin Yeaten, whom he claimed to have met in Libya when Yeaten was one of the youngest trainees in the camp. Yeaten eventually became Taylor's security. As a fellow Gio, Blah described Yeaten as "a friend, a tribesman," but noted that Yeaten eventually became too powerful as the director of the Special Security Services (SSS) and no longer respected Blah. The witness claimed that only Taylor could give orders to Yeaten, and added, "Nobody could disobey an order from Taylor. You would be punished severely." On cross-examination the defense focused on Blah's description of Yeaten's power, suggesting that Yeaten sometimes acted without Taylor's knowledge or consent.

*Early fighting in Sierra Leone; Taylor's rise to political power*

Blah explained that the call sign for Sierra Leone was “Kuwait,” and he had learned that the NPFL had troops fighting in Sierra Leone who were associated with the RUF. He claimed that in the initial stages there were more Liberians than RUF, but they came under the command of Foday Sankoh once they were in Sierra Leone. Blah claimed that Liberians were not investigated or punished for what they did in Sierra Leone.

Blah claimed that Taylor had a radio and television and was in contact with the outside world from the NPFL base in Gbarnga during this period. Blah had heard of human rights groups complaining about Taylor’s responsibility for atrocities. Following the brief period of an interim seven member government, Blah mentioned that one of Taylor’s campaign slogans was “you killed my ma, you killed my pa, I’ll still vote for you.” Once Taylor came to power in 1997, Blah was made ambassador to Libya and Tunisia. Blah claimed that Gadaffi provided Taylor with a bulletproof jeep and military uniforms, and later sent half a million dollars to Taylor. The witness described delivering a message from Gadaffi that warned Taylor against associating with Foday Sankoh, and he noted that Gadaffi was unhappy because Taylor was not following the principle of the revolution. Elaborating on this point, Blah noted that the principle of Mataba was to share, and he suggested that Gadaffi meant Taylor and his organization were keeping too many of their resources for themselves.

#### *Arms shipments and executions during Taylor’s presidency*

The witness described a visit he made to Ouagadougou to meet with Burkinabe president Blaise Compaore on Taylor’s behalf. On his return he accompanied a shipment of ammunition by plane from Ouagadougou to Monrovia. He claimed that the boxes of ammunition and RPGs were covered in Russian lettering, and they were off-loaded onto trucks at the airfield and taken to Taylor’s residence.

The witness also described a plane crash at Roberts field near the end of his vice presidency, where there were large explosions and two Ukrainians carried from the wreckage. Blah claimed this was a weapons shipment, but he was not able to observe as closely because he had been working farther away from the airfield at the time of the crash. Later in his testimony, Blah described another arms shipment that was intercepted by UNMIL forces in August of 2003, shortly before Taylor left power.

Blah went through a list of troops that had been in training during the early stages of the NPFL and identified which ones had been executed. A number of high-ranking individuals had been investigated and executed under Taylor’s orders, including men who had attempted to overthrow Taylor. After the Special Court indictment against President Taylor was unsealed while he was in Ghana in 2003, Taylor accused Blah of collaborating with the CIA upon his return to Liberia. Blah was eventually released after being detained for over a week.

#### *Sierra Leonean commanders in Liberia and the death of Sam Bockarie*

Blah gave evidence of contact between RUF and AFRC commanders and Charles Taylor in the time period covered by the indictment. The witness claimed he met Sam “Mosquito” Bockarie at Benjamin Yeaten’s residence during Taylor’s presidency. He also saw Johnny Paul Koroma in

Liberia after the junta when Koroma came with Sankoh and Bockarie in order for Taylor to help them resolve a dispute.

The witness claimed Benjamin Yeaten showed him the corpse of Sam Bockarie in the back of a pickup truck after Blah had seen Yeaten and Bockarie together the previous evening. Yeaten told Blah that he was taking the body to show President Taylor. Blah claimed that he heard Yeaten's bodyguards took Bockarie's infamous mayonnaise jar of diamonds, a jar that was mentioned in the January testimony of Varmuyan Sherif and again in "ZigZag" Marzah's testimony in March. The witness said he later heard on the radio that Bockarie was killed in a dispute at the border of Côte d'Ivoire when Bockarie was trying to enter Liberia.

Blah explained that he had received threats regarding his testimony, and he only came to testify in response to a subpoena.

### *Cross-Examination*

Following three days of direct examination, cross-examination began on May 19, with the defense focusing on the witness's concerns about coming to testify before the Special Court. Counsel suggested that the witness was reluctant to attend court, and would not have done so without the threat of a subpoena. Drawing upon Blah's public speeches in Liberia prior to his testimony, counsel suggested further that the witness was concerned about how the people of Liberia would perceive him if he testified. Counsel focused on Blah's statements that he was neither coming to testify for nor against Taylor, but that he was instead coming to tell the truth.

The witness stated that he was contacted by prosecution investigators in the fall of 2006 and received a letter of immunity. After establishing that he continued to work for a living and was a "poor man," he acknowledged that he had received a substantial sum of money from the prosecution by Liberian standards. Although the witness had already addressed much of the funds he had received during direct examination, the defense highlighted his payment of \$5000 for medical expenses, and a total of over \$13,000 to Blah in one year. The witness claimed he needed a lot of security and had been threatened since his contact with court investigators.

The defense established that the original 180 soldiers trained in Libya were well-disciplined, but as the NPFL grew in size, up to 70,000 soldiers, the additional forces were less trained and disciplined. They were mostly illiterate and were also unpaid, which meant that they took from the areas they captured. At that time a large percentage of the country had been displaced, and communications and transport were difficult. There were also pre-existing tribal tensions, and some fighters would take advantage of the situation to settle lost scores.

The defense then sought to establish that despite the chaos of the situation, the leaders of the NPFL still attempted to discipline their forces and taught an ideology that fostered a strong relationship to the people of Liberia. A tribunal was set up in Gborplay, the alternate capital, to investigate alleged abuses in areas under NPFL control, and Blah agreed that a Special Forces soldier was tried and executed by this tribunal in 1990. When the tribunal was moved to Gbarnga later in 1990, it was guided by statutory laws and assisted by professional lawyers. The board was not dissolved until after the elections in 1997. Blah conceded that the NPFL was

seeking to establish the rule of law in the territories under its control. The witness had heard of a general who was investigated for raping a girl, as well as the investigation of the commander of Camp Naama. Accepts that there was a system of discipline and law and order in NPFL territories.

The defense also attempted to establish that cannibalism was a shocking topic brought up during Marzah's testimony that the prosecution had wanted to return to. In response to a defense claim that it was a longstanding practice in Liberia, Blah stated that this happened a long time ago. He conceded that Taylor never ordered cannibalism in his presence. To supplement this point, counsel brought up Blah's testimony before a London court in which he claimed that Taylor did not drink the blood of his opponents or engage in ritual sacrifice, as had been alleged in a book by Stephen Ellis, who appeared previously as an expert witness in this court.

*Witness admits no knowledge of direct orders from Taylor to Sierra Leone*

In a series of questions from the defense, Moses Blah admitted that despite his high position in the Liberian government, he had no knowledge of many of the crimes alleged in the indictment. The witness admitted that he did not see arms given to anyone to go to Sierra Leone, that he did not know of any cash support going from Taylor to the RUF or the AFRC, and that he did not have direct knowledge of any diamond transactions between Taylor and these groups. He did not know of any radio communications between Taylor and the groups apart from communications about "Kuwait" (Sierra Leone) in the early days of the NPFL. He had not heard about Operation "Spare No Soul" or "No Living Thing" or about Liberian involvement in the invasion of Freetown. Blah also admitted that he did not hear Taylor give instructions to senior RUF commanders about operations in Sierra Leone, or about the need to control the diamond mining areas.

Under re-examination, the witness emphasized that Taylor communicated with Gaddafi and that his ATU was particularly lawless and brutal. Blah also noted Taylor's speech in which he stated he would "fight from house to house until the last person died" around the time that the large arms shipment was intercepted by UN peacekeepers. When asked by a judge whether it was true that Taylor had sent fighters to Sierra Leone to fight alongside the RUF, the witness agreed.

Samuel Kargbo - linkage

Samuel Kargbo was called to give evidence on May 21, 2008. Kargbo was born in 1970, and had served in the Sierra Leone Army (SLA) since December 1990. He stated that he was part of the group that was responsible for overthrowing the elected government in 1992, which sent President Momoh into exile. On the first two days the prosecution elicited evidence of various atrocities committed during the junta period. Kargbo also testified about the link between the AFRC, Foday Sankoh, and Charles Taylor.

*Crime-base testimony*

Kargbo gave evidence that rebels of the Gio tribe (a tribe that he knew to belong to Liberia) and Mende tribe (from Sierra Leone) treated civilians badly, recruited them into the forces, burned

down houses, and killed people. Kargbo testified that while fighting with these rebels, he saw burned houses and corpses, as well as intestines and heads lying on the roads. Rebels shot Kargbo in 1992. The witness also reported that prior to the 1996 elections, rebels had been cutting civilians' hands and shooting at civilians, and he saw civilians at the government hospitals with their fingers cut off. Kargbo also testified that the Gios engaged in cannibalism. Kargbo was beaten, stripped, and had over 200 diamonds taken away by the RUF when the RUF officials thought that the witness was running away to Liberia.

#### *Links between the AFRC and RUF*

Under the leadership of Johnny Paul Koroma, Kargbo participated in the coup to overthrow the government of President Kabbah. Kargbo stated that Koroma obtained Foday Sankoh's number and called him regarding the status of the AFRC and RUF's relations. Within three days of that phone call, the RUF forces joined the AFRC when Gibril Massaquoi arrived as Sankoh's messenger. According to Kargbo, the new government received recognition from the leadership in Liberia, Burkina Faso, Libya, and Nigeria. Kargbo noted that his own boss, a man named General Dennis Lasana, was an RUF official. Kargbo also testified about a ritual marking that he and some of his colleagues underwent under Sam Bockarie's orders.

#### *Alleged links between RUF-AFRC's Supreme Council and Taylor*

Much of the witness's testimony concerned telephone calls between members of the RUF, AFRC and Taylor. Kargbo stated that Gibril Massaquoi brought phone numbers of various leaders of West African nations during an initial meeting that solidified the RUF-AFRC partnership. Kargbo heard that Johnny Paul Koroma called Charles Taylor, who encouraged the alliance of the RUF and the AFRC and instructed them to keep him informed if there were any problems between the two groups. Koroma called Taylor again in early 1998 after a fight broke out regarding an incident at the Iranian Embassy. Taylor advised Johnny Paul Koroma to set up an inquiry commission to punish those involved. When asked why Johnny Paul Koroma would choose to call Taylor, Kargbo stated that it was because it was a known fact that Taylor was the "Godfather" of the RUF.

Kargbo also mentioned other phone calls that took place between Taylor and Johnny Paul Koroma involving arms and ammunition. He also heard that Taylor would send a helicopter to allow Koroma and his family to escape with Kargbo to Liberia. The witness gave evidence regarding another occasion when he and three others flew to Monrovia under Taylor's orders after the Westside boys had captured UN peacekeepers in August of 1999. Kargbo mentioned numerous telephone calls between Johnny Paul Koroma and Taylor regarding how to handle this abduction of the peacekeepers.

#### *Cross-examination*

The defence's cross-examination of Samuel Kargbo focused on discrepancies between his current evidence testimony and his prior interviews with the Prosecution in early May. In particular, counsel pointed out that Kargbo had failed to correct a number of prior inconsistent statements to the prosecution, or that he did so selectively. The defense also tried to illustrate

Kargbo's own culpability for atrocities committed in Sierra Leone, and suggested that the coup he had participated was in fact a violent act rather than the non-violent "demonstration" that the witness had been claiming. The defense further questioned the witness's own motivations for participating in the coup. Following the line they had adopted with other witnesses, the defense also suggested that the witness's late addition of cannibalism to his testimony was due to having heard it from previous witness testimony, which Kargbo denied.